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HANSARD'S

PARLIAMENTARY DEBATES.

THIRD SERIES,
COMMENCING WITH THE ACCESSION OF
WILLIAM IV.

25° VICTORIÆ, 1862.

VOL. CLXVI.

COMPRISING THE PERIOD FROM
THE TWENTY-FIFTH DAY OF MARCH, 1862,
TO
THE TWENTY-SIXTH DAY OF MAY, 1862.

Second Volume of the Session.

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instead thereof—Question proposed, "That the words proposed to be left out stand part of the Question"—Amendment, by leave, *withdrawn* 554

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instead thereof—Question proposed, "That the words proposed to be left out stand part of the Question"—Question put, and *negatived* ... 580

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Question proposed, "That those words be there added"—Amendment proposed,

To add at the end thereof the words, "and that this House will, on Thursday the 1st day of May, resolve itself into a Committee, to consider of authorizing the application of any portion of the monies which have been voted for the construction of Forts, and not already expended or appropriated, to the construction of iron-sheathed vessels, or to the conversion of wooden vessels into iron-sheathed vessels." (*Mr. Bentinck*)

—Question put, "That those words be there added"—The House *divided:* Ayes 74; Noes 13; Majority 61—Amendment, as amended, put, and *agreed to* 627

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Resolved, "That it is expedient to suspend the construction of the proposed Forts at Spithead until the value of iron-roofed gunboats for the defence of our Ports and Roadsteads shall have been fully considered; and that this House will, on Thursday the 1st day of May, resolve itself into a Committee, to consider of authorizing the application of any portion of the monies which have been voted for the construction of Forts, and not already expended or appropriated, to the construction of iron-sheathed vessels, or to the conversion of wooden vessels into iron-sheathed vessels." 630

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To leave out from the word "That" to the end of the Question, in order to add the words "this House will not proceed further with the Bill, until the Estimate of the cost of the Works to be authorized thereby shall have been laid upon the Table of the House," (*Sir John Shelley*)

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Main Question put, and *agreed to*—House in Committee—

(In the Committee.)

Resolved, That the Commissioners of Her Majesty's Woods, Forests, and Land Revenues be authorized to advance, by way of Loan, to the Company to be incorporated under the provisions of the Hull South Bridge Bill, the sum of ten thousand pounds out of the capital of the Land Revenues of the Crown, upon such terms and conditions as may be prescribed by any Act to be passed in this Session of Parliament.

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Births and Deaths Registration (Ireland) Bill [Bill No. 20]—Order for Second Reading read—Motion made, and Question proposed, "That the Bill be now read a second time"—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is of opinion that it is not expedient to employ the Police as the Registrars of Births and Deaths in Ireland," (*Mr. Hennessy*)

instead thereof—Question proposed, "That the words proposed to be left out stand part of the Question"—Amendment, by leave, *withdrawn*—Main Question put, and *agreed to*—Bill read 2°, and *committed* 1111

Summary Jurisdiction (Ireland) Bill [Bill No. 63]—*considered* in Committee—

(In the Committee.)

Clause (*Captain Stacpoole*) *brought up*, and read 1°—Question put, "That the clause be read a second time"—The Committee *divided:* Ayes 26; Noes 33; Majority 7.

Bill *reported* 1114

FRIDAY, MAY 2.

Highways Bill—Question, Mr. Slaney—Answer Sir George Grey ... 1125

Census (Ireland)—Question, Sir Frederick Heygate—Answer, Sir Robert Peel 1125

Abdel Kader—Question, Mr. Darby Griffith—Answer, Mr. Layard ... 1125

Defence Commission—Question, Sir Morton Peto—Answer, Sir George Lewis 1126

SUPPLY—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" 1126

Royal Commission—Volunteers—Question, Lord Elcho—Answer, Sir George Lewis 1126

Irish Returns—Question, Colonel Dickson—Answer, Sir Robert Peel ... 1126

The Baron de Bode—Question, Mr. Lowe—Answer, Mr. Denman ... 1127

Prosecution Expenses Bill—Question, Colonel Gilpin—Answer, Sir George Grey 1127

Commercial Treaty with Italy—Question, Mr. W. E. Forster—Answer, Mr. Layard 1127

Distress in Lancashire—Observations, Colonel Wilson Patten ... 1127

Education—The Revised Code—Question, Sir John Pakington—Answer, Viscount Palmerston 1128

Messrs. Duncan and Hutchinson—Question, Lord Robert Montagu—Answer, Mr. Peel 1129

Tyrone Grand Jury—Question, Major Knox—Answer, Sir Robert Peel ... 1129

Distress in Lancashire—Question, Colonel W. Patten—Answer, Viscount Palmerston 1130

Captain Jackson's Report—Observations, Mr. W. Ewart 1130

Troops in China—Question, Colonel Dunne—Answer, Sir George Lewis ... 1130

New Fort in Plymouth Sound—Question, Mr. Bentinck—Answer, Sir George Lewis 1132

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Irish Distress—Observations, Mr. Maguire 1134
Barrack Masters—Observations, Colonel French 1183
The Taepings—Question, Colonel Sykes—Answer, Mr. Layard ... 1186

Question put, and *agreed to*—SUPPLY *considered* in Committee—Committee report Progress 1188

Merchant Shipping Acts, &c. Amendment Bill [Bill No. 89]—Order for Committee read—Motion made, and Question *proposed,* "That Mr. Speaker do now leave the Chair"—Debate *adjourned* till *Monday* next ... 1188

Burials Bill [Bill No. 42]—read 2°, and *committed* to a Select Committee ... 1189

Education of Pauper Children Bill [Bill No. 87]—read 2°, and *committed* to the Select Committee on Poor Relief 1189

MONDAY, MAY 5.

County Infirmaries and Fever Hospitals (Ireland)—Question, Captain Stacpoole—Answer, Sir Robert Peel 1203

Instructors of Volunteers—Question, Mr. Darby Griffith—Answer, Sir George Lewis 1203

Education—The Revised Code of Regulations—*considered* in Committee—

(In the Committee.)

Resolution,

"That where it is proposed to give Government aid to Elementary Schools, it is inexpedient that the whole amount of such aid should depend on the individual examination of each child in reading, writing, and arithmetic." (*Mr. Walpole*)

—Motion *withdrawn* 1204

Resolution,

"That to require the employment of Certificated Masters and Pupil Teachers by Managers of Schools, as an indispensable condition of their participation in the Parliamentary Grant, is inexpedient and inconsistent with the principle of payment for results which forms the basis of the Revised Code." (*Mr. Walter*)

—Words "and Pupil Teachers" omitted—On Motion, as amended, the Committee *divided:* Ayes 156; Noes 163; Majority 7 ... 1243

Resolution,

"That, in order to prevent an unnecessary and undue expenditure of public money, it is expedient that the Managers of a School, before receiving Capitation Money from the Committee of the Privy Council on Education, should satisfy the Inspector that the circumstances of the parents on behalf of whose children such capitation grant is claimed are such as to require public assistance for the education of their children." (*Mr. Baines*)

put, and *negatived* 1271

Resolution,

"That, although Evening Schools are valuable, as means of confirming and carrying on the education received in Day Schools, it is unnecessary and inexpedient to grant public money for their support, inasmuch as the youth attending them are generally in the receipt of wages, and are well able to pay the small charge for evening instruction, and also because numerous Evening Schools and Classes already exist in connection with voluntary institutions, and are constantly increasing in number and efficiency," (*Mr. Baines*)

put, and *negatived* 1275

Resolution,

"That inasmuch as the great majority of children in Wales are, on their admission to Schools, either altogether ignorant of, or imperfectly acquainted with, the English language, through the medium of which they are instructed, and in which their examination is conducted, such examination shall not, in any School in the Principality, be commenced until the children have attained the age of seven years; that group 1 shall include children between seven and eight years of age; group 2 those between eight and ten; group 3 those between ten and twelve; and group 4 those above twelve years of age," (*Mr. H. A. Bruce*)

—On Question, the Committee *divided:* Ayes 61; Noes 136; Majority 75 1275

MONDAY, MAY 5—*continued.*

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Resolution,

"That it is desirable to maintain a premium on the acquisition of the present standard of a second year's training by Schoolmasters undertaking large Schools." (*Mr. Adderley*)

—Motion *withdrawn* [No Report] 1277

Inclosure Bill [Bill No. 50]—Order for Committee *discharged*—

Ordered, That the Bill, so far as relates to the Inclosure of Chigwell, be committed to a Select Committee, to be appointed by the Committee of Selection, in the same manner as in the case of a Private Bill. 1277

Writs of Habeas Corpus into Her Majesty's Possessions Abroad Bill [*Lords*] [Bill No. 62]—Order for Third Reading read—Motion made, and Question proposed, "That the Bill be now read the third time"—Amendment proposed, to leave out from the words "That the" to the end of the Question, in order to add the words "Order for the Third Reading of the said Bill be discharged," (*Mr. Ayrton*) instead thereof—Question put, "That the words proposed to be left out stand part of the Question"—The House *divided:* Ayes 62; Noes 24; Majority 38—Main Question put, and *agreed to*—Bill read 3°, and *passed* 1277

TUESDAY, MAY 6.

Ventilation of Ships of War—Question, Sir James Elphinstone—Answer, Lord Clarence Paget 1279

Civil Service Salaries—Question, Sir Stafford Northcote—Answer, Mr. Peel ... 1280

Proceeding at Herat—Question, Mr. Darby Griffith—Answer, Viscount Palmerston 1280

Forts at Spithead — Question, Sir James Elphinstone — Answer, Viscount Palmerston 1281

Ceylon—Motion for Return "of all Charges, Civil, Military, and Naval, defrayed out of the Imperial Exchequer on account of the Colony of Ceylon during the five years ending the 31st day of December, 1860" (*Mr. Lyall*)—Return *ordered* 1282

Maynooth College—Motion,

"That this House will immediately resolve itself into a Committee to consider the Act of the eighth and ninth of Victoria, for the Endowment of the College of Maynooth, with a view to the repeal of the same, due regard being had to vested rights and interests." (*Mr. Whalley*)

—On Question, the House *divided:* Ayes 111; Noes 193; Majority 82... 1292

Harbours of Refuge—Resolution,

"That, in the opinion of this House, it is the duty of Her Majesty's Government to adopt measures to carry into effect the Resolution of the House, of the 19th day of June, 1860, in regard to Harbours of Refuge." (*Mr. Lindsay*)

—On Question, the House *divided:* Ayes 77; Noes 115; Majority 38 1303

Harwich Harbour—Motion for a Select Committee "to inquire as to the best means of preserving Harwich Harbour as a Harbour of Refuge" (*Captain Jervis*); *agreed to*—Select Committee *appointed*—Committee *nominated*... 1336

Inns of Court—The Benchers—Motion,

"Return from each of the Societies of the Inner and Middle Temple, of Lincoln's Inn, and of Gray's Inn, in a tabular form, and according to their seniority; of the names of the Benchers of each of the said Societies, the dates of their respective calls to the Bar, the dates of their respective calls to the Bench, the amount paid by each respectively on his call to the Bench, the date on which each Bencher who holds Bench Chambers was first admitted to Bench Chambers, the then annual value of each of such Bench Chambers, the position and annual value of the Bench Chambers now held by each of such Benchers, and the gross amount which, up to the date of the Return, had been received by each Bencher from Bench Chambers held by him as a Bencher; and a similar Return showing the amount of fees or other payment or emolument received by each Bencher who has held the office of treasurer." (*Mr. Craufurd*)

—On Question, the House *divided:* Ayes 12; Noes 54; Majority 42 ... 1336

Tuesday, May 6—*continued.* Page

Summary Jurisdiction (Ireland) Bill [Bill No. 63]—Order for Third Reading read —Motion made, and Question proposed, "That the Bill be now read the third time"—Amendment proposed, to leave out from the words "That the" to the end of the Question, in order to add the words "Order for the Third Reading of the said Bill be discharged," (*Captain Stacpoole*) instead thereof—Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*—Main Question put—The House *divided:* Ayes 35; Noes 5; Majority 30—Bill read 3°, and *passed* ... 1340

Wednesday, May 7.

County Courts Procedure Bill [Bill No. 19]—Order for Second Reading read—Motion made, and Question proposed, "That the Bill be now read a second time"—Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months" (*Mr. Attorney General*)—Question, "That the word 'now' stand part of the Question," put, and *negatived*—Words *added*—Main Question, as amended, put, and *agreed to*—Bill *put off* for three months ... 1341

Public-houses (Scotland) Acts Amendment Bill [Bill No. 33] — Order for Committee read—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair"—Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is not expedient to sanction any further Legislation on the subject of Public-houses in Scotland which does not consolidate as well as amend the present Acts," (*Mr. Craufurd*) instead thereof —Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*—Main Question put, and *agreed to*—Bill *considered* in Committee 1345

Thursday, May 8.

Distress in Lancashire—Notice of Motion, Mr. A. F. Egerton 1358

The Recent Murder in Tipperary—Question, Mr. Scully—Answer, Sir Robert Peel 1358

Civil Bill Decrees (Ireland)—Question, Mr. Longfield—Answer, Sir Robert Peel 1359

Court of Admiralty (Ireland)—Question, Sir Edward Grogan—Answer, Sir Robert Peel 1360

Licensing System—Question, Mr. Scholefield—Answer, Sir George Grey ... 1360

Slave Trade—Question, Mr. W. E. Forster—Answer, Mr. Layard ... 1360

Customs and Inland Revenue Bill [Bill No. 90]—read 2°, and *committed* ... 1361

Supply—*considered* in Committee—

(In the Committee.)

Civil Service Estimates—

£842,119, Public Education in Great Britain 1446

£116,695, Department of Science and Art 1450

Motion, "That the Chairman do report Progress, and ask leave to sit again" (*Mr. Dillwyn*) — On Question, the Committee *divided:* Ayes 65; Noes 59; Majority 6—Committee report Progress 1450

Drainage (Ireland) Bill [Bill No. 80]—read 2°, and *committed* to a Select Committee 1451

Land Debentures (Ireland) Bill (*Mr. Scully*) [Bill No. 64]—Second Reading *deferred* 1451

Friday, May 9.

Merchant Shipping Acts, &c. Amendment Bill — Question, Lord Hotham — Answer, Mr. Milner Gibson 1468

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Visit of M. Mercier to Richmond, United States—Question, Sir James Duke—Answer, Mr. Layard 1468

Registration of Births and Deaths in Ireland—Question, General Upton—Answer, Sir Robert Peel 1469

SUPPLY — Motion made, and Question proposed "That Mr. Speaker do now leave the Chair" 1469

Reserved List of the Navy—Amendment,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the case of the Reserved Captains of Her Majesty's Navy should be referred to the Law Officers of the Crown." (*Sir J. Hay*)

—Amendment *withdrawn* 1469

The Record Office—Observations, Mr. Baillie Cochrane 1477

The Fort in Plymouth Sound—Observations, Mr. Bentinck ... 1482

The Dress of Deputy Lieutenants—Question, Mr. Knightley—Answer, Sir George Lewis 1483

Grand Juries (Ireland)—Question, Mr. Blake—Answer, Sir Robert Peel 1484

The Distress in the Manufacturing Districts—Question, Mr. A. F. Egerton—Answer, Mr. C. P. Villiers 1490

Laws and Constitution of Jersey—Observations, Mr. Serjeant Pigott ... 1522

Main Question put, and *agreed to*—SUPPLY *considered* in Committee ... 1526

(In the Committee.)

Civil Service Estimates—Motion made, and Question proposed,

"That a sum, not exceeding £116,695, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1863, for the General Management of the Department of Science and Art, of the Schools throughout the Kingdom in connection with the Department, and of the Geological Surveys of Great Britain and Ireland, &c." 1526

Amendment (*Mr. Dillwyn*), to reduce Vote to £109,589—The Committee *divided:* Ayes 48; Noes 111; Majority 63 — Original Question put, and *agreed to*—Resolution to be reported on *Monday* next ... 1532

British Museum Bill — Bill "to enable the Trustees of the British Museum to remove portions of their Collections" *ordered* to be brought in by Mr. Chancellor of the Exchequer and Viscount Palmerston; *presented*, and read 1° [Bill 108] 1532

MONDAY, MAY 12.

The University of Aberdeen — Question, Colonel Sykes — Answer, The Lord Advocate 1557

Traffic through Park Lane—Question, Mr. Alcock—Answer, Mr. Cowper ... 1557

Proposed Soldiers' Institute at Portsmouth—Question, Mr. W. Ewart—Answer, Sir George Lewis 1558

Murder of Mr. Thiebault in Tipperary—Question, Mr. Scully—Answer, Sir Robert Peel 1558

Embassy Chapel at Paris—Question, Lord Robert Montagu—Answer, Mr. Peel 1559

Sales in the Encumbered Estates Court—Question, Lord Robert Montagu—Answer, Sir Robert Peel 1559

Turkey and Montenegro—Question, Mr. Freeland—Answer, Mr. Layard ... 1560

Captain Coles' Cupola Shield—Question, Admiral Walcott—Answer, Lord Clarence Paget 1560

Tasmania — Convicts — Question, Mr. Adderley — Answer, Mr. Chichester Fortescue 1561

MONDAY MAY 12—*continued.* Page

Customs and Inland Revenue Bill [Bill No. 90]—Order for Committee read—Bill *considered* in Committee 1561

(In the Committee.)

Clauses *considered*—Bill *reported,* as amended; *re-committed* [Bill 109] ... 1573

SUPPLY—Resolution, £116,695, Science and Art Department, *reported,* and *agreed to* 1598

TUESDAY, MAY 13.

Remuneration of Postmasters—Question, Mr. P. W. Martin—Answer, Mr. Peel 1614

Lunatic Asylums in Ireland—Question, Mr. MacEvoy—Answer, Sir Robert Peel 1614

The Indian Civil Service—Question, Mr. Adam—Answer, Mr. T. G. Baring ... 1615

Parochial Assessment—Question, Mr. Hodgkinson—Answer, Mr. C. P. Villiers 1615

Department of Public Works — Question, Lord Robert Montagu — Answer, Viscount Palmerston 1616

Proposed New Courts of Justice—Question, Mr. Collins—Answer, Mr. Cowper 1616

Grant to Mr. George Linnæus Banks—Question, Mr. Bentinck—Answer, Viscount Palmerston 1617

Prince Napoleon in Naples—Question, Mr. Darby Griffith—Answer, Mr. Layard 1617

Captain Coles' Shield—Question, Lord Robert Montagu — Answer, Lord Clarence Paget 1618

Tramways Bill—Bill "to authorize the construction of Tramways on Turnpike Roads and other Roads in England" *ordered* to be brought in by Mr. Ayrton and Sir Lawrence Palk; *presented,* and read 1° [Bill No. 118] ... 1619

Hull Citadel—Motion for Address for

"Copy of the Case prepared in the War Office, and settled in the Department of Woods and Forests, which was submitted to the Law Officers of the Crown, respecting Hull Citadel; and of their Opinion given thereon." (*Mr. Augustus Smith*)

—On Question, the House *divided:* Ayes 41; Noes 180; Majority 139... 1621

Income Tax—Resolution,

"That, in the opinion of this House, the incidence of an Income Tax should not fall upon Capital or Property, and that when applied to the annual products of invested property, it should fall only upon the net Income arising therefrom; and that the net Profits, Gains, or Salaries of persons and partnerships (not being public Companies) engaged in any trade, farm, manufacture, professsion, or salaried employment, should be subject, previous to assessment, to such an abatement as may equitably adjust the burden thrown upon Intelligence and Skill as compared with Property." (*Mr. Hubbard*)

—On Question, the House *divided:* Ayes 62; Noes 99; Majority 37 ... 1623

Sailors' Homes—Resolution,

"That, in the distribution of the Parliamentary Grant to Sailors' Homes, it is desirable that the Admiralty should be empowered to give assistance to such Sailors' Homes as in its judgment it may deem most deserving of support, whether situated in the neighbourhood of dockyards or not." (*Sir H. Stracey*)

—Motion *withdrawn* 1658

Sydney Branch Mint—Motion,

"That a Select Committee be appointed to consider and report on the expediency of legalizing the circulation in the United Kingdom of the Sovereigns coined at the Branch of the Royal Mint at Sydney." (*Mr. Alderman Salomons*)

—Motion *agreed to*—Select Committee *appointed,* and *nominated* ... 1665

Grand Jury Secretaries (Ireland) Bill [Bill No. 94]—On Question, "That the Bill be now read a second time"—Motion *withdrawn*—Bill *withdrawn* ... 1669

Public-houses (Scotland) Acts Amendment Bill [Bill No. 33] — *considered* in Committee—Bill *reported,* as amended [Bill No. 117] 1672

WEDNESDAY, MAY 14.

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Church Rate Abolition Bill (Sir John Trelawny) [Bill No. 10]—Motion made, and Question proposed, "That the Bill be now read a second time—Amendment,

To leave out from the word "That" to the end of the Question, in order to add the words "it is unjust and inexpedient to abolish the ancient customary right, exercised from time immemorial by the ratepayers of every parish in England, to raise by rate among themselves the sums required for the repair of their Church, until some other provision shall have been made by Parliament for the discharge of those obligations to which, by custom or statute, the Churchwardens on the part of the parish are liable," (*Mr. S. Estcourt*)

instead thereof—Question put, "That the words proposed to be left out stand part of the Question—The House *divided:* Ayes 286; Noes 287; Majority 1 — Division List — Question put, "That those words be there added" — The House *divided:* Ayes 288; Noes 271; Majority 17 — Division List — Main Question, as amended, put, and *agreed to* ... 1674

THURSDAY, MAY 15.

The Slave Trade—Question, Mr. Charles Buxton—Answer, Mr. Layard ... 1744

Poaching Case at Maidstone—Question, Mr. Digby Seymour—Answer, Sir George Grey 1747

Report of the Cadastral Survey Committee—Question, Sir Frederick Heygate —Answer, Sir George Lewis 1748

The Brehon Law Publication—Question, Mr. Stirling—Answer, Sir Robert Peel 1748

The British Museum—Question, Mr. Gregory—Answer, The Chancellor of the Exchequer 1749

The Delhi and Lucknow Prize Money—Question, Mr. Deedes—Answer, Mr. T. G. Baring 1749

Merchant Shipping Acts, &c. Amendment Bill [Bill No. 89]—Order read for resuming Adjourned Debate on Question [May 2] "That Mr. Speaker do now leave the Chair"—Question again proposed: Debate *resumed*—Question put, and *agreed to*—Bill *considered* in Committee ... 1750

(In the Committee.)

Clauses 1 to 7 *agreed to* 1750

Clause 8 (Certificates of Competency)—Amendment (*Mr. Milner Gibson*); *agreed to*—Clause *agreed to* 1750

Clauses 9 to 21 *agreed to* 1753

Clause 22 (Power of Cancelling Certificates)—Amendment (*Mr. Henley*); *withdrawn*—Clause *agreed to* 1756

Clauses 23 and 24 *postponed* 1763

Clauses 25 to 35 *agreed to* 1764

Clause 36 (Pilotage)—Amendment (*Lord Hotham*); *negatived*—Clause *agreed to* 1764

Clauses 37 to 45 *agreed to*—Clause 46 *struck out*—Clauses 47 to 51 *agreed to* —Clauses 52 and 53 *postponed*—Clauses 54 to 60 *agreed to* ... 1778

Clauses 61, 62, and 63 *postponed*—Clause 64 *agreed to* 1778

Clause 65—Amendment (*Mr. Locke*); *negatived* 1779

Peace Preservation (Ireland) Bill [Bill No. 106]—Motion made, and Question proposed, "That the Bill be now read a second time"—Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months" (*Mr. Brady*)—Question put, "That the word 'now' stand part of the Question"—The House *divided;* Ayes 78; Noes 13; Majority 65—Main Question put, and *agreed to*—Bill read 2°, and *committed* 1781

Poor Law Officers' Superannuations (Ireland) Bill [Bill No. 107]—On Motion for Second Reading, Debate *adjourned* till *Monday* 26th May ... 1783

FRIDAY, MAY 16.

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Rumoured Rifle Match between the two Houses of Parliament—Question, Mr. Bernal Osborne—Answer, Mr. Speaker 1789

Reciprocity Treaties between Canada and the United States — Question, Mr. Seymour Fitzgerald—Answer, Mr. Layard 1791

The Forts at Spithead — Question, Mr. Bernal Osborne — Answer, Sir George Lewis 1791

French Occupation of Mexico—Question, Sir G. Bowyer—Answer, Viscount Palmerston 1792

Seizure of the "Orwell" Steamer — Question, Mr. Cavendish Bentinck — Answer, Mr. Layard 1793

The Citadel of Hull—Question, Colonel Dunne—Answer, Sir George Lewis ... 1793

Charitable Donations and Bequests (Ireland) Bill—Question, The O'Conor Don —Answer, Mr. Hassard 1793

Courts Martial—Question, Mr. O'Brien—Answer, Sir George Lewis ... 1794

SUPPLY—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" 1794

Westminster Improvement Commission—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the double appointment of Sir E. Pearson and Mr. Tite, M.P., to the Chairmanship of the Westminster Improvement Commission," (*Sir W. Gallwey*)

instead thereof — Question put, "That the words proposed to be left out stand part of the Question — The House *divided:* Ayes 139; Noes 128; Majority 11 1794

The Suez Canal—Question, Mr. Darby Griffith—Answer, Mr. Layard ... 1821

The Treaty with Guatemala—Question, Mr. Seymour Fitzgerald—Answer, Mr. Layard 1825

China—The Insurgents of Kiang-nan—Question, Colonel Sykes—Answer, Mr. Layard 1826

The Curragh of Kildare—Observations, Colonel Dunne 1832

Northampton Charity Trustees — Question, Mr. Hunt — Answer, The Attorney General 1837

The Civil Service Charges—Observations, Mr. Ayrton 1839

Main Question put, and *agreed to*—SUPPLY *considered* in Committee ... 1849

(In the Committee.)

Civil Service Estimates—Motion made, and Question proposed,

"That a sum, not exceeding £150,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1863, for constructing certain Harbours of Refuge" ... 1849

Whereupon Motion made, and Question put, "That the item of £90,000, for the Harbour of Alderney, be omitted from the proposed Vote" (*Mr. Baxter*)—The Committee *divided:* Ayes 130; Noes 138; Majority 8 —Original Question put, and *agreed to* 1849

Committee report Progress—Resolution to be reported on *Monday* next ... 1860

MONDAY, MAY 19.

Church Rates—Question, Sir John Trelawny—Answer, Mr. Sotheron Estcourt 1863

Customs and Inland Revenue Bill [Bill No. 109]—read 3°, and *passed* ... 1863

British Museum Bill [Bill No. 108]—Order for Second Reading read—Motion made, and Question proposed, "That the Bill be now read a second time"—Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months" (*Mr. Gregory*)—Question put, "That the word 'now' stand part of the Question"—The

MONDAY, MAY 19—*continued,* Page

House *divided :* Ayes 71 ; Noes 163 ; Majority 92—Words *added*—Main Question, as amended, put, and *agreed to*—Second Reading *put off* for three months 1903

SUPPLY—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" 1933

Iron-plated Ships—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House a Return of the number of proposals or plans, for the purposes of shot-proof ships, which have been received at the Admiralty during the last three years ; distinguishing those which are now awaiting consideration ; stating the dates when such proposals or plans were received and reported on respectively ; and, if any such proposals or plans have been referred to a Committee, giving the names and qualifications of the respective Members of which that Committee was composed," (*Lord Robert Montagu.*)

instead thereof—Question proposed, "That the words proposed to be left out stand part of the Question"—Question put, and *negatived*—Words *added*—Main Question, as amended, put, and *agreed to* ... 1933

Peace Preservation (Ireland) Bill [Bill No. 106]—read 3°, and *passed* ... 1948

TUESDAY, MAY 20.

Import of Foreign Paper—Question, Mr. Aspinall Turner—Answer, Mr. Milner Gibson 1959

St. Stephen's Crypt—Question, Mr. Cavendish Bentinck—Answer, Mr. Cowper 1960

Persia—Reported attack on Herat—Question, Sir Minto Farquhar—Answer, Sir Charles Wood 1960

Fishing Boats—Motion,

"That an humble Address be presented to Her Majesty, that she will be graciously pleased to give directions that there be laid before this House a Return of all British and French Fishing Boats which have been captured during the last ten years for the infringement of the Convention of 1843, and of the punishments inflicted in both countries in those cases :

"And, Copy of all Correspondence which has passed on the subject of such captures and punishments between the British and French Governments." (*Mr. Bentinck*)

—Motion *withdrawn* 1960

Case of Alice Delin—Motion for

"Copies of the Depositions taken at a Coroner's Inquest held at Tullamore, in the King's County, on the 3rd day of January 1862, on the body of Alice Delin, who had been imprisoned in the county jail for seven days :"

"Of the Order or Conviction (if any), and of the Committal, under which she was so imprisoned :"

"Of the Entry (if any) of such Order or Conviction in the Petty Sessions Order Book of the district, and of all Entries or Orders appearing on the page of the said Order Book in which such Conviction or Order is entered :"

"Return stating when and from whom the said Conviction or Order was received by the clerk of Petty Sessions, when he made an entry of the same in the Order Book, and in whose handwriting the original of said Order or Conviction and the signature thereto is :"

"Copy of the Informations sworn against the said Alice Delin :"

"Return stating in whose handwriting the original of said Informations is, where they were written, and also whether the prisoner, the deponent, or any justice of the peace were present while such Informations were being written, and also if the prisoner was present when such Informations were afterwards sworn :"

"And, Copy of any Correspondence of any Members of the Irish Government in relation to the above case." (*Mr. O'Brien*)

—Motion *agreed to* 1965

Jurisdiction in Homicides Bill—

"Bill for the more speedy Trial of certain Homicides committed by persons subject to the Mutiny Act, and for giving Jurisdiction to the Central Criminal Court to inquire into such Homicides,"

ordered to be brought in by Sir George Lewis and Mr. Attorney General—Bill *presented,* and read 1° [Bill 129] 1969

TUESDAY, MAY 20—*continued.* *Page*

Artillery Ranges Bill—

"Bill to appropriate certain portions of Land lying between high and low water mark, situate in the parishes of Shoebury and Wakering, in the county of Essex, as Ranges for the use and practice of Artillery,"

—*ordered* to be brought in by Sir George Lewis and Mr. Attorney General —Bill *presented,* and read 1°, and referred to the Examiners for Petitions on Private Bills [Bill 127] 1969

Savings Banks Bill [Bill No. 35] — On Motion for Second Reading, Bill *withdrawn* 1970

Lunacy Regulation Bill [Bill No. 76]—read 2°, and *committed* ... 1974

WEDNESDAY, MAY 21.

Sale of Spirits Bill [Bill No. 51]—Motion made, and Question proposed, "That the Bill be now read a second time"—Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months" (*Mr. Ayrton*)—Question put, "That the word 'now' stand part of the Question"—The House *divided:* Ayes 82; Noes 53; Majority 29—Main Question put, and *agreed to*—Bill read 2°, and *committed* 1988

Judgments Law Amendment (Ireland) Bill [Bill No. 70] — Motion made, and Question proposed, "That the Bill be now read a second time"—Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months" (*Mr. Solicitor General*)—Question proposed, "That the word 'now' stand part of the Question" —Amendment, by leave, *withdrawn*—Main Question put, and *agreed to*—Bill read 2°, and *committed* to a Select Committee 2000

Debentures on Land (Ireland) Bill [Bill No. 71] — read 2°, and *committed* to the Select Committee on Judgments Law Amendment (Ireland) Bill ... 2007

THURSDAY, MAY 22.

United Kingdom Telegraph Company Bill [*Lords*] (*by Order*) — Order for Second Reading read—Motion made, and Question proposed, "That the Bill be now read a second time"—Amendment proposed, to leave out the word "now," and at the end of the Question to add the words, "upon this day week" (*Mr. Humbertson*)—Question proposed, "That the word 'now' stand part of the Question"—Amendment, by leave, *withdrawn*—Main Question put, and *agreed to*—Bill read 2°, and *committed* ... 2020

The Labourers employed on the Suez Canal—Question, Mr. Darby Griffith—Answer, Mr. Layard 2022

British Columbia—Question, Mr. Malcolm—Answer, Mr. Chichester Fortescue 2023

The Defences Commission — Question, Mr. Bernal Osborne — Answer, Sir George Lewis... 2025

Fires in the Metropolis—Question, Mr. Doulton—Answer, Sir George Grey ... 2025

Embankment of the South Side of the Thames—Question, Mr. Doulton—Answer, Mr. Cowper 2025

Marriages (Ireland) Bill—Question, Mr. H. Seymour—Answer, Sir Hugh Cairns 2025

Ecclesiastical Registries—Question, Mr. H. Seymour—Answer, Sir George Grey 2026

Education (Scotland) Bill—Question, Mr. Stirling—Answer, The Lord Advocate 2026

The Indian Budget—Question, Mr. Arthur Mills—Answer, Sir Charles Wood... 2026

Church Rates—Question, Sir John Pakington—Answer, Viscount Palmerston... 2026

SUPPLY—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" 2027

The Middle Level Drainage—Rupture of the Sluice—Question, Mr. Bentinck—Answer, Mr. Fellowes 2027

THURSDAY, MAY 22—*continued.*

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The Indian Navy—Question, Sir Henry Willoughby—Answer, Sir Charles Wood 2030

Irish Education—Observations, The O'Conor Don 2031

Motion *withdrawn*—Committee *deferred* 2082

SUPPLY—Resolution *reported,*

"That a sum, not exceeding 150,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1863, for constructing certain Harbours of Refuge" 2082

On Question, "That the said Resolution be now read a second time," Amendment,

"To leave out from the word 'That' to the end of the Question, in order to add the words 'a Select Committee be appointed to inquire into the amount for which the harbour and fortifications at Alderney will be completed,'" (*Mr. Ayrton*)

instead thereof—Question proposed, "That the words proposed to be left out stand part of the Question"—Question put—The House *divided :* Ayes 174; Noes 118; Majority 56—Main Question put, and *agreed to*—Resolution read 2°, and *agreed to* 2084

FRIDAY, MAY 23.

Lunatics (Ireland)—Question, Sir Edward Grogan—Answer, Sir Robert Peel... 2095

South Australia—Mr. Justice Boothby—Question, Mr. Childers—Answer, Mr. Chichester Fortescue 2096

The International Exhibition—The Navy—Question, Mr. Baillie Cochrane—Answer, Lord Clarence Paget 2096

Seizure of the *Bermuda*—Question, Mr. Mildmay—Answer, Mr. Layard ... 2097

The Chapter-house of Westminster Abbey—Question, Mr. Cavendish Bentinck—Answer, Mr. Peel 2097

Middle Level Inundations—Question, Lord Stanley—Answer, Sir George Grey 2097

Poor Law Inspectors and the Income Tax—Question, Sir Stafford Northcote—Answer, Mr. Peel 2098

SUPPLY—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" 2099

Distress in Ireland—Observations, Mr. Maguire 2099

Captain Coles' Cupola—Observations, Admiral Walcott 2110

Crime and its Punishment—Observations, Sir Morton Peto ... 2111

National Defences—The Armaments of France—Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, Papers respecting the Armaments of France," (*Sir Robert Clifton*) instead thereof—Question proposed, "That the words proposed to be left out stand part of the Question"—Amendment, by leave, *withdrawn* 2113

The Longford Election—Another Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, a Copy of any Reports on the subject of the Longford Election, or circumstances connected therewith, made previous to the 7th day of March 1862, by the High Sheriff, the Lord Lieutenant of the County, the Major General commanding the Troops, the Officer in command of the Constabulary, and the stipendiary or other Magistrates stationed in the county," (*Colonel Greville*)

instead thereof — Question put, "That the words proposed to be left out stand part of the Question"—The House *divided:* Ayes 114; Noes 32; Majority 82 2116

Land Tenure in India—Observations, Mr. Smollett 2136

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Experiments at Shoeburyness — Question, Sir Frederic Smith — Answer, Sir George Lewis 2148

Main Question put, and *agreed to*—SUPPLY *considered* in Committee ... 2158

(In the Committee.)

Civil Service Estimates—Motion made, and Question proposed,

"That a sum, not exceeding £290,904, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1863, for Public Education in Ireland, under the Commissioners of National Education in Ireland."

Whereupon Motion made, and Question,

"That a sum, not exceeding £283,863, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1863, for Public Education in Ireland, under the Commissioners of National Education in Ireland," (*Mr. Williams*)

—put and *negatived* 2158

Original Question put, and *agreed to*—Resolution to be reported on *Monday* next 2179

MONDAY, MAY 26.

Covenanted Civil Service — Question, Mr. Vansittart — Answer, Sir Charles Wood 2193

Captain Coles' Invention—Question, Mr. Williams—Answer, Lord Clarence Paget 2193

Accounts of Military Expenditure—Question, General Peel—Answer, Mr. Peel 2193

Education (Scotland) Bill [Bill No. 56]—Order for Second Reading read—Motion (*The Lord Advocate*) that the Order be discharged—Motion *agreed to*—Order *discharged*—Bill *withdrawn* 2194

Highways Bill [Bill No. 66] — *considered* in Committee—

(In the Committee.)

Clause 5 (Provisional Order of Justices)—Amendment (*Lord Henley*); *withdrawn* — Amendment (*Mr. Sclater-Booth*); *negatived* (Ayes 66; Noes 138; Majority 72)—Clause *agreed to*—Clause 6 *agreed to* ... 2204

Clause 7 (Restrictions on Formation of Highway Districts)—Clause, as amended, *agreed to*—Clauses 8 and 9 *agreed to* 2209

Clause 10 (Election of Waywardens)—Amendment (*Mr. Barrow*); *negatived*—Clause *agreed to*—Clause 11 *agreed to* 2209

Clause 12 (Power to Board to appoint Officers)—Amendment (*Mr. Hunt*); *negatived* — Amendment (*Mr. Rogers*); *withdrawn* — Amendment (*Mr. Dodson*); *agreed to* — Clause *agreed to* — Clauses 13 to 17 *agreed to* 2211

Clause 18 (Proceedings where Roads out of Repair)—Amendment (*Mr. Humberston*); *negatived*—Clause *agreed to*—Clause 19 *agreed to* ... 2212

Clause 20 (Expenses now charged)—Amendment (*Mr. Mitford*); *agreed to*—Clause *agreed to* 2212

Clause 21 (Mode of defraying Expenses)—Amendment (*Mr. Henley*); *agreed to*—Clause *agreed to*—Clauses 22 to 24 *agreed to* 2212

Clause 25 (Accounts to be published)—Amendment (*Mr. Mitford*); *agreed to*—Clause *agreed to*—Clauses 26 to 39 *agreed to* 2214

Clause 40 (Carriage of Materials) — Amendment (*Major Windsor Parker*); *negatived*—Clause *agreed to*—Remaining Clauses *agreed to*—Additional Clause (*Sir G. Grey*); *agreed to*—Bill *reported;* as amended, to be *printed* [Bill 135] 2214

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Merchant Shipping Acts Amendment Bill [Bill No. 89]—*considered* in Committee—Clauses 65 and 66 *agreed to* 2216

Clause 67, Amend. (*Mr. Cave*) ; *agreed to*—Clause *agreed to* ... 2216

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Clause 52 (Shipowners' Liability limited), Amend. (*Mr. M. Gibson*) ; *agreed to*—Amend. (*Mr. M. Gibson*), to which Amend. (*Sir Hugh Cairns*) ; *negatived*—Clause *agreed to*—Clause 53 *agreed to* 2217

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New Clause in lieu of Clause 47 (*Mr. M. Gibson*) ; *agreed to* ... 2226

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Additional Clause (*Mr. Moffatt*) ; *postponed* 2228

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County Surveyors (Ireland) Bill—On Order for Second Reading, Motion (*M. V. Scully*), "That the Debate be now adjourned ;" *withdrawn*—M. Q. put, and *agreed to*—Bill read 2°, and *committed* for *Thursday* ... 2229

III. NEW MEMBERS SWORN.

Tuesday, March 25.

Chepping Wycombe.—John Remington Mills, Esq., *v.* Sir George Henry Dashwood, Baronet, deceased.

York County (*North Riding*).—William John Sawrey Morritt, Esq., *v.* Edward Stillingfleet Cayley, Esq., deceased.

Monday, April 7.

Preston.—Sir Thomas George Hesketh, Baronet, *v.* Richard Assheton Cross, Esq., Chiltern Hundreds.

Monday, May 5.

Lambeth.—Frederic Doulton, Esq., *v.* William Roupell, Esq., Manor of Hempholme.

Thursday, May 8.

Oldham.—John Tomlinson Hibbert, Esq., *v.* William Johnson Fox, Esq., Manor of Northstead.

HANSARD'S
PARLIAMENTARY DEBATES,

IN THE
FOURTH SESSION OF THE *EIGHTEENTH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 31 MAY, 1859, AND FROM THENCE CONTINUED TILL 6 FEBRUARY, 1862, IN THE TWENTY-FIFTH YEAR
OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SECOND VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, *March* 25, 1862.

MINUTES.]—PUBLIC BILLS.—1ª Bleachfields (Women and Children Employment).
2ª Sir John Soane's Museum.

SIR JOHN SOANE'S MUSEUM BILL.

SECOND READING.

ORDER of the day for Second Reading read.

THE DUKE OF **BUCKINGHAM** *moved*, that the Bill be now read the second time. The object of the Bill was to enable the Trustees of Sir John Soane's Museum in Lincoln's Inn Fields, to send works of art to the International Exhibition, 1862. Doubt had arisen whether, under the private Act of 3 & 4. *Will. IV.*, c. 4, by which the Museum was established, the Trustees had the power of lending their works, and the Bill enabled them to do so.

LORD **OVERSTONE** said, he was far from wishing to offer any opposition to this Bill, but he thought it was one which required consideration. Its object was to enable the Trustees of one of the public exhibitions of the metropolis to lend some of its choicest treasures to the Great International Exhibition which would be opened this year at Kensington. If the principle of the Bill was good, he did not see why it should not be extended to the other metropolitan museums; but then arose the question—ought those exhibitions to be denuded of their attractions at a time when so great a number of foreigners and of persons from all parts of the United Kingdom would resort to London? He thought that at a time when strangers from every part of the world were to be invited to London, the public museums of the metropolis, so far from being denuded of their treasures, should be kept in the highest order, with the view of having those treasures displayed in the most attractive form. Again, there was another important consideration. Subject to the restrictions that were intended to make it a place of instruction, the Soane Museum was open gratuitously. Was it, then, consistent with the objects of the founder to temporarily transfer a portion of the collection to an exhibition admission to which was only to be had by payment? A similar application had been made to the Trustees of the National Gallery; and the Trustees had, he thought wisely, come to the conclusion that the time would be peculiarly inopportune, and that it would even be contrary to their trust to allow any of the treasures of art which they possessed to be removed from their own walls. Under these circumstances he thought he was justified in saying, that the Bill before their Lordships was one which deserved very serious consideration.

EARL **GRANVILLE** said, he could quite understand the feeling that had actuated the Trustees of the National Gallery in arriving at the decision to which his noble Friend had referred. The National Gallery was a great public exhibition, to which every one had access, and which was visited by vast numbers; but, inasmuch as it was desirable that the character of British art should be illustrated at the Great Exhibition, he could not but think it advisable that those pictures of Hogarth and Gainsborough which were in the Soane Museum should be temporarily transferred in the way proposed by this Bill. If, indeed, it had been likely that any great number of persons would visit the Soane Museum in the course of the coming season, he would admit that the proposition would be objectionable; but when their Lordships reflected that the number of visitors to the Soane Museum during the last year was only 2,000, it would be impossible to institute any comparison between that number and the millions who would visit the gallery at South Kensington during the Great Exhibition.

Motion *agreed to.*

Bill read 2ª, and *committed* to a Committee of the Whole House on *Thursday* next.

POLAND.—QUESTION.

THE EARL OF CARNARVON, having presented numerous petitions on the subject, rose to call attention to the present state of Poland; and to inquire of Her Majesty's Government whether Prince Gortschakoff's Circular Letter of the 20th March, 1861, has been communicated to them? The noble Earl said that the grave nature of recent events would be a sufficient justification for bringing this subject under the consideration of their Lordships—a question which he believed was one of the most difficult, and one of the most interesting that could possibly be brought under the notice of Parliament. In looking at the question two pictures presented themselves. On the one hand, their Lordships were historically familiar with the turbulence, the organized anarchy, that had marked the decline of Polish nationality; and at the present day they found the Poles too often acting as agents of democracy in the disturbances and revolutions in Europe, and participating in some of its worst excesses. But, on the other hand, he thought that man must be cold indeed who could not feel sympathy for a people so high-spirited and gallant, and who, in spite of extraordinary afflictions and unparalleled national trials, had manfully borne up against those afflictions and trials, and had never for one moment been shaken in their courage and their devotion to their country. He was, however, unwilling to treat this question as a matter of sympathy. He would rather put it as a matter of interest, not only to Poland, but to Europe generally. As he understood the appeal made by the Poles, it was founded on those treaty engagements into which Russia had entered with Europe. Their Lordships would remember that in 1806—thirty-three years after the first partition—Napoleon constituted the Duchy of Warsaw; but in 1814, when the Emperor was a prisoner at Elba, the Allies met together at Vienna to consider the territorial arrangements of Europe. At the congress the greatest prominence was given to the question of Poland. A scheme was put forward by the Emperor Alexander to constitute the Duchy of Warsaw a kingdom, and, annexing all the scattered fragments of the Polish nationality, to unite the whole as a separate kingdom, dependent on the Russian Crown. Lord Castlereagh, who represented Great Britain at the congress, objected to this proposition. He was not, indeed, unwilling to see an independent Poland in the centre of Europe; it was because he felt that Poland, under the proposed scheme, could not be really independent that he opposed it, believing that a Kingdom of Poland so constituted would be nothing more nor less than an accession of strength to Russia under the shadow of an independent country. The discussions, which at last verged upon an angry issue, were broken off by the return of Napoleon from Elba and the campaign which followed. When the storm had blown over, the question again came to be considered. But the circumstances were changed, for neither party was in a position to insist on the extreme views they had previously held. By the assent of all parties the Duchy of Warsaw was erected into a kingdom, attached to the Imperial Crown of Russia, but attached by virtue of a constitution, the scheme of which was then laid down. The constitution was given within the next twelve months by the Emperor Alexander. It provided for the maintenance of a national army, for the preservation of the national Church, the security of national customs; it guaranteed the liberty of individuals and the liberty of the press;—in short, it gave every security that a constitution could give to the integrity of the Polish nationality. The treaty by no means accomplished all that this country desired; but Lord Castlereagh felt it was the best arrangement he could obtain, and it was accepted as a compromise in which each party relaxed some portion of its extreme rights, and agreed to a definite, tangible common understanding. And, as if to mark the primary importance attached by the Allies to the subject, the articles relating to Poland took precedence of every other engagement in the Treaty of Vienna, and were the first and leading articles in that memorable treaty. Since that time there had been two insurrections, one in 1830, the other in 1849. The first was made a reason for withdrawing the constitution; the second a pretext for the gradual obliteration of every trace of Polish nationality. During the past year the city of Warsaw and kingdom of Poland were the scene of one long dismal and, he might almost say, unbroken tragedy. There had been no less than three collisions between the people and the military, two of them attended with loss of life, the other bloodshed. The first, which took place in February, was provoked by an ill-timed and injudicious procession by torch-light on the part of certain so-called Polish patriots, but including none of the respectable portion of the Polish nation. It was met by the gendarmerie and dispersed with comparatively little violence, and might have blown over. But the next day, in consequence of some trifling demonstration—whether it proceeded from misapprehension or hot-headedness of the officer in command he did not know—but the troops were induced to fire on the people, and a considerable loss of life ensued. Public feeling was excited, indignation swelled high, and the Government, unsupported by troops, or with a very scanty supply, felt itself placed in a position of great difficulty. It fortunately happened that at that time a body called the Agricultural Association—an association comprising 4,000 or 5,000 Poles, and representing the intelligence, the property, and the wealth of the country, and which had always conducted its deliberations with considerable propriety and order, and which had more than once been consulted by the Emperor—was holding its sittings. The leaders of that body offered their services to mediate between the Government and the people; the Government wisely and judiciously accepted their mediation, and Prince Gortschakoff expressed his regret for the collision which had taken place. So far, indeed, was this reconciliation carried, that in the temporary absence of the troops, who had been to a great degree withdrawn, a civil police was organized under the agency of the Agricultural Society, and complete order maintained in the town. About that time a letter was issued by Prince Gortschakoff, containing very large and important constitutional concessions on the part of the Emperor. The best possible consequences followed. Confidence began to be restored, order revived, and it was hoped that the storm would pass over. But the Government, ill advised, recalled in considerable numbers the military forces, and suddenly and apparently with little reason, dissolved that Agricultural Association. The old distrust immediately returned; demonstrations of a public nature took place in front of the Viceroy's palace; and when this was repeated a second day, and the people having been three times summoned by beat of drum to disperse, and refusing to do so, the fatal order was given to fire on the crowd. There was always much difficulty in viewing these matters from a Continental point of view; but obviously it would have been far wiser and better, if it had been necessary to disperse that mob by means of the soldiery, to have dispersed them without firing, which could have been easily accomplished, as the crowd were altogether unarmed. The result of the conflict—if it could be called by that name—was the death of some forty or fifty persons, and the wounding of a much greater number. From that moment all confidence vanished, and order was at an end. Martial law was proclaimed; troops were encamped in the streets; repressive measures were taken; all articles of mourning were forbidden; the national dress and the singing of national songs and anthems were prohibited. But just in proportion as the Government put forth its strength, the people used every weapon of annoyance that was left to a vanquished and crushed people. Taunts and every species of irritation were directed against the representatives of Russia; the Government measures and the police regulations were turned into ridicule—indignities which were certain to lead to fresh collisions. Whole congregations went down on their knees in the churches to implore the intervention of Heaven on behalf of their country. This went on for several months, till about the middle of October, when the military force again intervened. Strict orders had been issued against the singing of national songs or anthems; but the people were equally resolute in their determination. At length, in October, the troops surrounded two of the principal churches. From one of these the congregation managed to escape. The other was surrounded, and the congregation confined within the walls for twenty hours, without sustenance of any kind—they are represented to have been from 4,000 to 6,000 in number. At eleven o'clock at night the doors were beaten in, and a picture worthy of the pencil of a Rembrandt might have been seen. For some time the troops stood but a few yards within the church, the congregation remaining all the time on their knees. Then they again advanced, and for more than an hour stood face to face with the praying and kneeling multitude. At length, having been reinforced, the troops were moved on into the chancel, and a conflict ensued, if that could be termed a conflict in which no life was lost, but many were wounded. The women were roughly separated from the men and driven out of the church, and the men, 2,000 in number, led to prison. From that time constant irritation prevailed. The late Archbishop of Warsaw ordered the closing of all the churches; and it was not till a few weeks ago, on the appointment of a new Archbishop, that they were re-opened. Thus for three months the people of Warsaw were absolutely deprived of all the rites and ceremonies and comforts of religion, just as completely as if, in the Middle Ages, they had been placed under interdict. But it might be asked what modifications, what concessions, were those to which he had alluded as contained in Prince Gortschakoff's letter? Those concessions were three. They provided, first of all, for the appointment of a Polish Council of State; it contained provisions also for the creation of district and municipal councils on a free and elective basis; it contained further provisions for a separate administrative commission for the superintendence of all ecclesiastical and educational matters. He should listen with great anxiety to what the noble Earl opposite (Earl Russell) would presently state as to the manner in which those concessions had been carried into effect. He hoped he would be able to state that they had not been wholly inoperative. As regarded the Polish Council of State, it was true that that Council was in operation, and that a certain portion of its members were Poles; but it had neither initiative power nor power of decision; its members were strictly nominees, and its deliberations were entirely secret. With regard to the district and municipal councils, he believed that the elections had been held, and that they had been conducted with singular moderation; but from the day of those elections to this the councils had never been called together. Lastly, as to the commission on ecclesiastical and educational matters; the schools were closed at once, and remained closed for six months; and since they had been re-opened they had been fettered by such restrictive regulations that the admission of scholars had been very scanty. The noble Earl would, perhaps, inform their Lordships what was the practical effect of the concessions thus made to the Poles? Strange as it might seem, he thought the present time was not wholly unpropitious for the making of concessions on the part of Russia, and for their acceptance on the part of the Poles. He held in his hand an extract from a charge delivered by the new Archbishop of Warsaw, in which he assured the people that the Emperor had given him every assurance of his desire to do all that was possible for the constitutional privileges of Poland; and he enjoined on the people to abstain from singing national songs and anthems. He (the Earl of Carnarvon) thought it told well for the moderation of the people that they had obeyed this, and that all national songs and anthems were at present silent in Warsaw. In the next place, there was a proclamation from the Military Commandant of Warsaw, in which he announced his intention to relax some points of the extreme military discipline which was now enforced in that city; and the reason which he gave for making these relaxations was that order was restored and tranquillity was maintained in Warsaw. In view of these two facts, he could not but think that the time was propitious for the making of some constitutional concessions. It must be borne in mind that the only alternative to the offer and acceptance of some such concessions was that the present state of affairs should become permanent. And what was the present state of affairs in Poland? Warsaw in a state of siege; Poland subject to martial law; the action of the ordinary tribunals suspended; the intercourse of private life restricted by severe regulations—three persons could not converse in the streets, four could not dine in a *café* without permission; the Agricultural Association, in fact the only national institution in Poland, dissolved; irritation and aversion against the Government existing throughout the country. Before he went further let him state what he meant by the suspension of the action of the ordinary tribunals. Martial law was proclaimed in Poland. Their Lordships were aware that wherever martial law existed, it existed only in reference to the exceptional cases which called for the application of that law—that was to say, it applied exclusively to political offences. As regarded all offences relating to life and property, they remained under the jurisdiction of the ordinary tribunals. But this was not the case in Poland. Martial law had been proclaimed there; but instead of the old law, which was the Code Napoleon, remaining in operation in all cases not political, it had been abolished, and it had been replaced by the criminal code of Russia. Thus no Pole could know the nature or penalty of any offence under the criminal law, and no Polish advocate could defend him if accused. Martial law, on the other hand, as proclaimed in Poland, practically, though not nominally, gave to every officer, however subordinate his rank—to every colonel, captain, and lieutenant—the power to arrest and imprison, and even went so far as to enable them to inflict severe punishments on civilians. But if he was of opinion that the present time was one not unfit for the making of constitutional changes as far as Poland was concerned, still more did that observation apply to to Russia. Russia was engaged in vast constitutional reforms, amounting practically to a revolution. These changes must tax her energy and vitality to the utmost before society could be reconsolidated on its new basis. It was, then, the obvious policy of Russian statesmen to disentangle their country from every unnecessary burden, even at some sacrifice were it necessary, and to conciliate the affections of a numerous and high-spirited people, who were now a drain upon the strength and resources of Russia, and employed in Poland or on the Polish frontier, one half her armies. If Poland was to be governed, and governed beneficially in the interests of Russia, it must be by the selection of those men as governors who enjoyed the confidence of the people—it must be by a relaxation of the present severity of discipline under which she was held, and by the extension, to some extent, of local and even municipal self-government. It could not be by continuing to govern the country as a Russian province; by administering it through mere Russian officials; by officers brought up in the most strict and unbending military discipline Europe had ever seen. It was impossible to deny that in the gigantic task of imperial administration every kind of forbearance and sympathy was due to the Emperor of Russia. He was in circumstances of extreme difficulty. He might be influenced by the highest motives and the noblest principles; but he was surrounded by those whose interest it was to misrepresent facts, so that it became difficult for him to separate truth from falsehood, and by creatures who stood between the sunshine of his favour and the loyalty of his subjects. Yet, for all this, he believed that from the character of the present Emperor much might be expected. The question of Poland, as he had said, was not one merely of sympathy, it was one also in which we were directly interested. The constitution which had been given to Poland, and withdrawn in 1830, was so withdrawn in consequence of rebellion. He could understand the difficulty of Russia on the occasion; but he should be untruthful if he did not say that it was the part of English statesmen to protest against the revocation of that constitution. It was not the free gift of Russia; it was given under the obligations of the Treaty of Vienna; and Russia had no right to modify that constitution, far less to recall it. It was stated in one of the petitions which he had presented that evening that England had ever looked with indifference at the partition of Poland. That was false as a matter of history. England never did look on the partition of Poland with indifference. She had frequently protested against this partition; she had protested against the revocation of that constitution. England had never, by deed or word, acquiesced in either. All the partitions of Poland had been effected on the pretext that the country had become a dangerous neighbour. Even now we heard the same argument, the same reason alleged to justify the revocation of her constitution. But facts were stronger than arguments. The extraordinary fatality had happened, that whilst in the early days of her independence her turbulence made her the source of trouble and constant anxiety to her neighbours, now, since she had been destroyed and incorporated in other countries, she had become a source of still greater anxiety not only to her neighbours but to Europe. England was directly concerned in the question of Poland. She was interested in preserving the balance of power which at present existed among the various States of Europe; and he ventured to say that Poland's incorporation with other countries was as mischievous to Europe generally as to Russia herself. It was a mischief to Europe in this way. That country which was designed as a restraint against the aggressions of Russia on Europe had been thrown into the hands of Russia, and had become a sort of outpost to Russia, placed upon the frontiers of the Germanic Confederation, and held a position always embarrassing and sometimes threatening to Austria. He believed it would be a calamity to Europe if Russia were deprived of her due influence, yet such was the tendency of the present state of affairs. As his noble Friend near him (Lord Ellenborough) said last year, the paralysis of Russia was caused by the incorporation of Poland. Poland garrisoned the outworks of Russia, but with disaffected men. She was a thorn in her side, a blister on her strength. She was continually open to the seductions of every ambitious Power, and ready to become the catspaw of every selfish policy. She filled the courts of Europe with intrigues against Russia, and was in every way a source of weakness and danger instead of power. In dealing with this difficult and painful subject he hoped he had said nothing which could reasonably give cause of offence. It was generally of little use to attempt to forecast the future, or discuss the chances of hypothetical events. So far as he had been able to know and study the question, he did not believe that the Polish nation were at present ripe for entire independence; but he was of opinion that they had so far disciplined themselves by the great trials and calamities through which they had passed as to entitle themselves to some extension of constitutional freedom. He would be an imprudent man who would at this time predict that the restoration of the Polish kingdom was an impossibility; but he believed that at this time there was no well-grounded reason for believing that such a contingency would arise. But at the same time those who, with the best intention and with the worst judgment, had held different language, and encouraged the Polish people in illusory dreams, had done poor service indeed to the cause they desired to advocate. With the deepest admiration for a gallant people who had borne their sufferings with noble fortitude, and also with great respect for a Power which had been our ally for many years, and whose interests were in many respects intertwined with our own, he deplored the continuance of the present unsatisfactory state of affairs. He had no sympathy with those who stigmatized Russia as illiberal and tyrannical. Such charges were refuted by the wise and generous policy which had led the Emperor to undertake the entire emancipation of the serfs, and by the unselfish and enlightened co-operation which the nobles and great proprietors had given to that great work. During the last year the nobles had been permitted to assemble for the discussion of political questions, and the Emperor had even gone so far as to consult them on several matters of national importance. Reflecting on these signs of growing liberality on the part of Russia, he could not believe that the improvement would be confined to her own frontiers, and would not be allowed to penetrate to Poland. He gave credit to successive rulers of Russia for a desire to accord to Poland whatever constitutional privileges could be granted consistently with the safety of the empire. Three Emperors in succession had acknowledged their obligations to the treaty and their duties to Poland, had granted constitutions to that people, and had taken the oath of fidelity not only as Emperors of Russia, but as Kings of Poland. It was true, no doubt, that there was a party in Russia, as elsewhere, who clung to harsh and illiberal maxims of State policy, and who looked with disfavour on any relaxations in the government of Poland. But he felt it would be an injustice to the Emperor to believe that he would not listen to the voice of truth from whatever side it came, or that he was incapable of rising above the passions and prejudices of a narrow-minded party. He hoped that the same liberality which had been shown towards the serfs would be extended to the Poles, and that Russia would adopt a policy which was dictated not less by prudence than by justice and generosity.

EARL RUSSELL: I must do the noble Earl opposite the justice to say that he has spoken on this painful and difficult subject, not only with great ability, but with great prudence. I rejoice at the measured judgment with which he has spoken of the Government of Poland. But, my Lords, however the noble Earl may be at liberty to speak, I feel that one who holds the office of Secretary of State for Foreign Affairs is more restricted than any one else in giving opinions on such a subject. Any Member of your Lordships' House, or any Member of the other House of Parliament, or any organ of public opinion in the press, may express sentiments with regard to the Government of Poland, may point out that which they deem oppressive, and may protest against the measures of the Russian Government, more easily than can be done by the Minister who holds the office of Minister for Foreign Affairs. I am sure your Lordships will remember that any official language which is used, unless, on the one hand, it is likely to be listened to as satisfactory and agreeable to the Court of Russia, or, on the other, is to be maintained by material aid and assistance to the Poles, would detract from the dignity of this country, and be entirely futile. I have therefore been very cautious in my official communications with her Majesty's Ambassador at St. Petersburg or the Ambassador of His Imperial Majesty in this country. Let it be observed, that whilst, as the noble Earl has very justly said, Poland has from her first partition always met with the sympathy of this country, yet no statesman who has held the office which I have the honour to fill—no Prime Minister of this country—has at any time held out the prospect of material assistance to the Poles. Mr. Pitt, when he spoke on this subject after the last partition of Poland in 1791, spoke in terms of abhorrence nearly as strong as those used by Mr. Fox in respect of the treatment of that country; but neither he nor any other Minister thought it the duty of this country to interpose, unless by the expression of opinion. It is, therefore, with this feeling and impression on my mind that I shall make such observations as occur to me in answer to the speech of the noble Earl. The noble Earl has justly said that this matter occupied a prominent place in the deliberations of the Congress of Vienna—not so much, however, during the regular conferences in congress as in the conversations and correspondence between the Ministers of different States. It was a period, as we all know, when the interests of peoples were not so much thought of as those of the great Sovereigns of Austria, Russia, and Prussia, whose armies had produced such an effect upon the state of Europe. But I must say—and I do not understand the noble Earl to express a different sentiment, though some others have done so—I must say, that Lord Castlereagh fought the battle for the interests of Poland with as much energy and sincerity as possible, and obtained all that it was at that time possible to obtain for her; but, as the noble Earl rightly says, whatever efforts were then made—whatever success might have been expected—were interrupted by the return of Napoleon from Elba. Therefore the arrangements made in 1815 were, as I conceive, in this respect very imperfect. The noble Earl justly says, that after the Treaty of Vienna, Poland was united to Russia by a constitution. But there is a great vagueness in that expression. Poland was united to Russia by a constitution; but no part of the concessions which were made by the Emperor Alexander to Poland were enumerated or directly sanctioned by the Congress of Vienna; and therefore they cannot be held specifically to be within the terms of European obligation. In 1830 and 1831 that vast insurrection of Poland took place by which the Poles endeavoured to obtain their independence. Their resistance was overcome, the Russian arms prevailed, and the Emperor of Russia held that by that insurrection the claim of the Poles to a national representation and a national army, together with those concessions granted by the Emperor Alexander, were altogether forfeited. My noble Friend (Viscount Palmerston), who then held the office which I now fill, contended—and I think with sound and superior argument—against that position of the Russian Government. The papers relating to the matter were produced last year before Parliament, and Parliament had then an opportunity of seeing with how much ability and with how much perseverance my noble Friend endeavoured to impress on the Russian Government the sanctity of the obligations which Russia had entered into towards Poland. That controversy was, however, not pushed any further, and the constitutions given by the Emperor Alexander, and intended by the Emperor Nicholas, were never enjoyed by the people of Poland. At the commencement of the reign of the present Emperor a change took place affecting Russia—one of the greatest changes which have occured in modern times with respect to a great people—I mean the change made by the Emperor of Russia with reference to serfdom in his dominions. After that change was made various events and circumstances occurred, and the Ambassador at this Court, and, I believe, at the other Courts, were instructed to state to the different Governments what were the intentions of the Emperor of Russia. The noble Earl has stated most truly that those intentions were, that a Council of State should be formed, not composed of an official hierarchy, but of independent members, who should advise the Emperor. Another article was to secure to the Poles district and municipal councils, which were to be elective; the third provision was for a council to deal with ecclesiastical matters, and in this class was to be comprised the subject of education. Now, I must say that I think that those provisions were wise; and not only so, but were likely to lead the way to greater privileges for the Poles—to their having the benefit of a national administration when by education they were sufficiently raised in the scale of nations. That circular despatch was read to me by the Ambassador of the Emperor of Russia, but no copy was left. However, it soon after became public, and I will read a passage from it to show the spirit in which the propositions were made. It is a spirit, I think, highly honourable to the Emperor of Russia, and it shows the benevolent views by which he was actuated—

> "The solemn act of emancipation, inaugurated by the manifesto of the 19th of February, attests the profound solicitude which our august master devotes to the well-being of the peoples whom Providence has confided to him. Russia and Europe have seen in it a proof that, far from evading or postponing reforms demanded by the progress of ideas and of interests, his Imperial Majesty takes the initiative and pursues it with perseverance. Our august master extends the same solicitude to his subjects of the kingdom of Poland, and has not wished that a painful impression should arrest the course of his generous intentions."

Now, that was a voluntary declaration on the part of the Emperor of Russia, and showed in the first place that he did conceive himself bound by the general provisions of the Treaty of Vienna to Europe in general to give a liberal and generous government to Poland; and in the next that Poland was a country to which his especial care was to be directed. But I now come to that subject of painful interest to which the noble Earl has alluded. Unhappily Poland when exciting our sympathy almost always excites our sorrow also. There came those events arising from the Poles appearing in the streets in great crowds for the purpose of manifesting their attachment to their nationality, but which at the same time excited—and not unreasonably—the apprehension on the part of the Russian Government that the tranquillity of the city of Warsaw might be disturbed. I took occasion in the other House of Parliament to state that whilst I thought that those apprehensions were not unnatural, it was the duty of the Russian Government to have given due notice that no such crowds would be allowed to assemble; and that if armed soldiers were employed to disperse these crowds, no such notice having been given, it was an act of unnecessary rigour and cruelty. From that opinion I cannot certainly now depart. The Prince who then commanded at Warsaw, Prince Gortschakoff, immediately wrote a letter to a person in this country, who communicated it to me, in which he endeavoured to show that due notice had been given to the people by means of proclamations. I am convinced that Prince Gortschakoff, who felt a great interest—I believe almost an affection—for the Poles over whom he was placed, did not intend to act with harshness and cruelty; but at the same time I do not depart from the opinion that the acts then committed conduced to results not unnatural nor unjustifiable under the circumstances. Great irritation succeeded; the people paraded the streets, national hymns were sung in the churches. As this was a matter on which the Russian Government seem so much to dwell, and about which it has showed so much susceptibility, I had a number of these hymns sent over to me and translated, and I find they are certainly hymns addressed to the national spirit, inciting the Poles to maintain their national character, and evidently looking forward to some period when they shall regain their independence as a nation. I cannot wonder that the Russian Government should wish to prevent such hymns from being sung; but the way in which the people were shut up in the churches, and then let out, as the noble Earl has described, appears to me to have been utterly unjustifiable; the singing of national hymns is not to be prevented in this way. All these circumstances have, no doubt, not only aroused the national spirit, but have excited a deep feeling of national irritation and national degradation. But, at the same time, we must not consider those circumstances only which are painful.

There are circumstances which make us look on the present state of Poland with compassion; we must also look to the original intention of the Russian Government, and what may be expected from it in the future. With regard to the state of siege, I do not think it possible for any foreign Government, or any individual living far from the scene, to say what measures a Government ought to take in order to preserve its own internal tranquillity, whether it be done at Warsaw, in Hungary, or in the United States at the other side of the Atlantic. I think the Government which says that certain measures are necessary for its own internal tranquillity, and that the people cannot be kept in obedience to the law without such measures, have a *primâ facie* case—at all events, other Governments have not a right to interfere with the steps they may deem necessary. But with regard to the state of siege, it is at all times considered as a temporary matter; and therefore I cannot but hope that before long some relaxations will be made. It is already stated by the Viceroy that four months' state of siege having existed, some mitigations have been made. I admit readily that those mitigations are trifling and hardly worth mentioning; but that declaration shows that there is a feeling on the part of the Russian Government that that mode of government cannot be kept up, and that they must look for some better system. At the same time there are other circumstances of a hopeful character. A very distinguished Pole, who has been separated from many of his countrymen by wishing at all times to maintain the connection with Russia (the Marquess Wielopolski) was lately summoned to St. Petersburg, in order to give advice to the Emperor of Russia with regard to the Government of Poland. I believe that the general rumours upon this subject are correct, and that the advice that he gave was, as I should conceive, very wise advice, and well befitting a man who took a great interest in his own country; while he still thought it hopeless to sever the connection with Russia. What he proposed was, that there should be a civil Government of Poland entirely separated from the military Government of Poland; that the civil governor should be a Pole, and that the offices of the administration should be filled by Poles; that the laws of Poland should have their full and free course under Polish administration; and that the people should enjoy as many privileges as are consistent with their position. On the other hand, that the troops should be under the command of persons who should never use them except in cases of disturbance of the public peace or against external violence. Though that proposition was not adopted by the Government of St. Petersburg, at the same time it was not wholly rejected or thrown aside. On the contrary, favour was shown to the distinguished man who had given that advice; his advice was received most graciously and courteously by the Emperor; and I see no reason to doubt—no reason to despair, at all events—that at some future time, and that not a remote time, advice of that kind will be taken, and that the Poles will have the benefit of a Government of their own nationality. No doubt a country that is subject to foreign sway may be reconciled to it by an administration of that kind. There is a great instance of that in the government of Italy under the first Napoleon. He had the supreme military command over Italy, but he did not place there a French administration and a complete system of French government; but, on the contrary, Italians distinguished for talent were placed in the government of Italy, and by that means the people of Italy were reconciled to that which was, in fact, a foreign Government, but not entirely conducted by foreigners. But there are other circumstances that justify us in looking for some mitigation of the grievances of the Poles. The Emperor of Russia, as I have already said, has, with advantage to his subjects, completed the emancipation of the serfs; and we may look to the period that has been fixed as one at which all these men will be free. No one can expect that the change will stop there. When the serfs have become free, when they can settle in the towns and cities of Russia freely, it is quite impossible that the monopoly of the nobles can be maintained. A great portion of the nobility have already declared their wish to share with those who were their serfs, but are now their fellow-subjects, all the advantages and all the privileges which can be attained under a constitutional Government. But when the Russian people have obtained a Government more in accordance with the general views and the general system of Europe, must not that have a great influence on the condition of Poland? If the noble Earl, who has paid so much attention to this subject, will refer back to 1831, and the opinions that were prevalent at that time, I think he will find that the Russians had a feeling, not only that the Poles were in rebellion and in insurrection against the Government of Russia, but also that it was unjust and unfair that the Poles should have been since 1815 in the enjoyment of greater privileges than the Russians themselves possessed. There was a sort of national envy in regard to the Poles and their privileges. But if the Russians once come into the enjoyment of greater privileges and greater freedom, so far from that feeling of hostility to the Poles existing, they will then be glad to see them also in the enjoyment of civil and religious liberty. In addressing your Lordships in answer to the noble Earl, I have given my observations, not only as to what has passed, but my speculations as to the future; but I must end as I began, by saying that while nothing would give me individually, or the Government collectively, greater satisfaction than to see happiness and peace prevail in Poland, I do not think that any immediate interference, still less any constant remonstrance with the Government of Russia, will tend at all to promote the object that we have in view. I am very glad that the noble Earl, who has spoken with so much discretion and ability, has called your Lordships' attention to this subject; and though I think that nothing immediate can be done by us, I do trust that as in other parts of the world oppression is gradually decreasing, so it will be in regard to Russia and Poland.

THE EARL OF CARNARVON said, that after the able and statesmanlike words of the noble Earl, which he hoped would find an echo elsewhere, he would withdraw his Motion. He hoped, that while the Government pursued a policy of conciliation towards Russia, they would not cease to manifest consideration for the position of the Poles.

House adjourned at a quarter before Seven o'clock, to Thursday next half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, March 25, 1862.

MINUTES.]—NEW MEMBERS SWORN.—For York County (North Riding), William John Sawrey Morritt, esq.; for Chepping Wycombe, John Remington Mills, esq.

PUBLIC BILL.—3° Mutiny.

THE MILITARY TRAIN.—QUESTION.

COLONEL W. STUART said, he would beg to ask the Secretary of State for War, Whether the Military Train is now a purchase or non-purchase Corps; if the former, to state when and for what reasons the change was made; if the latter, to explain on what principle Officers are allowed to exchange from the Line into the Military Train, and *vice versâ;* also, to what extent Commissions are sold in the Military Train?

SIR GEORGE LEWIS replied, that the Military Train was a purchase Corps, exactly like the infantry and cavalry regiments of the Line, and exchanges took place between the latter regiments and the Military Train on the same principle. It was quite true that many of the Officers in the Military Train had obtained their Commissions without purchase, but the reason was because the Military Train was formed out of the old Transport Corps, which was a non-purchase Corps.

THE TAEPINGS OF CHINA.—QUESTION.

MR. FREELAND said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether any Communications have been received from our Military or Naval Officers in command on the China station, with reference to the character and operations of the Taepings, or rebels; and whether the Government will lay upon the table of the House, Copies of, or Extracts from, any such Communications?

MR. LAYARD stated in reply, that papers received from the agents of the Government relating to the character and operations of the Taepings were being prepared for presentation to the House, and he hoped that they would shortly be laid on the table.

COMMERCIAL TREATY WITH BELGIUM.

QUESTION.

MR. W. E. FORSTER said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether he can give the House any information relative to the Commercial Treaty now negotiating between this Country and Belgium?

MR. LAYARD: It is with much regret I have to announce—and I am sure my hon. Friends connected with the manufacturing districts will hear the announcement with regret—that, owing to the demands which have been put forward by the Belgian Government, the negotiations upon this subject are suspended for the present.

EDUCATION—THE REVISED CODE OF REGULATIONS—DISTRIBUTION OF PARLIAMENTARY GRANTS.

MOTION FOR COMMITTEE.—(FIRST NIGHT.)

MR. WALPOLE, who had given Notice of Motion as follows:—

"That this House will immediately resolve itself into a Committee to consider the best mode of distributing the Parliamentary Grants for Education now administered by the Privy Council; and, in Committee, to move the following Resolutions:—

"1. That where it is proposed to give Government aid to Elementary Schools, it is inexpedient that the whole amount of such aid should depend on the individual examination of each child in reading, writing, and arithmetic.

"2. That the system of grouping by age for the purpose of examination would be unequal in its operation, and an inadequate test of the work done in the School, and specially disadvantageous for those children whose early education has been neglected.

"3. That the provisions of the Revised Code, in the points referred to in the foregoing Resolutions, would, if unamended, increase the difficulty of extending the benefits of the Government Grants to poor and neglected districts.

"4. That the refusal of any portion of the Parliamentary Grants, on account of any children who have once passed in the highest class of examination, is likely to have an injurious effect, as tending to aggravate the acknowledged evil of the withdrawal of children from Elementary Schools at an early age.

"5. That it is inexpedient that the Capitation Grants, on account of children under seven years of age, should be made to depend on the individual examination of those children.

"6. That the provisions of the Revised Code with regard to Evening Schools are unsatisfactory, inasmuch as the Master, in many cases, would be unable, after the labour undergone in the day, adequately to attend to the management and teaching of the evening scholars.

"7. That the regulations contained in the Revised Code, with regard to Pupil Teachers, are unjust and impolitic.

"8. That it would be unjust entirely to withhold the other benefits of the Parliamentary Grant from such managers of schools as decline to undertake to provide and pay the stipend and gratuities, now severally payable on account of Pupil Teachers, during the continuance of their current apprenticeship.

"9. That it would be impolitic to run the risk of a return to the monitorial system by discouraging the employment of Pupil Teachers, and that such employment would be better promoted by pecuniary premiums than by pecuniary penalties.

"10. That in January of each year, if the Code be revised, or any material alteration in it be necessary, it shall be printed in such a form as to show separately all articles cancelled or modified, and all new articles.

"11. That, in the event of such revision or material alteration as mentioned in the last foregoing Resolution, it shall not be lawful to take any action thereon until the same shall have been submitted to Parliament, and laid on the Table of both Houses for at least one calendar month."

rose and said: Sir, as many hon. Gentlemen have asked me what is the exact course which I propose to take with reference to the Resolutions which stand in my name, or rather with reference to the Motion which stands in my name, and then with respect to the Resolutions consequent upon that Motion, perhaps it may be convenient to the House that I should state in the first instance what my course will be, so far as I have the power of directing or suggesting it. Sir, had the Government proposed, as I always thought that they ought to have done, when they made a great alteration in that system of education which is well known to and fully appreciated by the people—I say, if the Government had proposed upon such an alteration themselves to bring the matter distinctly before the House, I should have been spared, and the House would have been spared, at least as far as I am concerned, much trouble. I also think that the course of proceeding would have been more easily adjusted than it can now be. But as the Government have thought it right to consider that the vast alteration made in the Code of National Education is rather the subject for an annual Estimate than for a distinct proposition to be submitted by them to the consideration of Parliament, I do not believe this House can possibly entertain the question with any prospect of arriving at a sound conclusion upon it, unless they endeavour to assimilate the proceedings with respect to the Revised Code as nearly as possible to the proceedings which would have taken place on a Government Bill. What I mean by that is this;—I look upon the speech made by my right hon. Friend the Vice President of the Committee of Council on the 13th of February as equivalent to the introduction of a Bill; I look upon the Motion which I am now making as a Motion made upon the second reading of that Bill; and when you, Sir, leave the chair, I shall look on the next proceeding as a proceeding in Committee on a Government measure, in which any hon. Gentleman, as well as myself, may submit any proposition which he thinks should be offered for consideration before we determine on making so vast a change as that contemplated by the Revised Code. That being so, I say I now stand in the position of a Member criticising and canvassing a Government measure on what I will consider the second reading of their Bill.

Now, Sir, if I were going to oppose the

principle of the Bill at this stage I should have had to conform to our usual practice, and to move an Amendment which would have had that effect. But I understand the objects of the Revised Code—speaking of those objects as distinct from the mode in which they are to be accomplished—I understand the main objects of the Revised Code to be two: first of all, that before we make large grants of public money for the purposes of education, we ought to test in some way or other the results of that education; and secondly, that we ought to simplify the machinery now intrusted to the Committee of Council for the administration of the grants which are made by this House for promoting the education of the people. Now, to both those main objects, without considering the qualifications, conditions, or details mixed up with the proposed Code as it at present stands, I am prepared unquestionably to assent; but with respect to the mode in which those objects are sought to be accomplished—embracing as it does regulations and details of the minutest character, regulations and details affecting the very stability and value of the system we have so long enjoyed—with respect to that mode, I say, I entirely and completely dissent. Since, then, agreeing in the objects, I am not prepared to move the rejection of the Bill, as it were, on the second reading. I do not intend to ask that there should be put from the Chair any Resolution which would have the effect of upsetting the Revised Code. But I am prepared to say that the Revised Code will require from the Government very considerable modifications and amendments before it can be palatable to the Parliament or the country. When my right hon. Friend the Vice President of the Committee of Council announced, on the 13th of February, the alterations and improvements he was prepared to make in the Revised Code as it stood before that time, he offered a remark at which I was somewhat astonished, but it explains many things which down to that time were to my mind rather inexplicable. My right hon. Friend said he did not consider the question before him—the same question, Sir, as that which is now before us—a question of first-rate importance; nay, more, I think he added, consistently with the course the Government had taken, that it would be found to turn simply on the expediency of annual grants. Now, Sir, when I heard those observations which fell from the lips of the Vice President of the Committee of Council, I began to see that there was an under-estimate of the magnitude and importance of the subject, and an over-estimate of the powers which the Committee of Council had claimed for itself. I saw that the right hon. Gentleman had failed to appreciate the length and breadth and strength and depth of the feeling which agitated the people of this country from one end to the other. And when he speaks of annual grants, I think we shall do well to recollect that annual grants are not merely important with reference to the amount of money the expenditure of which this House is prepared to sanction — that, indeed, is a matter which we must always look at with the utmost jealousy—but when there is a principle underlying annual grants—when there is an object to which they are to be given that extends to every part of the kingdom and affects every class of the community—annual grants, instead of being a matter of secondary importance, will be found in point of fact to involve largely the policy of the nation; nay, more, they will be found to affect the moral condition and well-being of a people who are about to be affected by them. If that be so, I think it is our duty, in order that we may understand the full operation of this Revised Code, not only to examine what that Revised Code is, but also to see what the system is which the Revised Code seeks to alter. Without doing that, we cannot determine what parts of the system are worthy of preservation, what parts may be open to objection, and what parts contain defects which ought to be remedied. These are points to which we must give great attention, or we shall not know one inch of the ground now lying before us and upon which we are about to tread.

Now, Sir, the system which we have got with reference to the education of the people is a system which, as we all know, was established about twenty-eight years ago. There were two principles involved in that system from the very commencement. I beg hon. Members to bear in mind the two points to which I am about to refer, for I believe—at least I fear—that the change we are asked to make will virtually affect those two principles, for which this House has always stood up—principles which have always been approved by the country, and principles which, in my opinion, we ought never to abandon without a struggle. The first of those principles was, that you should stimulate the private exertions of benevolent individuals through means of public grants, in order to extend as far as you can an acceptable system of sound education throughout every part of the country. The second of those principles was, that you should never forget that unless education is based on a religious basis, it will not succeed in meeting at all events the full purposes for which it is intended. By adhering to these two principles from the commencement you have had a system which has progressed and thriven. By stimulating the private and benevolent exertions of individuals you have raised, through the agency of voluntary conbutions towards this purpose, to meet the £4,400,000 contributed by the State in twenty-eight years, about twice that amount, or a sum of nearly £9,000,000 of money. And, Sir, by working through the medium of religious societies, in the distribution of these grants, you have completely overcome the religious difficulty which lay in the way of promoting and extending a sound education with the hearty concurrence of all denominations. You have thus got the system now in operation. By fixing, as it were, the somewhat capricious, or at least the uncertain, aid which private benevolence might have been induced to extend for these purposes —by the solid and stable and uniform regularity of the public grants, and by working through the religious bodies, so as to ensure a religious education, the State and the nation have co-operated together for furthering and establishing this great work; and they have formed, as it were, a happy alliance, by means of which that work has been consummated.

> "Alterius sic
> Altera poscit opem res, et conjurat amicè."

These being the principles on which you have acted, what has been the working of that system which has been founded on them from the year 1833 to 1861? Sir, we will divide that period into two equal portions of fourteen years. In the first part of that period — namely, from 1833 to 1847 — the grants were gradual but progressive. They began at £20,000 and reached £30,000, and subsequently they amounted to £40,000, and in 1846 they were £100,000. But although they were thus gradually progressive, the progress of education was more than gradual. I find that at the commencement of the year 1833 about 1 in 12 of the population were in schools; at the end of 1846, I think it was 1 in a little more than 9: therefore as far as relates to the quantity of education afforded to the people concerned, the system was eminently successful. As regards the quality of the education, some doubts were entertained; and two of the most distinguished promoters of education, Lord John Russell and Lord Lansdowne, who were in office in 1846, carefully considered how they could improve the quality while they increased the quantity of the education given. With that object, they introduced that portion of the system which this Revised Code will entirely uproot. They introduced the system of certificated masters, training colleges, and pupil-teachers. The only other great alteration which was made in reference to the grant was in 1853. Then was introduced the capitation grant for each 176 attendances in every school. Now, by these two great alterations in the scheme of education, there is no question whatever you increased the expenditure by an enormous amount; but then I believe there was as little doubt that the quality of the education was as much improved as the quantity had previously increased. From the year 1846, when the number of scholars was little more than 1 in 9, you increased it in 1861 to such an extent that the number was 1 in 7; and the quality of the education given has been attested by all the witnesses who were examined before the late Commission, and also by the Commissioners themselves. The increase in the amount of the expenditure was no doubt enormous. In the first five years, that is to say from 1846 to 1851, in round numbers the expenditure was £150,000 a year; whereas in the second five years, from 1851 to 1856, it reached £450,000; and from 1856 to 1861, it amounted to no less than £800,000 per annum. No doubt that is an enormous figure; but whether it is or is not too high a figure depends on the question whether, large as it is, it is too much to pay for the education of the poorer classes of the community, supposing always that they could not obtain that education without. Viewing it on that ground, nobody, I think, will say that it is too high. But, Sir, it may be considered to be too high on another ground. It may be considered too high on the ground that the money is not properly laid out; it may be regarded as too high on the ground that you are cultivating your teachers more highly than you ought, and that you are thereby incurring a wasteful expenditure. But is this so? Does economy require that we should make this great change? Now, before we can determine whether we are to cut down this grant merely with a view to economy, we must look, not only to economical considerations, but we must take into account whether efficient consequences follow from the grant. My right hon. Friend the Vice President of the Committee of Council the other day made a singular remark with reference to this question—the question, I mean, of the comparative merit of efficiency and economy. For my part, I had thought that efficiency and economy, ought always to go together; economy without efficiency is a niggardly folly; while efficiency without economy is extravagant waste. But the Vice President of the Committee of Council has put it antithetically in a new light. In order to induce the House to accept this Revised Code, he says—and I beg the House will bear the words in mind, for they are important—

> "Now I cannot promise you that this new Code will be either economical or efficient, but I can promise you that it shall be either one or the other: if it is not efficient, it shall be cheap; and if it is not cheap, it shall be efficient."

["Hear!"] Well, Sir, that antithesis leads me to a conclusion different from that which that quiet cheer would seem to intimate, for instead of having any force on which we could rely, it rather seems to me to carry with it its own condemnation. For, in the first place, it intimates a suspicion that the Government, in proposing a great measure like this, cannot actually tell us the exact consequences that will result from it. They cannot say whether it will prove efficient or the contrary. And in the second place, it intimates the existence of a doubt, even in the mind of the Minister who makes the proposition, as to whether he can secure those two objects. I contend that both those objects, and not merely one of them, ought to be secured, and that no measure failing to secure them ought to be regarded as a good one. The observation, therefore, of the right hon. Gentleman, to which I have drawn your attention, convinces me that the scheme before us has been too hastily adopted and too abruptly introduced.

Sir, I think it will now be as well to inquire into the efficiency of the system which this Code attempts to disturb. We have all read the valuable Report of the Royal Commission appointed to investigate this important subject. The Commissioners were well chosen. The inquiry which they had to make was a most important one. They conducted that inquiry with the greatest possible ability and diligence. There were included in their body men of all kinds and shades of opinion—I mean, of course, with reference to the question of popular education. That very difference of opinion would no doubt induce them to look critically and minutely at every fact and particular which might seem to promote their own views. As far, therefore, as the information in that Report is concerned, I am inclined, with one or two exceptions, to be noticed presently, to place almost implicit reliance upon it. But when I come to the opinions founded on that information, since they are the opinions of parties disagreeing each from the other, I see throughout both conflict and contradiction. I set great value, therefore, on that Report, as regards the facts which the Commissioners have gathered together, and as regards the information which they have furnished to the House. I do not set the same value upon all their opinions, though upon those opinions in which they are agreed, differing as they do in their general sentiments and principles, I am inclined to set the greater store. That being the state of the Commission, the Report having been furnished to Parliament, the most complete information having been given, and concurrent opinions on several facts having been furnished, let me ask the House to consider for a few minutes what, according to this Report, are the specific advantages of the system with which we are dealing, and what are the specific and particular defects contained in that system? According to the Commissioners' Report, the advantages are four in number. The first of these is that to which I have already adverted—namely, that the existing system is the only system, in their opinion, by means of which a religious education can be carried on. The second advantage of that system is—indeed, they call it the leading principle—that the voluntary exertions of individuals in promoting education have been completely enlisted in that cause, and they would be loath to do anything to disturb them. The third great advantage which they point out, and it is one in which they are all agreed—and not merely are they all agreed upon it, but they also insist upon it in language so strong, and reasoning so clear, and arguments so conclusive, that I think this will be found to have a most important bearing on the subject before us—that advantage is the general efficiency of the discipline, habits, and order of the schools. The fourth great advantage which they say results from this system—an advantage upon which none of them seems to entertain a doubt—is the introduction of the pupil-teacher system, which, I think, they say in one part of their Report is the most successful portion of the whole system; and in another part of the Report they prove the success of it by the small percentage of pupil-teachers who have failed to carry on the business of teaching with credit to themselves and benefit to others. Now, when you have these four advantages so clearly pointed out, what can be thought of any Government professing to act on that Report if they did not endeavour to retain those advantages as far as they could? I will not say that these advantages will not be retained to some extent under the Revised Code; but I do say they would every one of them be imperilled. With respect to the first, I may refer to the well-drawn memorial of a most able gentleman, not a Member of the Church of England. I allude to a Wesleyan Minister, the Rev. Mr. Scott. The opinion of that gentleman, expressed in language of great temperance, but of great firmness and strong conviction of truth, puts the religious question before the country in this way. He says in effect—"I do not tell you that the religious education of the people will not go on as long as it is confined to the different religious bodies; but I do say, that if you confine your attention to education in elementary subjects merely, and do not make provision for religious instruction also, there is a danger that in the minds of those who are to be educated, as well as in the minds of those who have been educated, religion will become a matter of secondary importance." Such is the way Mr. Scott puts that question, and I cannot find an answer to it. With respect to the second point—the discouragement which may be given to voluntary benevolence—I shall have to refer to it hereafter; but, meanwhile, I cannot help saying that when benevolent individuals, with entire disinterestedness, have done so much for the country, it is not right that they should be spoken of as if they were greedy of gain. And I say, moreover, that when you attempt to throw upon these benevolent individuals every burden which you have hitherto borne yourselves, and thus impose upon them a fresh liability, you cannot convince me, and I am sure you will not convince the country, that you are not discouraging that private benevolence. With respect to the third great advantage of the system — I allude to the question of discipline — it seems to me perfectly unaccountable, when you have a set of schools with a discipline provided in them which has trained up hundreds and thousands of children in habits of order, industry, cleanliness, and virtue, that in the eyes of a Government which seeks to aid education, by distributing among the schools pecuniary grants, all that is to go for nothing. And, lastly, with respect to the pupil-teacher system, to which I have called the attention of the House in the Resolutions placed upon the paper, and which Resolutions I shall submit in Committee, my firm belief is, that if you go back, through any discouragement you may throw upon pupil-teachers, to the old monitorial system, which has failed, you will find the change, instead of being economical, will be an expensive one, and you will in the end have to return to the pupil-teacher system, or something similar. This is a subject on which the Commissioners show no difference of opinion; and here are advantages which all acknowledge, and which, to say the least, may be seriously imperilled by the scheme you propose.

Now, one or two words as regards the defects of the existing system. In the first place, all the Commissioners seem to be agreed—and I do not think they could be disagreed upon it—that education has not sufficiently reached some of the poorer and more neglected districts. In the second place, they are all agreed—though upon this they do not, for particular reasons, dwell so strongly as upon other points—that the early removal of children from school, before their education in elementary subjects is complete, has been very disadvantageous. In the third place, they are all agreed that there is great disadvantage in the irregularity of attendance. And now comes the great point upon which the Code rests. The Commissioners report that the junior classes in the schools are not sufficiently attended to; that in the masters there is not a want of power, but there is a want of motive to instruct them properly in the elementary subjects; that consequently education in these elementary subjects—namely, reading, writing, and arithmetic—is comparatively neglected: and they conclude with the observations so often quoted, and so much relied upon by the President and Vice President of the Committee of Council, that one-fourth only of the children educated arrive at a tolerably perfect knowledge in these three subjects. There is one other point also on which the Commissioners are agreed, and that is, that the whole machinery is so complex, so costly, and so cumbersome, that some alteration or retrenchment ought to be made in it. I believe, Sir, I have now stated fairly the defects of the system, as pointed out by the Commissioners, and how do the Government propose to deal with these defects? With respect to providing education for poor and neglected districts, the only provision they make for it is a lower style of master. That may possibly increase the quantity of education given, but I doubt whether it will increase its quality. But is there nothing omitted here? The Commissioners agree that you ought to encourage education in poor and neglected districts. They thought that education was not defective merely, but that it had not reached such districts; and they recommend a plan to induce people to take more pains to provide education in schools for such districts. That is not alluded to in the Government scheme. But what is alluded to there is this, that upon all the managers the liabilities and burdens which they have to bear shall be increased. But here let me ask, if you so increase those burdens and liabilities, will they be so willing to undertake the education of those districts where the Commissioners report that education is neglected, and where that neglect cannot be met without considerable expense? Nor is this all; for by your scheme, as you have propounded it, you have made it so difficult for neglected children, when grouped according to age, to earn even a penny, that the whole of your Revised Code fails, with the one exception to which I have adverted, in providing that which I believe to be one of the most necessary things with which we, as a Legislature, have to deal. With regard to the removal of children at an early age from school, that is a defect which everybody admits; but, I ask, will that be remedied by withdrawing the reward payable for children when they have reached the age of eleven? As to the regularity of attendance, I think it may be shown that by limiting the amount of grant to 15*s.* it will be rather discouraged than encouraged by the proposed scheme. Then I bring you to this, and here are two plain points upon which my right hon. Friend and myself are at issue. My right hon. Friend says—"There is this defect in teaching, and I can only remedy it by testing results in the particular way I have mentioned in my Revised Code." That is his first point. His second is—"That there is such costliness and cumbrousness in this machinery, that I must sweep it away and turn everything into one capitation grant; otherwise we have no means of practising a sound and healthful economy." I see my right hon. Friend (Mr. Lowe) agrees to that. These are really the two points to be considered, and to them I will now address myself. But before I get to the end of the observations for which I must beg the indulgence of the House, I shall be much mistaken if I do not show my right hon. Friend that, in these points, this Revised Code will not effect fairly and fully the objects which the country intends to have accomplished in providing education for the poor; but that, on the contrary, they will form, if adopted, a great impediment to the attainment of those objects.

Sir, it seems to me that when the Committee of Council received the Report of the Commissioners, they felt themselves so much embarrassed by the mass of material gathering around them—and I am sure I do not wonder at it—and so oppressed with the burden of expenditure weighing upon them, that they did not know how to get rid of their difficulties except by saying, "We will cut the knot, for we cannot untie it." They seem to have said to themselves, "All the grants must be done away with except one. We do not care what these grants may have effected; all must go: not only the grants for books and for school apparatus, and for industrial schools, but all those grants which Lord Russell (one of the most distinguished Members of the Government, one of the greatest promoters of education) recommended, which the Committee of Council adopted, and which Parliament has sanctioned—grants for the augmentation of teachers' salaries, grants for stipends to pupil-teachers, grants for capitation—all those grants which, as I say, Lord Russell and Lord Lansdowne first recommended and which Government after Government has adopted—all shall go, and be turned into one capitation grant, not dependent simply on the attendance of children at schools, but dependent upon conditions so precarious and so contingent that nobody can know whether they can be earned or not; to be measured in such a manner and liable to such deductions that the managers of schools may find that the grants are cut away from them after incurring an expenditure in reliance on them. Upon what principle, then, is this to be done? Why, we were told, in a plausible generality, that this is testing results and simplifying the system. But before we assent to that plausible generality, we are bound to ask ourselves, what are the results which we mean to test? And I think, also, we are further bound to ask ourselves, when we change the machinery which hitherto, to a great extent, has done its work well, whether we may not destroy the motive power by means of which that machinery is worked. Testing results! What are the results you mean to test? What are the results which Parliament and the country mean to pay for? Of course, you will answer, the results of a good education. But what is a good education? A good education is the training of children so as to enable them, by means of that education, to fulfil the after-duties of life in a moral and industrious community. Hitherto you have endeavoured to obtain for them that education, and to test the results of it, first, by making your grants pass through the zealous enthusiasm of religious bodies, who would take care that the grants were well applied, not merely for secular, but for higher purposes; and, secondly, you have obtained the results by requiring, upon inspection, that the discipline of the school be such that not merely secular but moral and religious results are likely to flow from it. There is a passage in the Commissioners' Report, which, upon this part of the subject, I must refer to. It is so pregnant with wisdom, that I hope the House will pardon me if I quote it, instead of using my own language. It occurs in page 266—indeed, I may say that from that page to page 273 the whole of this question is most admirably discussed—

> "One of the tests of the moral influence of the school is its discipline. The best teaching will produce little good effect if this be defective." (Report, p. 266.)

Then, as to this discipline, the Commissioners go on to say—

> "There is no subject on which the 'Reports' of the Inspectors deserve more confidence." (p. 266.) "They report the discipline to be excellent, good, or fair, on 94·3 per cent of the schools receiving annual grants, and 75·7 per cent on the others. An illustration of the moral effect produced by the discipline maintained in the schools is furnished by the marked success in the subsequent life of the children coming from district and separate schools, particularly of the orphans, the class which is secluded from almost every other influence, and is often thrown on the world utterly friendless and deserted." (p. 267.)

And then they conclude—

> "The religious and moral influence of the public schools appears to be very great, to be greater than even their intellectual influence. A set of good schools civilizes a whole neighbourhood. The most important function of the schools is that which they best perform." (p. 273.)

Now, observe these words, "The most important function of the schools is that which they best perform." If this discipline is really worth having—if it be really the most important function which these elementary schools have to discharge, and if they do discharge that function better than any other—how, in the name of common sense, can the Governments set up a scheme which takes away all provision for the due encouragement of that object, and distributes the education grants for totally different purposes? So much, then, for the question of discipline: and so much, also, for the question of testing results. Remember, I am not against testing results; nor do I believe that there are ten Members in this House against it. But you say you will test results: I answer, test the results by all means; but do not test the least important, unless you test the most important also. Hitherto you have tested the most important results; but now you say you will test them no longer. My right hon. Friend wants to test results in the three elementary matters of education—namely, reading, writing, and arithmetic; and his argument will no doubt be: "I will test the results in those three elementary branches of education only, and depend upon it I shall at the same time be securing good discipline in the school likewise." But I say this scheme will not test results even in these three elementary matters by which the right hon. Gentleman proposes to test them. How do you set about the work? Why, you set about it in the strangest way. You say, "I will see what is the number of the children on a given day, who can answer to a certain number of given questions, and according to their answers I will apportion the grant." Now, observe, by taking that mode of testing results, all the work done in the school which does not admit of exact measurement goes for nothing; all the pains bestowed on dull and backward scholars go for nothing; all the discipline and good management of the school go for nothing; all the children who have left school before the day of examination comes round, although they may have acquired knowledge in the three elementary branches, will go for nothing. And when the day of examination comes round, all the accidents which may prevent a child answering questions on these three matters, such as illness, bad weather, the discontent of the master—the various standards applied by inspectors to different schools—all these things are to count for everything against the school; and all the good done on the other 364 days of the year are to go for nothing in its favour. Was there ever such a plan propounded by any Government to Parliament? It is depressing, discouraging, disheartening, to be forced to argue against such a proposition. I have in my hands a letter, a sample of many, from which I have gathered information as to what testing results may mean according to badness of weather alone. This is a specimen. An Inspector went down to a certain parish in this month of March to inspect a school—it was a rainy day, and one-fourth of the children was not in attendance even of the average number that usually appeared. If he had gone two days before, when the snow was on the ground, he would have found not one-fourth, but three-fourths of the children absent. How will you test results in that case? Oh! forsooth, the Government will say, We test the results by the examination of that small number. But how will you pay for the larger number, who were there throughout the year? The thing is impossible. Sir James Kay Shuttleworth in his letter to Earl Granville, written, remember, not after the date of this new Code, but after the Report of the Education Commissioners, puts this matter so well that I will take the liberty of quoting his words. And, Sir, I cannot allude to the name of Sir James Kay Shuttleworth without bearing my testimony—and I am sure it is the testimony of every Member of this House—to the great and valuable services which he has conferred upon this country by promoting education among the poorer classes. Though I do not agree with that gentleman on many points, I do agree with him most fully as to testing results by a single examination on a certain day. In his letter, dated April 24, 1861, he says—

> "Any capitation grant, the distribution of which is determined by the results of instruction in schools, is liable to the fundamental objection that the average period of the attendance of the majority of scholars is so short that as far as that majority is concerned few schools would be paid for the results of their own work. In the specimen districts 42 per cent of the scholars had been in the same public week-day school less than one year, and 22 per cent had been one year, but less than two years. With such migratory scholars it is impossible justly to pay for work done in schools on any plan constructed to embrace those three-fifths of the scholars who attend schools less than two years. The remaining 35 per cent who attend more than two years are alone subjects for an examination of the results secured by the work of any school."

Even in the three matters, therefore, to which you confine yourselves, you will not test the actual results of the school. You will test them only as regards a certain limited number of scholars who appear on a certain day—a number subject to all kinds of accidents and contingencies which may alter the ratio in which you ought to pay for the education imparted. Can you for a moment defend such a system? I hear that it is said by those for whom I have the highest and sincerest respect—by a right rev. Prelate and by an acute and most able Peer—that the country has changed its notions respecting this scheme, and is rapidly coming round in its favour. As to the right rev. Prelate to whom I refer, I believe his calm and sober judgment is such that upon reflection, especially if he applies for information from those who live within his diocese, he will arrive at a very different conclusion. Of this at least I am sure, that upon this one subject there is the greatest doubt and uncertainty among all the religious bodies. From what my right hon. Friend calls that one pole of the religious world, the Roman Catholics, to that other pole, the Jews, he will find—and the right rev. Prelate will find—that there is literally not a difference of opinion on this one point. An inundation of letters has been poured upon me since I gave notice of my present Motion—more than I could read through, and many more than I was able satisfactorily to answer; and I trust that my numerous correspondents — some of whom I know, and some of whom I do not know—will accept my apologies for not replying to their communications. But of all the letters sent to me by clergymen and laymen of all parties and all shades of opinion I can say that I have literally received but one which is against the Resolutions that I am about to submit to the House. I have received some letters telling me that I am not going far enough, but not any, except the solitary one to which I have referred, adverse to the course I am now taking. This is, to my mind, an exceedingly important part of the subject; and I think I cannot do better than establish my case by citing as witnesses the representatives of some of these religious bodies. What, for example, does the British and Foreign School Society say on this point? They say—

> "While recognising the soundness of the principle of a test of the state of elementary instruction in the school as one basis of the pecuniary aid rendered by the Committee of Council, this Committee regard the proposal to make this the only basis of such aid as most unsatisfactory to school managers. They especially consider the classification by age to be unsound in principle, while the restriction of a pecuniary claim to one examination of the same children above eleven years old discountenances what has justly been deemed most important—namely, the lengthened retention of children at school."

I have spoken of a gentleman of the Wesleyan persuasion in terms of high commendation, but not higher than are deserved. In the memorial and other papers which he has sent in to the Committee of Council he puts this matter in as happy a manner as it could be described. He says—

> "We have steadily kept in view, as the grand object of national education, the elevation of the poor and labouring classes in general education and morals, and have sought by suitable instruction and training to render the children attending school, well informed, religious and well conducted in all the relations of life. The new Code, limiting the attainments by which money to the support of the schools will be obtained from the Government, must concentrate the attention and efforts both of teachers and managers mainly on what the standard requires, the attainments which are allowed a money value, and must prove a great temptation to regard as secondary or to put out of sight altogether the prime object of education—the intellectual and religious training of the rising generation."

That is the testimony of the Rev. Mr. Scott on the part of the Wesleyans. But I am apprehensive lest it may be said that these passages are culled from memorials presented before the time when the Revised Code was again revised. Well, I have here a Resolution not from one body but from several, including the National Society, the Church of England Educational Society, the British and Foreign School Society, the Home and Colonial School Society, and the Wesleyan Educational Committee. I think I might add another body, because only two days ago a petition in the same sense was presented to this House from the thirteen Roman Catholic dioceses of England. This Resolution was come to on the 21st of February, after the right hon. Gentleman had made his speech. They state—

> "That, in the opinion of the Committee, it is inexpedient to make the whole of the annual grants to elementary schools dependent on the number of scholars, who in reading, writing, and arithmetic shall obtain a prescribed standard of proficiency—the same in all places, and under all circumstances of previous condition, preparatory training-school attendance or natural capacity, the varieties in these several particulars presenting the greatest contrasts in one district as compared with another. That this objection would be greatly aggravated by the proposed plan of grouping children according to age."

Such are the opinions of the different religious bodies. And I may tell my right hon. Friend that these communications were written since the Revised Code was again revised, and the parties from whom they emanate all agree with reference to the point which the Committee of Council wish to force upon them, that testing the results by a single examination is most inexpedient if not impracticable. I think I have now established these three great points—first of all, that in your attempt to test results in the manner prescribed by the Revised Code, you are testing only one set of results, and that not the most important; and, secondly, that even in testing the results of these less important matters, you are not testing them fairly or fully; and thirdly, that with regard to the great majority of children in the schools these results are not tested at all.

Having established these points, I might be tempted to sit down; but knowing as I do the extraordinary ability of my right hon. Friend, and for fear he should consider it unfair on my part not to refer to the main arguments he used in support of the scheme, I will take the liberty of adverting to those arguments in his own words. In the very able and famous speech of my right hon. Friend, made on the 13th February, he rested his case mainly upon two passages in the Commissioners' Report. The Commissioners said—

> "The junior classes in schools, including the great majority of the children, do not learn, or learn imperfectly, the most necessary part of what they came to learn—reading, writing, and arithmetic."

And again—

> "It appears even in the best schools, that only one-fourth of the boys attain the highest class, and are considered by the Inspectors to be successfully educated."

Two more important passages were never put into a Commissioners' Report. They seem to have taken away the breath of the Privy Council, and consequently the Committee set to work—and most properly—to see how they could best meet these great defects. They arrived at the conclusion that there was only one way of doing it—namely, by establishing this new system of testing results, as they call it, and that too by a single examination. My right hon. Friend said—

> "Lord Granville and myself felt that we could not sit still in the face of that Report, without showing the House and the country that we had done all in our power to remedy that state of things. You have got the Commissioners asserting one thing and the Inspectors another. The Commissioners said that only one-fourth of the children were properly instructed, while the Inspectors contended that ninety per cent of the schools were either excellently or fairly taught, and the Department of Education had to judge between the two. What were we to do? What honest men ought to do; not to leave this matter under a cloud of uncertainty. We said, we will appeal to facts, and not go on reasoning *à priori*. We said we will go to the schools, examine the children child by child, and have a complete Report, and then we shall know whether the Commissioners or Inspectors are right. If the Inspectors are right, we shall have carried a great point, vindicated our department, and done no harm. If they are wrong, we shall remedy a great evil."

It is impossible that any Minister could have devised a wiser course to pursue than that which my right hon. Friend said he would take. The Commissioners and the Inspectors differed. My right hon. Friend said he would ascertain which was right by examining the schools child by child. Why did he not do so? When he said he would appeal to facts, why did he not ascertain the facts before coming forward with a scheme based upon *à priori* reasoning? My right hon. Friend would have done his duty nobly and well if he had followed out that plan which it is evident in his own mind he had intended to adopt, that is to say, if he had ascertained facts before he came to Parliament and the country with this novel and ill-advised scheme. But what happened? What are the facts? It may be, and no doubt it is, difficult to reconcile the reports of the Commissioners and Inspectors; but my right hon. Friend attempted to do so, and with an ingenuity which seems to surpass even his own. My right hon. Friend said that the Inspectors meant to report that the children are well taught, but that they have not well learned. That is the explanation given by a Minister of the Crown, and who is at the head of this department, when he had in his hands, not merely the reports of the Inspectors, to which the Commissioners referred, but also the reports of his own Inspectors for the last year. Do the Inspectors say in their reports that the teaching is good, but the learning is bad? I will read an extract from each of the Inspectors' Reports upon this subject. Mr. Watkins (p. 40) says—

> "There is, as was the case last year, good reason to be satisfied with the progress of school children in the subjects of their instruction, and especially in the elementary and more important subjects."

Mr. Kennedy (p. 96) says—

> "I think I see a decided tendency ever going on to stick to what may perhaps be called necessary subjects. By necessary subjects I mean reading, writing, spelling, religious knowledge, and arithmetic, and, in girls' schools, needlework."

Mr. Stewart says—

> "The Parliamentary grant has placed within reach of the working population a sound although plain education for their children. I do not refer to the extent and variety of their studies, but to their knowledge of a few elementary subjects."

And Mr. Bonstead (p. 163) says—

> "The three indispensable elements of education, reading, writing, and arithmetic, evidently receive, as they ought to do, the largest share of attention, and are most successfully inculcated."

I think these statements, dealing with the results of an actual inspection, will be a pretty fair test of the education given to the children in these schools. The Commissioners founded their Report in reference to this particular point upon the evidence of Mr. Norris, who had said that only one-fourth of the children left school educated perfectly in the elementary branches. A very able gentleman, whose reasoning I do not pretend entirely to follow, though in many points it is clear and precise enough for any one to understand, has commented upon this; and one of his letters was, I think, laid upon the table a few days ago, and was placed in the hands of hon. Members this morning. It is called "Our Education," and was moved for by my hon. Friend the Member for Hertford. That letter, written by Mr. Birks, is accompanied by a diagram, which Lord Granville says he could not describe by any other name than by calling it "a parabolic curve." How that may be I must leave those to settle who are more conversant in the matter than I am. I refer to this paper not merely on account of Mr. Birks' opinion, but because it contains a letter from Mr. Norris. Mr. Norris now recalls his statement that only 25 per cent of the children were perfectly educated in the elementary subjects, and says, for reasons which he has given in the letter, that he was misled in that statement. He now says that there are nearly 50 per cent of the children—I think he puts the number down at 45—who are perfectly educated in these elementary subjects. If that be so, the great grievance under which Earl Granville and my right hon. Friend could not sit still is no longer of such mighty moment that the whole system must be upset in order to remedy it. The case made by the Privy Council is cut away from under them. It turns out now that between 40 and 50 per cent of the children are so well educated in the elementary subjects in which you wanted more efficient instruction that you do not require this testing by results, dependent, as it will be, upon a single examination. If that be so—and I think it appears to be so—is it necessary to introduce this great change in a system which (I say it advisedly) has succeeded so admirably in training and disciplining the children of this country—a system which, though it may not have reached some districts, has succeeded greatly not merely in diffusing a good secular instruction, but in accomplishing a work of still higher moment, that is to say, in fitting those children hereafter to be good men and good citizens in a religious country? Before such a change is introduced I do entreat the Government to reconsider the matter, so far at least as not to make the whole grant dependent upon the single examination of each separate child in reading, writing, and arithmetic only, without taking into account those other circumstances which ought to be considered of much higher importance.

So much for the first great branch of the subject. I must really apologize to the House for having so long occupied their time, but the matter with which I had to deal has been so vast and so various, that it was difficult to condense my observations more than I have done.

The other portion of the subject is to my mind not less important—I mean the simplification of machinery by which this system of education is to be carried on. Now, I agree with the Government in a great many of the observations which have fallen from them upon this subject. I think it high time that this House should look into the question of the cost of education—and that too with a view to economy combined with efficiency. Now, how does the matter stand when the economy of the question is concerned? It seems we have nearly 8,000 certificated masters, nearly 1,000 assistant teachers, more than 16,000 pupil-teachers, and little less than 2,500 Queen's scholars—and all these are under the Privy Council, are paid by the Privy Council, they are sent out under the directions of the Privy Council into all parts of the kingdom. With such a system ramifying into every part of the country, I am prepared, so far to agree with the Government, as to say that you cannot work such a system under merely a central authority—nay, more, that you cannot work it except through local agencies. I give you the benefit of this admission frankly and freely. But with so vast a machinery, aggravated as it is by correspondence with managers in all parts of the kingdom, the question is, whether you have no means of remedying the evil except by destroying the whole fabric which you have been so careful in building up. That is the great and difficult problem which we have to solve. There are two points specially connected with that problem to which I think we should more particularly apply our minds. First, take care that by the alteration you are making you do not unduly increase the liabilities of the managers. Secondly, in your endeavour to economize do not strike at that part of the system which has been admitted to be successful for fear you should run the risk of subverting it altogether. Sir, if my right hon. Friend had done what I think he ought to have done—if he had prudently endeavoured to get rid of a great evil by gradually accommodating the contemplated change to the circumstances which had grown up around us, I, for one, should have applauded and encouraged him in so useful a work. But he has not chosen to do this, and therefore we must look to the relative position of the managers and the Government, and the mode in which that relative position is sought to be altered. Down to this time the managers and the Government have been in what I may call a sort of joint partnership; they have been sharing proportionate obligations and responsibilities. But now one of the partners, against the will of the other, dissolves the partnership, and upon terms so oppressive that all the liabilities of the retiring partner are thrown on the shoulders of the continuing partner. Is that just? Down to this period the managers (and under the name of managers I here include that noble class of individuals who have exerted themselves benevolently in this great work) have always felt that they have this grant to rely upon. They knew that as the year went round they were certain of grants from the Privy Council—a portion for their certificated teachers, a portion for their pupil-teachers, and a portion for other purposes. They could, therefore, lay out the whole scheme of their expenditure on the faith of those grants. But suddenly one of the partners says—"No, I will give you a single capitation grant instead of all the grants I made before; and out of that, whether it is sufficient or whether it is insufficient, you shall undertake all the liabilities!" Is that the position in which the Government ought to place benevolent men who have so nobly exerted themselves in the cause? Nothing can justify it for a single moment. I do not think there is a single argument which can support it. True, if my right hon. Friend could come down to the House and say—"I have so arranged the matter that the one capitation grant I am going to give you will be sufficient to meet those liabilities which you have incurred before, as well as those liabilities I am putting on you now;" if the right hon. gentleman were able to do that, the present character of the partnership would be changed, but the assets would be the same, and no harm would be done. Will my right hon. Friend, from his place in this House, state that that will be the consequence of this measure? He knows he cannot. But then, if the capitation grant does not cover these double liabilities, I ask you how in the name of justice—I was going to say how in the name of common fairness and common sense—are you to say, "True, the grants will not cover the expenditure as they have done before; true, my liabilities are diminished; true, I have practised a noble economy; but you ought not to complain when you see what the Government will save, even if I throw upon you all those liabilities which we together contracted to bear." Even that is not all. I wish the House to see what these liabilities are which the Government have contracted. The managers lay out their scheme of education; they incur an expenditure proportionate to it; and before this change they felt confident that they were going to receive a certain sum of money upon which they might found their calculations accurately. All was ascertained or capable of being ascertained. But what do you see now? All is conditional, contingent, and uncertain. Nay, more, not only is it conditional, contingent, and uncertain, but it is made to be so, and in such a manner that the inevitable consequence of the change is, that the contingency and uncertainty must press on the managers, while the Government is saved altogether harmless. And what do the promoters of this change say. They say, in effect, this:—"That if the managers do not keep a certificated master, they shall have no grant at all; that if they have more than eighty scholars in the school, and do not keep a pupil-teacher, they shall forfeit in the first year £5, and in the second year—there was a little misapprehension on this part of the subject—not £5, but £10." All these are liabilities which will not merely prevent them from receiving such a portion of the grant as they heretofore received to meet their expenditure, but they are liabilities without which hardly a portion of the grant can be received at all. And then you add, that if the children who attend the school should fail in reading, writing, and arithmetic, one-third should be taken away for reading, one-third for writing, and one-third for arithmetic, so that the whole grant may fail altogether. And all this is to happen even although the children might succeed so well as to warrant the opinion which has been expressed by Mr. Norris, that nearly 50 per cent of the children were perfectly educated in those elementary branches. Is that a state of things which Parliament ought to sanction? I do not think it is, and I know that an appeal to justice in this House will not be made in vain. Nor is this all. For when you base your change upon what you call a little free trade, and when you say at the same time, "I will give you nothing unless you can bring the children up to a certain standard, but I will give you at the rate of 15*s.* per scholar if you do." Why do you insist on any other conditions if the requisite standard is reached? How can you justify for one single moment the obligation you impose on school managers to keep those certificated masters and pupil-teachers on, if you take away that portion of the grant which was intended for the purpose? It cannot be reasonable, when the child is to be brought up to the only standard you think fit to prescribe, that you should not enable me or any one, as the manager of a school, to bring up the child to that standard without incurring those liabilities which you yourself and not the managers have thought fit to impose. Yet this is what you are going to force upon them! Sir, I will not pursue this matter further. For as to this part of the scheme, I think I may say I feel confident that this House will not sanction it.

Then, Sir, I turn to the other part of the scheme of which I complain—namely, to the question of pupil-teachers. As to the certificated masters I urge nothing at present, because though I agree that they have an equitable claim to have their salaries secured to them, yet the moment you transferred those salaries to the capitation grant, out of which they were to be defrayed, you transferred the liability and with it the means—you did not do injustice to the certificated masters, but you did an injustice to the managers if those means were not certain to cover the old as well as the new liabilities. The distinction lies there. With regard to the pupil-teachers it is different. The pupil-teachers were apprenticed to the masters, and apprenticed by the Government. But we are told that the agreement was not stamped. There is an honourable understanding—to say the least of it—there was a Parliamentary understanding, which has always been recognised in this House—that when the Government undertakes any payment for a period of years, upon the faith of which any person has entered into their service, that that agreement shall be kept with them. Sir, if that is really the state of things, and I believe it to be so, I am sure my right hon. Friend will tell me he does not mean to break the agreement. But then I must say that he has no right to shift the agreement from the Government to others. The clear obligation rests with the Government, and you ought to provide by your scheme, whatever that scheme is, that the apprentice deed of the pupil-teachers and all the conditions of the deed shall be fulfilled as long as the pupil-teachers are to be maintained and kept in their present condition. But how has the Government dealt with this part of the case? The Government has said that the pupil-teachers will be paid down to the 31st March, 1864, as heretofore. With regard to those pupil-teachers who may not have served the whole of their apprenticeships after that period (I put the question myself to the right hon. Gentleman the Vice President of the Council, which elicited this reply) the arrangement will be this—that if the managers choose to elect that the Government shall still pay the pupil-teachers, the Government will do so; but then in that case the managers are to receive nothing else whatever. If, on the other hand, the managers choose to take upon themselves the payment of the pupil-teachers, then they must incur all the risks, both as to the extent and as to the mode in which they shall earn the money for that payment. One of my Resolutions points to that. I say that the arrangement is not just. I say so in my Resolution. I maintain it now, and I will maintain it when that Resolution is put to the House. But that is not the only thing. You entirely alter the nature of the contract in future between the pupil-teachers, and those with whom they enter into their engagements. The pupil-teacher system now rests on a deed of apprenticeship which lasts for five years. The pupil-teacher system, as you intend to make it in future, will rest on an agreement determinable by six months' notice. Is it not obvious, that if that be so, you are altering the whole character of the pupil-teacher system? For is it not obvious that all the training which they would have to go through, would be entirely different if they may be turned adrift at the end of six months, from that which they would have to go through if they were to be steadily watched and cared for during five years? Assuming, therefore, that you persevere in this part of the plan, the consequence must be this:—Managers will say, "We will avoid these teachers; you only force pupil-teachers upon us if there are 40 above the first 50 children. In that case we are obliged to have one pupil-teacher, and for every additional 40 children we must have an extra pupil-teacher." Will not that be an inducement to the managers to keep the number of the children in their schools down, in the first instance, to 89; or if they go beyond it, to take care that they only exceed it by 39; so as to escape, as much as possible, the necessity of maintaining a large staff of pupil-teachers? I believe the whole of this part of the scheme is an entire discouragement of what is called the pupil-teacher system, and I am therefore thoroughly convinced in my own mind that you will have to go back in no long time to the monitorial system. Well, what is the consequence of that change? The Report is not silent upon it. The Report says that the monitorial system failed, and that that was the unanimous opinion of all those who had inquired into the subject; that the monitors, by reason of their youth, and for want of the special instruction which was necessary to make them good masters, were totally unfit for their work, and that as a consequence the education throughout England was in the year 1846, as regarded its quality, in a most deplorable state. Now, Sir, am I right or am I wrong in saying that the consequences of this alteration will be gradually to undermine the pupil-teacher system, and draw it back to the monitorial system? If I be wrong, let it be shown: but if I be right, then I say there is no step so retrogressive as the step you are about to take. With reference to this subject there are one or two other passages to which I should like to call the attention of the House. The evidence of the assistant Commissioners is unanimous as to the superiority of the schools in which the pupil-teachers are employed. Mr. Cook speaks of them "as often conducting lessons in reading, arithmetic, and writing copies of dictation, the three things upon which everything is hereafter to depend, better than many adult teachers of ordinary ability." Mr. Arnold describes them as the sinews of English primary instruction. The Commissioners say that—

> "Their acquirements and general fitness for the posts for which they have been selected are best attested by the fact that only 12·68 per cent of the total number admitted are removed during their apprenticeship, either by death, failure of health, failure in attainments, misconduct, or other causes, including the adoption of other pursuits in life." (p. 106.)

Mr. Walpole

Now, I should be glad to know whether any change has come over the mind of the Government in this respect when they have these statements fresh in their recollection. But should they have forgotten them, I have an authority here which I think will weigh very much, not only with the Government, but especially with the Committee of Council, and which, I think, puts the matter in a very strong light. No longer ago than the year 1859, when some observations were made as to the hugeness of the Educational Grant, a right hon. Gentleman, a distinguished Member of the House, said—

> "The items for pupil-teachers are pointed out as the most outrageous of the whole estimate, chiefly perhaps because it was the largest item. It was, however, the opinion of those best qualified to judge that, whatever became of the pupil-teachers after their apprenticeship, for every penny laid out upon them the public derived the full benefit." . . .

The same distinguished Statesman went on to say—

> "If the pupil-teacher system were to be abolished, it was the opinion of competent judges that it would have to be replaced by a system fully as expensive, if not more expensive. In that event a very considerable loss would be entailed—the loss of the education which had been given to large numbers of young persons, who if they did not all, as most of them did, remain in the department, formed a valuable reinforcement to the lower classes in point of intelligence and education. He was satisfied that the soundest part, the healthy core of the whole system, that which entitled it most to the support of the House and the country, consisted of the grants to pupil-teachers."

These are the words of the Vice President of the Committee of Council. And yet in two short years the whole of that very system which the Vice President so much extols, and which everybody commends, is to be put into a most precarious position by the unhappy way in which you are dealing with the whole of this subject; the consequence of which I fear will be that you will have ere long to retrace your steps, and so you will be called upon to incur expense for restoring a system too hastily subverted, even if it be not altogether destroyed.

Such, Sir, being my opinion on the important points to which I have called attention, I will now proceed in a few brief words to show how I propose to meet them. The House will observe that I have proposed five Resolutions referring to the first of these great points—namely, that of testing results by the examination of each separate scholar in three elementary subjects alone.' I wish the House to negative, in the first place, the notion that the whole amount of the aid given by the Government should depend entirely on the individual examination of each child in reading, writing, and arithmetic. I wish the House, in the second place, to negative the notion that the system of grouping by age for the purpose of examination should be introduced, and presently I will give my reasons for it. I wish the House to negative the notion, that when the children have once passed in the highest class of examination, they are not to be entitled to any further part of the Parliamentary grant. I wish the House to negative the notion that the capitation grant without examination should be limited to children under six years of age, with the view of extending the non-examination age, if I may so express myself, from six to seven. These four points relate principally to the first great head of the subject to which I have referred. I am told that these are negative Resolutions; but I say that every one of them involves of necessity a positive inference. They are negatives from which positives may easily be taken. From the first Resolution, which negatives the notion that the whole amount of Government aid should depend on examination, may easily be drawn the positive inference that a portion only should be given for examination and a portion on inspection. In the same way, from the other Resolutions may be drawn the inferences, that though grouping by age for examination is objectionable, some other modes of grouping may be adopted; that if six years is too low a limit for the non-examination age, it ought to be put higher; and that if the grant should not be discontinued at eleven years, it ought to be extended beyond that period. So also with every other Resolution which I have proposed. But, then, it may be asked, why do you not propose affirmative Resolutions? The answer is obvious. Affirmative Resolutions on such a measure as this must rest with the Executive and not with the House of Commons. All I can do is to take the objectionable parts of the Revised Code, and point out the mode in which I think they can be remedied. But the exact details of this remedy—the extent to which you will go—and the way in which you will make each portion of the scheme fit into the other—all these are points which have been intrusted to the Committee of Council, and ought to be left with the Executive Government.

And now, for a few moments, let me call the attention of the House to what I conceive will be the main points you will have to consider in connection with this Revised Code, and any Amendments to be made in it. According to the provisions of the Revised Code, you intend to deny to all children, except on examination in a particular form, any portion of the grant to be given to the schools. According to the Revised Code as it ought to have been amended, I contend that you ought to have given some portion of the grant in another direction. You say you will give nothing unless you examine children when grouped by age. I say, if you had amended the Code as you ought to do, the only grouping which is sensible is the grouping by classes, such as is adopted in all other schools in the kingdom. And to meet the objection that it would discourage the education of the junior classes, I say that it would be very easy for you so to arrange the matter that the grant to be given to the lowest should be less than that given to the middle, and that given to the middle less than that given to the higher, so as to induce the managers to bring the children on as far as possible. According to the Revised Code you say—contrary to the opinion of everybody else—that children of eleven had better be withdrawn from the schools. I say, if you amend the Revised Code as you ought to have amended it, there is no more fatal mistake than to say that children above eleven ought not to receive the benefit of the best education you could give them. I think the Government entirely wrong when they speak of the low average of children above that age. I find that the total number of children in this month of March, 1862, in 317 boys', girls', and mixed schools, in all parts of the country, was 44,727. Of these I find the number under seven years of age, 6,921; of children between seven and nine, 13,125; between nine and eleven, 13,413; between eleven and twelve, 4,846; of twelve and upwards, 6,402. In other words, that out of 44,727 children in 317 schools, 11,268 were upwards of eleven years of age, or above the age at which the grant was to stop.

SIR GEORGE GREY: It does not stop until the age of twelve.

MR. WALPOLE: Yes, it does in many instances; for these children, at the last

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examination, might have been exactly eleven, or only a month over. But why should education be stopped at that age? Your great object is to raise the quality of your education, and to secure that when the children go out into the world they should know reading, writing, and arithmetic. If they have not acquired this modicum of education by eleven or twelve years of age, why should you discourage the further attendance at school of children at that age in order, if possible, to give them that modicum? In addition to all these objections, there is this one above all, that the present scheme will tend to destroy the existing system in its leading principle; for I firmly believe that the Revised Code will have the effect of disturbing that flow of voluntary benevolence which has hitherto set in so largely in the cause of a moral and religious education. It is a backward step instead of a forward one, and for that reason I think it should be materially altered and amended in Committee.

Sir, I have now dealt with that class of the Resolutions which relate to the two great branches of the subject to which I have referred. But there are two other Resolutions standing in my name, not, I believe, less important. The House will observe that by the two last articles of the Revised Code provisions were inserted in the original Code as prepared at the instance of the right hon. Member for North Staffordshire (Mr. Adderley), by which, if the Code is revised again in January of each year, it is to be printed. By the second article, if the Revised Code is likely to lead to increased expenditure, the Code is to be laid before Parliament. Now, here I wish to raise a question as important as those other questions I have before raised. I wish to raise the question, whether, when any alteration is made in a system of education which the country has adopted, accepted, and acted on, it is to be in the power of any Government, at any future period, by its own mere motion, and without the concurrence and sanction of Parliament to alter that system fundamentally and entirely in the manner they are now attempting to do. In 1839 this question was much agitated and discussed in this House. There was then an attempt to introduce normal and industrial schools. That attempt was defeated; and one of the great objections urged against it was the manner in which the attempt was made. The House was told, and truly told, that the power which the Committee of Council asserted to itself was a power essentially beyond that which the constitution gave to any department in the State. It was the assertion by a body necessarily political in its character — necessarily fluctuating in its nature—which would be irresponsible, and therefore despotic—of an authority and power which does not belong to any Minister, and which ought only to be intrusted to both Houses of Parliament. This is what I am anxious to guard against, and I therefore care for these two last of my Resolutions quite as much as for any of the others. By my two last Resolutions I wish it to be understood, that if in future great changes are made in our national system of education, they shall not be concerted, as it were, in private, and published silently when Parliament is not sitting. I wish it to be understood that the Committee of Council is a department of the Government intrusted with important administrative functions, but that legislative authority is not conferred on it. Legislative authority has been assumed here, and such an assumption of legislative authority will never be allowed, I hope and trust, to be assumed again. Had this not been done, I believe the agitation respecting this Code would not have been half so great as it is at present. The country feels that the Government ought to come down to the House and state their intentions when they propose to adopt measures of such great importance. I do not blame the right hon. Gentleman for having revised the Minutes of Council. With the Report of the Commissioners before him, he was not only entitled, but it was his duty to have framed some plan for bettering the system when it was found to be defective. I do not blame him, either, for announcing that plan, as he did, in the autumn. On the contrary, I know great good has resulted from that circumstance, since the scheme has been discussed and canvassed in every part of the country. But what I do blame is, not him, but the manner in which this question has been attempted to be forced upon us. I do find fault with any system which enables Ministers, without the authority of either House of Parliament, to frame measures which have, in fact, a vast legislative importance, without submitting those measures to Parliament, and without ascertaining how far Parliament is willing to adopt them. By taking such a course you have placed this House, and not this House only, but Parliament, in a difficulty from which it is hardly possible even now to extricate ourselves. There is no other mode of so doing that I know of, except that which I have ventured to suggest—namely, that you should discuss this matter as if it were a Government Bill—that we should go into a Committee of the Whole House with a view of seeing in what respect we can induce the Government to entertain the objections which have been so forcibly—I might say so conclusively—urged against the Code as it is now drawn up. Unfortunately the Government has deprived us of the power of going into Committee with a view of framing a measure for them, which they ought to have framed for us, because we have no measure with which we can deal. But we can at all events deal with the subject of Educational Grants; and so, Sir, I shall move that we go into Committee. I do not do so for the purpose of subverting the right hon. Gentleman's Code: I have said already that with respect to its main objects I believe them to be right; but as to the modes in which those objects are to be accomplished I believe them to be wrong. Nor do I ask you to go into Committee to consider any Resolutions or plan of my own. That would, indeed, be taking on myself, or inducing the House to take upon itself, the initiative, in a matter which rests properly with the executive Government, and for which they, and they alone, ought to be responsible. Nor do I ask the House to go into Committee with a view of casting any censure on the Government. That would be indeed to make this question a party question. But the question of education is not, and never was, and never ought to be, made a party question; and if I know myself and my own motives, party will have nothing to do with this Motion. I ask the House to go into Committee, in order that the Government may tell us how far, and to what extent, they are intending to alter the system of education which has hitherto done so much good to the country. I ask this House to go into Committee in order that every hon. Gentleman may press on the Government those suggestions which may enable them to put this Code in a better shape than it stands at present; and if the result should be that the Government were to take back that Code and re-amend it, I do not think the country would suffer much from the consequences of the change. It is for this purpose and for no other that I now beg leave to move that you, Sir, do now leave the chair; and when you resume that chair again, I trust that you may be enabled to put from it such Resolutions as may satisfy the expectations and calm the fears and cheer the hopes of an anxious country. Then, Sir, I believe that your voice will go forth not with a message increasing the dissatisfaction and discontent which unfortunately prevail so much and so extensively now, but with a message which I believe I may call without impropriety a message of peace, justice, charity, and wisdom. Of peace, because it will allay an irritation greater than any I ever recollect on this subject before; of justice, because it will satisfy those who think they are wronged, that this House will never turn a deaf ear to reasonable claims; of charity, because, notwithstanding all that has taken place, it will still encourage the noble exertions of voluntary benevolence, and stimulate individuals still to continue the great and good work of promoting to the utmost the education of the people; and, finally, a message of wisdom, because in politics I believe there is no wisdom higher than this —that Parliament and the Government should strain every nerve and apply every effort, and bring to bear all the experience and knowledge they can command, to provide a sound and useful education for those poorer classes of our fellow subjects who, although they lie below the level of the direct constituencies which return us here, actually are, and always must be, the main foundations of the State —which foundations never can be safe and sure unless they are laid deep and strong in a moral, religious, industrious, and well-instructed community.

Motion made, and Question proposed,

"That this House will immediately resolve itself into a Committee to consider the best mode of distributing the Parliamentary Grants for Education now administered by the Privy Council."

SIR GEORGE GREY: Sir, it is hardly necessary after the announcement made a short time ago by my noble Friend at the head of the Government, for me now to say that the Government are perfectly ready to accede to the Motion for going into a Committee of the whole House in order to consider the Resolutions of which notice has been given by the right hon. Gentleman. The right hon. Gentleman said he might have framed Resolutions condemning altogether the principles and details of the Revised Code. If the right hon. Gentleman had taken that course, then it would have been the duty of the Government to have resisted the Motion in order to take the opinion of the House as to whether or not the views of the right hon. Gentleman would receive the sanction of the House. The right hon. Gentleman, however, has to-night declared his assent to the principle of the Revised Code in express terms, and has told us that his objection to it refers simply to some of its details and to the mode in which it has been proposed. That being so, it would be obviously inconvenient that we should enter into a minute discussion of the Resolutions before us with you, Sir, in the chair; and I think therefore it is better we should reserve such discussions until the House has gone into Committee. The right hon. Gentleman has, indeed, told us that he regards the present stage of the Government proposal as equivalent to that of the second reading of a Bill, and asks us to go into Committee to perform functions similar to those which are discharged by a Committee of the Whole House when that stage of a Bill has been disposed of. Now, if that be his object, he will find the Government prepared to meet him in the spirit in which I should hope he would be prepared to go into Committee; but I must, at the same time, express my regret that, supposing we are to exercise the same privileges of criticism and amendment in that Committee as are usually exercised when a Bill is under discussion, he has not placed upon the notice-paper the Amendments which he would advise the House to adopt, but has contented himself with simply placing before us a series of Resolutions negativing the propositions which we have made. I may add that it would, in my opinion, be exceedingly inconvenient to follow at the present moment the right hon. Gentleman through all the details of the Revised Code. They will be more properly discussed at that stage of the proceedings on which he invites us to enter, when we shall, I trust, have some more definite scheme submitted to us as to the extent to which it is desired that modifications in this Code should be effected. Although, however, I am anxious now to abstain from entering into details, I should wish to make a few general observations on this subject. And I would in the first place ask the House to bear in mind the position which the Government occupied with respect to it last year. The right hon. Gentleman tells us that he does not think the alterations introduced by means of the Revised Code ought to be concerted in secret. I should, however, like to ask how they could be framed otherwise than in secret, in the way in which all Government measures are prepared? In the autumn of last year the Government was placed in the position of finding itself charged with the administration of a grant which had risen progressively from a sum of £20,000, voted in 1833, to about £800,000, which was the amount voted last year. We, moreover, found ourselves called upon to administer a system which had been altered from time to time; which had been modified according to circumstances; which was described by the Commission that had been appointed to inquire into the subject as "complex, costly, and cumbrous;" and which from its very nature will necessarily lead to that progressive increase in the Estimates for education from year to year which my right hon. Friend himself has characterized as being extremely formidable. In addition to all this, we could not shut our eyes to the fact that it was impossible as things stood to assign any limit to this growing expenditure; and we therefore came to the conclusion that the time had arrived when it must be subjected to a somewhat more effective control than had hitherto existed. In making these observations, I must not be understood as expressing an opinion that the question of expense is one which ought altogether to sway the decision of the House in this matter. On the contrary, taking into account the important object which we have in view, the education of the great body of the working classes, I am disposed to look upon the question of expense as of secondary importance; but then the question of the due appropriation of the money voted by Parliament, so that its expenditure might realize those results which Parliament sought to attain, appears to me to be one entitled to the gravest consideration, and it was one which naturally forced itself upon the attention of the Department intrusted with the administration of those funds in the summer of last year. The Government, moreover, found that they were involved in a multitudinous correspondence with a vast number of officials scattered all over the country, who were immediately dependent upon them for the salaries which were paid out of the education grant, and they felt it their duty to consider whether they could not diminish that gigantic system of centralization and afford greater play for local action and local control. That being so, what course did my noble Friend the Lord President and my right hon. Friend the Vice President of the Council take in the discharge of the responsible duty which devolved upon them? They had for some time been cognizant of defects in the existing system; but they, nevertheless, waited until the Report of the Education Commissioners was produced, in order that they might become more thoroughly acquainted with the facts of the case as well as the views and opinions of the Commissioners; so that they might be in a better position to apply the best remedy in their power to the cure of admitted evils, to secure greater efficiency in the management of schools, and a greater certainty that the result which Parliament had in view—the education of the great body of the working classes—should be attained. The Report of the Commissioners, I may add, only served to confirm the impressions which they entertained with reference to the complexity and costly character of the existing system, while it clearly showed that the expenditure under the head of education by no means produced results proportionate to its amount or commensurate with the expectations of those who had been most active in establishing the system. They therefore set themselves to work to revise the Code as it stood. They are charged with having done this secretly, and I repeat it could be done only in secret. The result, however, of their consideration of the question was laid before Parliament some time before the prorogation, while it was certain it must come under the notice of the House of Commons before the Estimates in which the Vote for education is comprised could again come on for discussion. I may further observe that the course taken by the Government in the matter rendered it impossible that the attention of the country should not be fully drawn to the new Code, and that it should not be exposed to those criticisms which it was their object to elicit during the recess. The various objections which might be raised they were prepared to weigh with candour and impartiality, not having the presumption to look upon themselves as infallible. My right hon. Friend near me, in short, as well as the noble Lord the President of the Council, invited a full and free discussion of their scheme; they received deputation after deputation; they read, I believe, all the pamphlets which have been published on the subject, and brought to bear upon it all the thought and energy which they could command, and they subsequently submitted the new Code to Parliament in a revised shape. Now, as to the principle of the Revised Code. The essential principle of that Code—a principle which the House is, I think, prepared to maintain—is that the success of the machinery by which these grants are administered shall be tested by results. That is the first principle contained in this Revised Code. The right hon. Gentleman (Mr. Walpole) says he assents to that principle, but if he had not made that declaration at the outset of his speech, and repeated it afterwards, I should have been at a loss to gather from his remarks an opinion in favour of the Revised Code, I should have thought that his whole speech was an endeavour to show how impossible it was to test these results by individual examination. Some opposition had been offered to the Revised Code on the ground that it would interfere with that religious teaching which had hitherto been given in schools. I think that that objection has since been found untenable. The right hon. Gentleman showed that the system of religious instruction, the encouragement of voluntary effort, the employment of pupil-teachers, and the improved discipline of schools were the four great advantages of the scheme of education administered by the Committee of Education; but the right hon. Gentleman failed to show that the Revised Code in any essential degree affected these advantages. He dealt with the religious question, and adverted to a letter written by a gentleman of great respectability and worth, connected with the Wesleyan body; but I am confirmed in my belief that this objection has now ceased to be seriously urged by looking through the Resolutions of the right hon. Gentleman, in which I do not find one word on this subject, although it is one on which I know he feels very deeply. I am, therefore, entitled to conclude that there is nothing in the Revised Code affecting, in his opinion, the religious basis of education. The right hon. Gentleman has said that he has no sympathy with persons who taunt those religious bodies who have done so much for the promotion of education with a love of lucre or a desire for gain. In this opinion I agree with him; but is not the assertion that religion will be neglected in education which is tested by an individual examination of the children in elementary knowledge, a reproach to these religious bodies, founded on the assumption that they will neglect that to which they attach greater importance than to any other part of education, and which they consider the basis of all knowledge? With regard to Church of England schools, not the least difference is to be made in the religious instruction required to be taught in them. In the schools of other religious bodies, including the Wesleyans, so much jealousy was felt many years ago respecting Government interference that they guarded themselves against the possibility of such interference by protesting against any Government inspection of the religious instruction given in these schools. The Government were, therefore, content to take the connection between the school and the religious body as a sufficient guarantee, and to assume that the latter would not fail in their duty of imparting religious instruction. But a very different system prevailed in Church of England schools. An agreement was come to with the Archbishop of Canterbury and the other prelates of the Established Church, under which a system of examination was established, and it was made a preliminary condition to the receipt of the Government grant by any Church of England school that the Inspector should certify that religious instruction was given in a satisfactory manner. No difference has been made in this respect; and although an attempt had been made to create alarm on the ground of the interference of the Revised Code with religious instruction, that alarm has now subsided, and an assurance is given in the Code that the preliminary condition will continue to be enforced before any Government grant is made. The right hon. Gentleman has expressed his apprehension that we shall discourage voluntary effort by applying the test of results. But how is this to be done? I believe, on the other hand, that the certainty with which these grants were obtained has had a tendency to discourage voluntary effort. I admit that I attach great importance to voluntary effort in the education of the people. The services of those who have laboured in this cause are beyond all praise; and those who like my hon. Friend the Member for Leeds (Mr. Baines) have disclaimed all Government interference in education are, I think, entitled to the thanks of the country for the great exertions they have made unaided by any Parliamentary grant. But one of the advantages of the system administered by the Privy Council has been that a large amount of voluntary contributions has been raised in aid of the Parliamentary grant. I will not go so far as the right hon. Gentleman in saying that the whole of the money expended on schools, aided by Parliamentaay grants, has been elicited by this system. I believe that many of these schools have been supported by men of great benevolence, and that a large proportion of the money raised for the promotion of education would have been applied to this purpose even if the Parliamentary grant had not been voted. I confess I do not see how these voluntary contributions will be checked by the adoption of the Revised Code and by making the grants depend upon the efficiency of the schools. Where a school is known to be good, children will be attracted to it, and it may very well happen that such a school will receive a larger share of the Government grant than it has hitherto done, because it has become more efficient. It is not intended that schools in which reading, writing, and the elements of arithmetic are satisfactorily taught shall receive the full amount of the Government grant, if they are found to be deficient in order, cleanliness, and discipline. These also are necessary in a school, and a schoolmaster who is unable to maintain them would show that he was not entitled to preside over a school that receives any portion of the Parliamentary grant. The right hon. Gentleman says that he would not limit the examination to proficiency in the elementary branches of learning, but says that the true test of the result of education is how the pupils turn out in after-life. No doubt that is the great object of education. The House is asked to agree to make the grant dependent on results; but how will the right hon. Gentleman apply that test to those who are going out into the world? Would he wait to see how these persons turned out before the Parliamentary grants were made? This would be to apply a test wholly nugatory. But there is a mode by which the instruction given can be tested. Having ascertained that certain essential conditions are complied with, such as order, cleanliness, and discipline, we are able to test the progress made by the scholars in those elementary branches of learning which may be the foundation of their acquirements in after-life. I, for one, am not disposed to undervalue what has been done under the present system of administering the Parliamentary grant. I have been long enough in this House to take part in the debates when the present system was established. The feeling then manifested was in striking contrast to that shown in the present day. I had the honour to be associated with those distinguished noblemen the Marquess of Lansdowne and Earl Russell, in the attempts they made to improve the elementary education given in the country. I remember the difficulties then encountered in overcoming the suspicions of Government interference, the dread of any Government action at all, in the matter of popular education, and the great difficulty of preserving the new system from the annihilation with which it was threatened by almost a majority of this House. But the times are very much changed since then; the desire is general that education shall be improved by Government interference, and the apprehension now runs into the other extreme, that the Government will withdraw from that minute superintendence which has grown up under the administration of the Parliamentary grant, and which in my opinion it is no longer desirable to maintain. The main objection to the system is that it has failed, as the Commissioners have shown in their Report, in producing adequate results. The right hon. Gentleman has adverted to the mistake made in one case in the statement of the proportion of children who are said to be not well educated. He was entitled to make what use he pleased of that mistake and of the disavowal of Mr. Norris, but several of the other Inspectors—Mr. Brookfield, Mr. Cook, and others—place the number of children well taught at only one-third of the whole. This fact, too, stands broadly out on the face of the Report of the Commissioners—that, notwithstanding the large expenditure of money and the number of schools now brought into connection with the Privy Council, a very large proportion—I do not care whether it is one-fourth, one-half, or one-third—still a large number of children are imperfectly taught in these schools. I believe the real fact to be that the system has had the effect of creating a machinery too perfect and fine for its work. It has done an immense deal of good, no doubt, not only improving the material of the schools, but raising the attainments of the schoolmaster. On the other hand, the test hitherto applied has had too exclusive a reference to the qualifications of the schoolmaster, without sufficiently taking into account the educational results actually attained. The important question, however, is, whether the results that have been produced are such as we were led to expect they would have been? The right hon. Gentleman has said that one objection taken to the present system by the Commissioners is that it does not reach the poorer districts of the country. That objection has been repeatedly urged in this House and elsewhere, but it is an objection almost inherent in that part of the system to which so much importance is attached by the right hon. Gentleman himself and his friends—namely, making the Parliamentary grants depend upon voluntary contributions. What, I wish to point out, however, is that the change made by the Revised Code is calculated to abate that evil; for, by allowing the employment of schoolmasters of lower qualifications than those of the present certificated teachers, and by the introduction of other alterations, schools will now be aided in districts which have hitherto received no assistance from the Parliamentary grants. There is every reason to believe that the proposed change will be conducive to this end. Another objection which the right hon. Gentleman said exists in the original Code, as pointed out by the Commissioners, and which he thinks the Revised Code does not meet, is that the junior classes are not sufficiently attended to. I believe, that if anything can induce a master to give greater attention to the junior classes, instead of confining himself mainly, if not entirely, to children of more advanced age, it will be the system of grouping by age, and testing each child by individual examination, making the sum receivable by the schoolmaster depend, not upon the attention he has shown to a few favourite scholars, but upon the amount of useful instruction which he has given to the youngest children in his school. It is my opinion, in short, that the effect of the Revised Code will be to mitigate the evils which are proved to exist in the present system by the Report of the Commissioners. I shall not, at the present moment, follow the right hon. Gentleman into the details which he has brought before the House with respect to pupil-teachers. The proper time for discussing those matters will be when we have got into Committee upon his Resolutions. Meanwhile, however, I may be permitted to say that it is an assumption unsupported by any sound argument, not resting upon any established fact, to allege that the Revised Code will tend to destroy the system of pupil-teachers. Upon this point there are two questions to be considered. First of all, there is the plan which the right hon. Gentleman has condemned, by which several thousand certificated masters and pupil-teachers are brought into immediate connection with the central Government and made to depend upon it; and, in the second place, there are the claims which the existing certificated masters and the existing pupil-teachers may have, owing to the expectations which have led them to enter the profession of teachers. I trust that when we come to consider the Resolutions in Committee those two subjects will be kept separate and distinct. My belief is that it will then be shown clearly that faith has been kept by the Government with existing certificated masters and pupil-teachers. If the right hon. Gentleman can show that they have any further well-founded claims, both the Government and the House will, I am sure, lend a willing ear to any statement which he may make upon that subject, with the view of doing full justice to a deserving class of persons; but that matter should not be confounded with another and very different question, whether we are bound to perpetuate, by a continuance of the present arrangements, what we believe to be a bad system? Here I may say, with respect to pupil-teachers, that an allusion made by the Vice President in his speech a few weeks ago has been entirely misunderstood. What my right hon. Friend said was, in answer to the objections that certain advantages would be taken from the pupil-teachers by the Revised Code, that under the existing system the pupil-teachers have no valid legal security; that they are liable to dismissal, and practically are dismissed, by managers and masters of schools, without notice; and that they cannot reckon upon maintaining their positions during the whole of their apprenticeship. He stated, on the other hand, that under the Revised Code they would have a legal agreement, which could be enforced, and could not be removed from their situations without a notice of six months; and therefore, as he contended, the new regulation would benefit instead of injuring the pupil-teachers in that respect. However, as I said before, I shall not enter into the details of the Resolutions now. We shall be prepared to consider them in Committee with fairness and impartiality. I am glad that the right hon. Gentleman opposite has turned a deaf ear to the suggestion of some of his friends, for I perfectly agree with him that the question of the education of the people is one above all party considerations. It is, I am sure, the honest desire of the House, as well as of the Government, to do that which is most calculated to promote the sound education of the children of the working classes. I hope we shall discuss the Resolutions in Committee with a view to give effect to that intention, and to confer a great benefit upon the country. Economy, no doubt, is an object to be kept in view; but the main object is to secure a really efficient and useful expenditure of the grants for education. The change proposed by the Government, subject to the approval of Parliament, has not only been recommended with that object, but is, I believe, calculated to effect it, and therefore deserves the approbation of this House and the country. No one has objected to the principle of the Revised Code; and I trust that in Committee we shall have some more practical suggestions than those embodied in the Resolutions before us, which may tend to promote the object we all have in view. The right hon. Gentleman has spoken of the manner in which the Revised Code was introduced. His objections upon that point are entirely groundless. The Government are charged with the administration of the funds voted for educational purposes, and it was their duty—a duty from which they could not shrink—to suggest to Parliament the mode in which the money should be applied. How could that be done except by following the course which has been pursued on previous occasions—agreeing among themselves as to the modifications that ought to be made, laying those modifications before Parliament, inviting discussion upon them, and, if no objections were made, asking Parliament to intrust them with the funds requisite for carrying the alterations into effect? Such was the course taken last year, and the result has been, so far from any secrecy being secured, as full and as free a discussion as I ever remember to have taken place upon any subject whatever. But I am not prepared to dissent from the principle involved in the last two Resolutions; and to any plan which may be proposed for securing that no material change shall be carried into effect in the system of education until it has been submitted to Parliament, the Government will offer no opposition. I may be permitted to add, in conclusion, that, without wishing to abridge discussion, I hope we shall not be led too much into detail, but shall keep principles steadily and constantly in view. If that course is followed, I believe the general opinion will be that the principle upon which the Revised Code is founded is entitled to approval, and ought to meet with the support of this House.

MR. WALPOLE: I rise merely to say that the right hon. Baronet laboured under a misapprehension when he stated that I had been advised to make this a party question.

SIR GEORGE GREY: I understood the right hon. Gentleman to say that some of his friends wished to make it a party question. ["No, no."]

MR. STANHOPE said, that having been thrown much into the company of those to whom the subject was familiar, and being himself deeply interested in it, he would make that an excuse for trespassing on the House. At the same time he would confine his observations to that portion of the Government scheme which made payment entirely to depend on the examination of each individual child. Now, he thought they were bound, in order to calculate what were the results to be expected from the new system for the future, to consider what had been the results of the old system in time past; and he thought he could show that so far from its having been as alleged non-effective, it had produced the greatest advantages. It had been said that three bad results had followed the system; but if they looked to the causes which had produced those three bad results, it would be found that they were causes which were out of the control of the managers, and were equally likely to produce bad results under the new system. As far as he understood, there were three bad results of the old system—first, that the system was too complicated and overwhelmed the central office. He had no objection to such a change in that part of the system which should place the payment in the hands of the managers; and which, in his opinion, would be attended with great benefit, and in no way involve the question of individual examination. The second bad result was that the Government assistance did not reach the poorer parishes; and that also in no way involved the question of individual examination. The third bad result, and to which he would principally direct his attention, was that the elementary education was not sufficiently good. Now, he thought, if they compared the results attained in schools receiving Government aid with those attained in schools which did not, they might arrive at a just idea of the advantage which had really resulted from the Government grant. The Commissioners had themselves given some information on this point, and had told them that 2,200,000 children attended all schools, of whom 500,000 attended private schools, which, generally speaking, were ill calculated to give them an education of a serviceable character; 1,800,000 attended public schools, 19 per cent of whom only obtained an efficient education, but the inspected schools were far better than the uninspected. The schools inspected consisted of two kinds—those which were assisted and those which were unassisted, and with respect to the comparative advantages of Government aid, nothing was more forcible then the evidence of Mr. Fraser, one of the ablest Assistant Commissioners. That gentleman had told them, in reference to schools inspected in the West of England, that out of 282 schools inspected, he had found only 23 "good," 76 "useful," and 182 "bad." When he first read that statement, he came to the conclusion that the Government system was a failure; but on looking closer, he found that out of the 282 schools 76 only were under certificated teachers, and hardly one of them fell below the denomination of "useful," and that 16 of them were good. He found also that out of 200 schools unassisted by Government only four were "good," and nearly all the rest were "bad;" which was a strong reason, in his opinion, for inferring that, in that part of the country at least, the Government assistance had been attended with the greatest benefit. What was the measure of efficiency which Mr. Fraser indicated by the term "good"? Those schools, he said, were efficient in which a child ten years of age could read with sufficient ease and emphasis to convey information to himself and pleasure to the listener; who could write correctly a letter from dictation, and make rapid and accurate calculations. Let hon. Gentlemen examine their own children at the same early age, and he thought that if they attained to Mr. Fraser's standard of efficiency, they would be very well pleased. Let them even examine them at eleven, and see if they could make rapid and accurate calculations. And with respect to reading with such emphasis as to convey pleasure to the listener, he had often heard clergymen fail to attain that efficiency; and, certainly, on many occasions he had heard hon. Members in that House read, if with sufficient emphasis and expression to convey a meaning to themselves, certainly not to give pleasure to the listeners. Then with respect to the North of England, the evidence was, that out of 600 schools inspected, 24 per cent of those assisted were "good," 29 per cent "inferior," and the rest "bad;" while of the unassisted schools, 5 per cent only were "good," 28 per cent "inferior," and 67 per cent "bad." That also showed that in the North of England the Government assistance was most valuable. The House was aware that great differences of opinion existed between the Commissioners and Inspectors with respect to the results which had attended it, and there were various discrepancies which could not be accounted for. Was it, then, really a fact that the system had produced the bad results alleged? He did not think so. He said that on the whole the results had been such as to justify the expenditure of the money. More than one explanation of the apparent discrepancy between the Report of the Commissioners and those of the Inspectors had been given to the world. The right hon. Gentleman the Vice President of the Council had stated that in reporting that in so many schools certain branches were taught "excellently" or "well," the Inspectors might have meant that there were persons in those schools capable of teaching those branches "excellently" or "well," but that they did not mean that things were "excellently well taught" or "excellently well learnt." He could not think that a satisfactory explanation. The right hon. Gentleman must take one of two courses;—he must either trust or not trust the Inspectors. If he trusted them, he must attach some importance to their Report; if he did not trust them, then he could not expect managers of schools to risk the whole of their income upon the Report of those he did not trust himself. The Commissioners had given their explanation, and had stated that probably the Inspectors had looked to the upper part of the school, and that what they had made might have been more an inspection than an examination; but both from Mr. Cook and Mr. Watkins were clear statements to the effect that they had always heard a majority of the children read, and seen all their sums and copy books. He regretted very much that the right hon. Gentleman had not been able or willing to give them more information on that point. He should have thought, that as there was some doubt as to what the Inspectors meant, the simplest course would have been for the authorities of the Committee of Council to ask them. Last week he inquired of the Vice President whether he had endeavoured to ascertain from the Inspectors if they applied their test to the merits of the teachers or to those of the scholars. The answer of the right hon. Gentleman was, that the number of Inspectors was about thirty-five, that it was not their duty to examine every child, and that it would be almost impossible to do so.

Mr. LOWE: I said that it would be impossible for them to remember the number of children they had examined in each class in all the schools.

Mr. STANHOPE: He should like to know the test of efficiency which had been applied in making the examinations. He had observed throughout the whole report of the Commissioners a tendency to expect too much from village schools. The Commissioners reported that only 25 per cent of the children remained in school up to the age of twelve years and passed into the upper classes; and they assumed that only that percentage was successfully educated. It might follow from the first fact that only 25 per cent of the children could be successfully educated; but it did not follow that the other 75 per cent got no education at all. If they applied the percentage test to the children in the upper classes, and took the large number of boys who were taken from school at 14 or 15, and put into the navy, would they say that, because those boys could not have been successfully educated, therefore they had not been educated at all? He thought that in considering this question sufficient attention had not been paid by the Committee of Council to the average attendance of the children throughout the year. In page 294 of their Report the Commissioners stated—

> "Of the 1,549,312 children whose names are on the books of public elementary day schools belonging to the religious denominations, only 19·3 per cent were in their twelfth year or upwards, and only that proportion, therefore, can be regarded as educated up to the standard suited to their stations. As many as 786,202 attend for less than 100 days in the year, and can therefore hardly receive a serviceable amount of education, while our evidence goes to prove that a large proportion even of those whose attendance is more regular, fail in obtaining it on account of inefficient teaching."

They had about 50 per cent of the children who did not attend long enough to learn properly, and therefore only 25 per cent who could be, but were not, taught successfully. In many districts of the country the children were either taken away from school or attended very irregularly from March to December. Was it, then, the fault entirely of the system that the children of the poorer classes did not learn well reading, writing, and arithmetic? Taking the same schools, they had 40 per cent of the children attending less than one year and 64 per cent attending less than two years. What education would they have at Eton or Harrow if the attendance was like that, even supposing that the boys only left one school to go to another? Mr. Fraser, in speaking on this point, said—

> "There are such demands for juvenile, almost infantile labour, that anything like regularity of attendance or continuance of instruction is impossible. If we take in Herefordshire seven annual harvests, in which children are largely occupied, some estimate may be formed of the difficulties through which the education of the children of the rural poor has to force its way."

Then Mr. Hedley bore this testimony—

> "In the East of England the general complaint is, that from the constant absence of the children, there is hardly such a thing as progress in the education of children above eight years old. Teachers can usually do no more than bring the elder children up again to the point they reached before. Children begin to have a money value the moment they can crow."

Those observations showed how important an element was the attendance of the children at the schools. He might be told that this very irregularity of attendance was one of the faults of the present system, and that improved attendance would result from improved schools. But Mr. Hedley, in his Report, stated that among the causes operating against the progress of improvement in schools the irregular attendance of children could not be altogether put aside; that the demand for children at harvest-time was excessive; that the prospect of gain outstripped in parents' minds the advantages of education; and that in this there seemed to be no difference between a good and a bad school. It was in accordance with the dictates of common sense and every-day experience that a parent earning 13*s.* 6*d.* a week, and having three young children, each capable of earning their 3*s.*, would add 9*s.* a week to the family stock, and would put aside considerations of schoolmasters and education, by which, probably, he himself had benefited little. But the question was not one in which merely parents interfered; the interests of employers were also directly concerned. The question was one of good farming, and the better the farming was, the more difficult it would be to keep up the regularity of school attendance. Mr. Hedley said—

> "I have spoken to farmers, and they informed me that at certain times they want the children, and they must have them."

The school could wait, but they could not afford to let the season pass. Another thing to be taken into consideration was the wonderful ignorance of many village children when they first came to school; the fault lay not with the school, but with the extraordinary ignorance and carelessness of the parents. The Commissioners reported that at St. George's School, Sheffield, of 369 children admitted or re-admitted, there were 226 who had never been at an infant school, 139 who could not tell their letters, 272 who could not write their names, and 291 who had never learnt any arithmetic. What was a teacher to do with children like these? A fact cognate to the irregularity of attendance was the dulness which came over children after a long absence from school. During that interval they never saw a book, and did not, as in the higher classes, mix with people of intellect or receive amusement blended with instruction. So far from learning anything, their capacity deteriorated, and they were no longer as capable of receiving instruction as when they left. Irregularity of attendance, ignorance of the children themselves, frequent change from one school to another, and the bad effects of mixing with the illiterate people among whom they lived—all these elements of the present system would continue to exist, and would prevent the new plan from being as efficient as the right hon. Gentleman could wish. He admitted that the existing system was imperfect, and that great improvements might be made in the art of teaching and learning. It would be very extraordinary if a system which had only been established twenty years, and in some schools but a few months, was not in some respects capable of improvement. He was prepared to go the full length with the Commissioners in their recommendation "that every child in all schools should be examined." Every manager of a good school would eagerly welcome a proper system of examination. The school with which he was more intimately acquainted had recently been visited by the Government Inspector, who was kind enough not only to inspect the school, but to leave behind him the results of his investigation, so that the managers knew in what particular every child had failed. The wonderful fabric of argument which he had seen in different papers, to the effect that managers of schools, because they objected to allow everything to depend on the result of a single examination, were therefore opposed to examination itself, was at once upset. It could not be too clearly understood that in supporting the first Resolution of the series introduced by the right hon. Member for Cambridge University (Mr. Walpole), Members were merely refusing to consent to make everything depend on the results of a single examination. The second recommendation of the Commissioners was that a pecuniary inducement be offered to the schoolmaster, "to give a sound foundation of learning to the younger children, as well as to finish the education of the elder children." That was an excellent proposal, and it was quite possible that, by paying increased attention to children at the early age when they attended school more regularly, gratifying results might be obtained. But he looked in vain through the Commissioners' Report for any passage bearing out the proposal of the right hon. Gentleman (Mr. Lowe) that the whole of the payments should be based on a knowledge of reading, writing, and arithmetic. The Commissioners not only did not recommend, in accordance with the principle of the Revised Code, that Government aid should depend entirely on examination, but they objected strongly to this course. They said, "To raise the general character of the children, both morally and intellectually, is, we believe, and must always be, the highest aim of education, and we are far from desiring to supersede this by any plan of a mere examination, into the mere mechanical work of elementary education." What did the Revised Code propose? Why, to make the whole of the payments practically depend on the mere examination into the mere mechanical work of elementary education, which the Commissioners so strongly deprecated. In estimating the fruits of a system, the good results must be taken into account as well as the bad; and if during the twenty years of its existence the present system of Government aid had produced a large force of trained masters and an excellent staff of pupil-teachers, he did not think its demerits were such as to call for the adoption of a mode of apportioning the grant diametrically opposed to that hitherto pursued. He had himself had an opportunity within the last few days of seeing how the Revised Code and the mode of grouping by age would work, the Inspector having by way of experiment examined his school on that principle. Of course, the trial was made under circumstances unfavourable to the school, owing to its novelty and the want of preparation for it on the part of the scholars; and the figures exhibiting its result were therefore only approximate. The school contained about 105 scholars, one-third of whom belonged to the lower middle-class—blacksmiths, gardeners, small shopkeepers—and the rest were labourers' children. Its present grant was £45 a year. Under the Revised Code it would have received exactly £25, or, excluding all the children above twelve years of age, only £17. That was the case of a school which he believed had been pretty efficient and successful in its working. The Revised Code might answer very fairly, or at least might not do much harm in regard to schools supported by a resident proprietor, and where there was a considerable number of children of the lower middle class, who being sharper and more regular in their attendance than children of the class below them, would be better able to earn the grant, and in that case there would be no excuse for the schoolmaster being unable to teach them. But schools of that description were precisely those which stood least in need of State assistance. To illustrate the difficulty of bringing labourers' children to school, whatever might be the management, he would give the statistics of the attendance in 1861 at the school to which he referred. Two-thirds of the scholars, as he had mentioned, were labourers' children; 15 per cent of the children above the class of labourers attended under 100 times, 46 per cent under 200, and 27 per cent over 200. That was a satisfactory result. As regarded the labouring class, when under the same management, the same clergyman and same schoolmaster, there was a totally different result. The attendance of this class was 54 per cent under 100 times, 35 per cent under 200 times, and 11 per cent over 200 times. That was a matter that could not possibly have anything to do with the managers, or the schoolmaster, or the clergyman. It depended solely on the condition of the parents. How would the Revised Code answer where, of the labourers' children, 50 per cent attended less than 100 times? The Commissioners stated that scholars attending less than 100 days were incapable of receiving a good education. How, then, would the new Code operate on schools containing a large proportion of labourers' children, who attended so irregularly? Such schools would be well off if they obtained one-third of their present grant. But what would be the case when the Inspector came round to a parish where the landlord was an absentee? A school-manager in a parish having an absentee proprietor and a poor population would find at the year's end that there was a considerable balance on the wrong side of his account. He would say, "Next year I must either increase my receipts or diminish my payments; no other alternative is open to me." His grant being cut down to one-third of its previous amount, owing to the alleged inefficiency of the teaching, he would write to his absentee proprietor for a subscription to make up the deficiency. The absentee proprietor, acting on the commercial principle now in favour with the Government, would probably reply, "As the State does not think your school good enough to be entitled to its assistance, neither do I think it entitled to receive more of mine, and I cannot send you more money." Take the case of a school containing 90 children, under a certificated master and a pupil-teacher. The manager, if he tried to reduce his expenditure by getting rid of the pupil-teacher, would be fined £10 by the Government. He had perhaps 15 scholars over twelve years of age, who could not receive any of the grant for the future, and he said, "I am not rich and cannot afford to teach you, therefore you must go away." Then, turning to the scholars who failed by their attendance, or otherwise, to earn the capitation grant, he told them, "I am very sorry that I cannot keep you at my school, but you do not pay." And when he found children of eight or nine who did not know their alphabet coming to his school, he would also decline to take them, because by no possibility were they likely to pay. A school manager would, perhaps, get rid of his pupil-teacher without incurring a penalty, take £10 or £20 off the master's salary, and reduce the number of his scholars—say, from 100 to 60, securing more of the grant by the smaller number than by the larger. By that means the 60 children might receive a good education; but what would become of the 40 others who were thrown uninstructed upon the wide world? That he was not describing an imaginary evil was shown by the fact, that within the last few days he had seen a memorial from the managers of a large Wesleyan School in which they stated, that if the Revised Code passed, they must, in self-defence, refuse to admit all children who were not likely to pass the examination, and dismiss not only all children who from stupidity or irregular attendance were likely to fail, but also all children above twelve years of age who could not again obtain any portion of the grant. It was impossible to teach 600,000 children up to one pattern, or treat a contract for education like one for so many boots and shoes. In the one case, the contractor would have complete control of the materials, and be unrestricted as to place or persons employed; but it was otherwise in the case of education, where it was necessary to employ a certificated master to obtain Government aid, and where a fine of £10 was inflicted if a pupil-teacher was not engaged. He did not think the Revised Code dealt fairly with school managers. There was a mutual obligation between managers and the Government; for if the managers were indebted to Government for assistance, how would the Government be able to carry on an effective system of national education without the assistance of local managers? It was not right to make the assistance granted to managers dependent entirely upon the results of examination. He had seen an able article in *The Times* in which it was argued that because young men were subjected to examinations upon entering college, the army, the Civil Service, and other departments of public life, therefore examination was necessary in the case of education. But there was this difference —that in the cases quoted the person who passed the examination was the person who gained or lost by the result. But in the case of schools it was the child who failed to pass, and it was the managers and the schoolmaster who were punished. This reminded him of a remark of the Duke, who was asked, when the news of the battle of Navarino arrived, if it was not a great victory? The Duke replied, "Yes, it is a great victory, but you knocked down the wrong man." So in the present instance, the right hon. Gentleman had knocked down the wrong person. A child failed to pass an examination from non-attendance—of that non-attendance the parent, anxious to gain by the child's labour, was the cause, but the schoolmaster was to be the sufferer, and not the child or his parents. In the article in *The Times* to which he had referred he found another fallacy. A noble Lord "in another place" spoke in favour of an examination in reading, writing, and arithmetic, and said that, under the existing system, a large proportion of the children who left school ignorant of those arts could not be expected to become useful or moral citizens. A more extraordinary statement was never made. There were hundreds of labourers in his neighbourhood who had forgotten the reading and writing they had been taught, but they were not therefore less useful or bad citizens. A child might forget how to read or write, but he seldom forgot the moral habits he acquired at school. The Revised Code did not deal fairly with teachers in making their remuneration dependent upon the results of examination. He contended that in dealing with all servants of the State, whether Insolvent Court officers or school teachers, great care should be taken to avoid even a suspicion of unfairness on the part of the State. Upon this point he need only quote the opinions of Dr. Vaughan and Mr. Fraser, able advocates of the new Code. Dr. Vaughan said that it would be unfair to hold that a teacher had been careless or indolent, simply because some of his scholars were ignorant; but he thought that a knowledge of reading, writing, and arithmetic, could be obtained by the commonest mind. Mr. Fraser, however, considered that reading, writing, and arithmetic, demanded a certain amount of mental culture. Therefore, it appeared that it would be unjust to hold the teacher responsible for the failure of his scholars. An able man, a friend of his, said that he was in favour of the Revised Code, but that it had two faults. This reminded him of the story of a gentleman who had sold a horse, and when he was asked by the purchaser what were its faults replied that it had but two—one, that when turned out it was very bad to catch; and the other, that when it was caught it was not worth catching. Of course his friend did not speak of the Revised Code in so flippant a manner as this. What he said was, that he was in favour of examination being the test of a school, but, with grouping by age, as a fair test it was impracticable; that he was in favour of payment for results, but that if the Revised Code was carried out without the adoption of a measure to compel parents to send their children to school, beneficial results were impossible. In conclusion, he must express his opinion that before deciding how the Government grant was to be given they must determine what was the end and object of the attendance of children at school. If it was merely that they might get a certain amount of religious instruction, and a certain knowledge of reading, writing, and arithmetic, then, with some fairer test than grouping by age, examination and payment founded upon it might work well. But if the object was that the children should receive more extended learning than this—that they should learn in addition truth, honesty, civility, and attention to the feelings of those around them—if wished to enable the most unlearned and ignorant to attain a respectable position in this life, and to fit them for the life to come—if they wished to bring children to the schools and not to drive them away—if they wished to bring them within those benign influences which brought good results—results in the man self-evident to the clergyman, the magistrate, and the employer of labour; results in the child barely perceptible to the Inspector, impalpable to their boasted mechanism of examination—if they wished not that mere rota and mechanical instruction, but all beneficial issues should result from attendance at school—then let them be careful, lest in grasping at a shadow they should throw away the substance; let them pause before they entirely destroyed the present system of education, which, with many faults and manifold imperfections, had done much good even to the cause of education, and had earned from the Commissioners the praise that under it the encouragement of religion and humanity, the highest duties which schools had to perform, had been those which they had been best able to discharge.

Mr. BUXTON said, he was one of those managers of whom the hon. Gentleman (Mr. Stanhope) had spoken with so much compassion. Having for many years superintended a school of 1,200 children, under Government pay, he had been obliged to give close study to the subject, and for a time he felt, to use the phrase of the right hon. Gentleman the Member for Cambridge University, under a cloud of uncertainty. He thought, however, that the real way of grappling with the subject, was to investigate these three questions—first, would the new system tend to damp religious teaching; and, second, would it stimulate secular teaching? He would not go into the religious questions. He had imagined that spectre was laid, and that there was a general acknowledgment that the new Code would leave things in that respect where they were. Could anybody acquainted with the working of a school suppose that the schoolmaster would encroach on the time allotted to religious teaching, because the school would gain a larger grant for instruction in the three R's? The best way, after all, to teach reading was to make the children understand the sense of the words they read. It would, therefore, be the interest of the master to see that his pupils comprehended the full force of what they read in the religious text-books. It was monstrous to charge those who approved the new Code with a design to neglect religious teaching for the sake of the infinitesimal extra payment which they might procure by devoting all the time and energies of the school to secular education. The managers of the schools were incapable of such conduct; his firm conviction was that they would not relax their zeal for the religious teaching of the children of the poor whether they were paid for it or not. But, after all, the question which lay at the heart of the matter was, did the present system do the work it was meant for? If the system was doing its work—if the children, so far as could reasonably be expected, were leaving the schools with well-taught minds, the other difficulties must be got over as best they might. They were, after all, incidents not vital. If the present system was doing for the children of the working class in England as much, or nearly as much, as could be done, it would be folly to dash it to pieces for the chance of the substituted system proving less costly and less complex. On the other hand, if the system were not doing the work it was meant for; if, with all their outlay of money, labour, and thought, the children of the working class were not receiving an education proportionate thereto; if only a minority were being well taught, while the majority were leaving school having received only a few innutritious husks of so-called instruction—then that consideration must be paramount, and they were bound to support the Government in giving up a system by which the working class was cheated of the good it might get, so as to replace it by an arrangement more likely to give them that priceless boon of a sound education, and at the same time to render to the nation a *quid pro quo* for its outlay. He would now examine whether the system was teaching the elements of education to the great mass of the children below 12. He said "below 12" because everybody knew that the children who remained at school after 12 did not as a rule belong to the working class, but were the children of petty tradesmen. One proof of the efficiency of the present system consisted of the now celebrated statement, that of the inspected schools receiving grants 88 per cent were "good" or "fair" in reading, 89 in writing, 81 in arithmetic. Then there were the reports of the Inspectors. Mr. Watkins said that there was good reason to be satisfied with the progress of school children in the elementary subjects. Messrs. Fussell, Mitchell, Kennedy, Stewart, Moncreiff, Morell, and Bowstead also described the elementary instruction as sound and practical. Of the Assistant Commissioners, Messrs. Cumin, Wilkinson, Hodgson, Hedley, and Fraser believed that the instruction was not defective in its primary stages. Such evidence was, no doubt, weighty: but now for the other side. The tabular statement he had quoted was alleged to be in reality of small value, for the word "fair" applied to a school by an Inspector was but a vague approval of the general teaching, often of the upper classes only, at most of the average number of children, and did not prove that a large proportion of them were being well grounded. Again, Mr. Norris declared that three out of four —he had since corrected it to 55 per cent —of the children left school with only such a smattering of education as they might have picked up in the lower classes. Mr. Fussell said that reading, writing, and arithmetic were the most rarely well taught. Mr. Winder said it was impossible to overstate the imbecility with which reading was taught by the ordinary pupil-teachers. Messrs. Fraser, Mitchell, Alderson, Stewart, Brookfield, Hedley, Cumin, Hodgson, and Foster concurred in condemning the reading and spelling. Mr. Robinson and Dr. Vaughan took much the same view. Amid this perplexing collision of evidence some light might be got from the course taken by the opponents of the Code. At first, till the imprudence of that line of argument had been pointed out to them, to use Spenser's words, "They reared a most outrageous, dreadful, yelling cry," against the Revised Code; especially on the ground that it would strip their schools of a large amount of Government aid, because their children could not stand an examination in those elementary subjects. And even now, of the pamphlets which every day came, not "single files, but in battalions," scarcely one but helped to demolish the tabular statement and the other favourable evidence by calling Heaven and earth to witness that to teach the three "R's" to the mass of the children was a thing impossible. But finally there lay before them the conclusions come to by the Commission, conclusions most emphatically stated. The Commissioners say decidedly, "The children are not receiving the kind of education they require." Again they said, "The evidence before us from Her Majesty's Inspectors"—Inspectors, be it noted, not their own Assistant Commissioners—"is overwhelming in its proof that not more than one quarter of the children receive a good education." They said they gave the closest investigation to this point, and were obliged to come to the conclusion that the instruction given was commonly "both too ambitious and too superficial;" that, except in the very best schools, it had been too exclusively adapted to the elder scholars to the neglect of the younger, and often omitted to give the scholar a thorough grounding in the simpler but most essential parts of instruction. Elsewhere they said, and most justly, that the very staple of life in the education of a poor scholar was his reading, but that on this point the complaints of Inspectors were perhaps more nearly unanimous than on any other. Surely it would be very presumptuous lightly to set aside those definite conclusions of the Commissioners. They could have no possible motive for decrying the system. They had devoted between two and three years to its investigation. They heard the evidence of a host of persons best able to judge. They were men themselves of remarkable ability and of the highest integrity. In striving to make up his mind on this question he felt that the decision of the Commissioners, backed up by such weighty evidence from the Inspectors and from the Assistant Commissioners, ought to overbear any but the strongest evidence on the other side. Doubtless, in this, as in every other practical question, the mind might be for a while perplexed by the force of the facts found lying first on one side and then on the other. Upon the whole, however, it seemed to him that the conclusion must be admitted that the mass of the children below twelve were not being taught nearly so well as they might be the elements of education. No doubt it was a serious, perhaps even an alarming thing, to break to pieces that which had been built with such care, and which had become so deeply embodied in the affections of a great multitude of people. Feeling how much he himself should have shrunk from such an enterprise, he was the more struck by what seemed to him the courage and patriotism which led Lord Granville and the Vice President of Education to inaugurate this great revolution. So far from deserving the abuse that had been cast upon them, it seemed to him that they deserved the highest praise for the resolution with which they had acted on the Report of the Commissioners, and had set about to rectify what was found to be amiss. It seemed to him that Government were bound in duty and could only be restrained by a prudence bordering on timidity from acting on the conclusion come to by the Commissioners. But then, if a radical change was to be made, was it not unavoidable in the new system to apply the most powerful, the most drastic stimulus possible, to the training of the lowest classes in the first elements of education? It was there that the system so far had failed. It was there that the great difficulty must always arise. Reason and experience equally demonstrated that it would always require the most forcible spur that could be given to keep the teachers constantly and strenuously at work on the tedious drudgery of breaking in young children to the elements of instruction. He rejoiced that the Government had resolved to say to the promoters of education, "We are ready to aid your efforts with no niggard hand; but in justice to the taxpayers, who supply the funds, and in justice to the parents of the children, we shall stipulate henceforth that the children for whom we pay shall at least be taught to read, to write, and to cipher." The test that under the new Code would be applied to schools would search out those essentials. It was the only test in the application of which there could be anything like precision. It was the only test that could grate on no religious feelings. By causing the children to be more thoroughly taught reading, writing, and arithmetic, it would render the schools more popular with the parents. He was persuaded that the general result would be that, under the animating stimulus of "piece" instead of "day" work, the teachers would work with a zest hitherto unknown, and before which the difficulties which were now apprehended would melt into thin air. He should give his hearty vote in favour of the proposed system, because he thought, after no brief or superficial inquiry, that it would give a powerful and invigorating stimulus to the education of the poor.

LORD ROBERT CECIL said, the hon. Gentleman who had just spoken seemed to think that because there were evils in the existing system, he was bound himself, and even entitled to call upon the House, to vote for whatever remedy the Government pleased to provide. He agreed with the hon. Gentleman in thinking that the present system was defective—though not to the extent described—and he would join in supporting any hon. Member in any well-considered measure to remove those defects; but he objected to the Government scheme, because it did not remedy existing evils, and rather added to their number and intensity. The complaints against the existing system might be summed up thus—that it did not reach poor districts, poor schools, and dull pupils. But in all these three particulars, the Revised Code would be much worse than its predecessor. First as to poor districts: It was said that the Government aid did not stimulate education in large rural and widely-scattered districts, where the population was small and money scarce. Well, and what was the proposed remedy? The principle of the Revised Code was that it made the grant depend upon two conditions—that the children should be present on a certain day, and that, being there, they should pass a certain examination. Now, were these two conditions likely to be fulfilled in the poor, or in the rich districts? Take attendance first. In summer, the children in a rural district would be prevented from attending on the day fixed because they were hay-making, harvesting, hop-picking, and so forth; and in winter, they would be hindered by snow-storms, by bad weather, and by bad roads, and by the inability of the parents to pay the school pence. In town districts the snow storms and the bad roads would not operate; there was no field work for the children to do; and whether in summer or in winter they might generally be present on the appointed day. Thus, the children in the rich town districts would be able to attend, while those in the poor country places would be very often kept away; and the same causes would affect the results of the examination, since those who attended regularly would, of course, be most likely to satisfy the Inspector; those who were oftenest absent would be least fitted to do so. The town children would fail in the examination far less frequently than the children in the rural districts. Therefore for the purpose of succouring poor and sparely-populated districts the Revised Code was the most inadequate machinery which could possibly be devised; and the effects would even be the reverse of what its author claimed for it. Again, in new schools the children were necessarily for their age uneducated, and in the groups into which they would be divided under the Revised Code they would be unable to answer the questions of the Inspector, so that the grant would not be paid in respect of them. The new schools, therefore, would be in a more destitute condition than the old schools. For the purpose, therefore, of extending education into districts which did not at present enjoy it, the Revised Code would afford the most inadequate machinery which could be devised. The right hon. Gentleman the Vice President of the Committee on Education said, they might do one of two things—aid efficiency, or aid indigence. The present Code aided efficiency. The complaint was that it aided efficiency too well. But the Revised Code, which the Government sought to substitute, professed on its front only to aid efficiency, and disregarded the claims of indigence altogether. The Revised Code, therefore, did not remedy any of the faults charged against the existing system, but it went further in an opposite direction. It gave more aid to the schools which did not want it, because they were efficient, and less aid to the schools which really did want. Another claim in favour of the Revised Code was that it would be less expensive, and he believed that argument would draw into the lobby the greater number of those who would vote for it. No doubt the Vote had grown enormously, and had largely increased beyond the amount which was first contemplated; and the extravagant prophecies as to the ultimate accumulation were enough to frighten the House of Commons out of its financial propriety. But was the Revised Code likely to be an improvement in that respect? The right hon. Gentleman gave no details as to the number of Inspectors which it would require to administer the new Code, and he was compelled to rely upon an estimate without any experimental test. He did not attach the same weight as the hon. Gentlemen who had just spoken (Mr. Buxton) to the authority of the Royal Commissioners; but as the whole Code was founded upon their recommendations, Ministers were likely to rest upon their advice. The Commissioners were very severe upon the existing Inspectors for the poverty of their examinations. Mr. Cook said, he thought he could examine 150 boys in an hour and a half. Mr. Cook was a very distinguished Inspector, and they pitted him against a non-official man. Mr. M'Leod, the head master of the model school in the Military Asylum at Chelsea, was asked by the Commissioners how long it would take him to examine a division of the school? and Mr. M'Leod said he could examine 70 boys in the upper division upon the subjects specified in a day. The contrast between a whole day required by Mr. M'Leod to examine 70 boys, and an hour and a half required by Mr. Cook to examine 150, was truly said by the Commissioners to be striking A whole day was rather a vague term; for inspecting purposes it would probably mean eight hours; but taking it at seven hours, Mr. M'Leod would take ten times as long to examine the same number of boys as Mr. Cook. Calculated upon Mr. M'Leod's estimate, the new system would take ten times as long for inspection as the old. In other words, there must be ten times as many Inspectors. There were now sixty-two Inspectors, averaging about £500 a year for salary and expenses. Under the new system there must, taking Mr. M'Leod's statement as the basis of calculation, be 620 Inspectors, costing £310,000 a year. The House knew the Chancellor of the Exchequer too well to suppose that he would admit that item into his Budget. He did not himself believe that 620 inspectors would be appointed, or that £310,000 a year would be spent in inspection. But the Government was left in this dilemma—either according to the Royal Commissioners they would conduct the new system upon an inefficient scale, or they would spend upon it a gigantic sum of money. They were told by Dr. Temple, who had written a letter to *The Times* that morning, that inspection might be done just as cheaply under the new system as under the old. Dr. Temple was a great authority, and had doubtless made his calculations with care; but some words in his letter filled him with alarm, and those were the words which suggested that an Inspector should examine the upper classes and look at the log-book, and take half a dozen clerks with him to examine the lower classes. Something of the same kind was shadowed forth by the right hon. Gentleman (Mr. Lowe) in answer to a question which was put to him. The right hon. Gentleman did not call them clerks, but he said Inspectors would be appointed lower in social rank, lower in attainments, and lower in salary. He entreated the House to remember that the power of the Inspectors would be very different from what it was now. Under the present system their duty was limited to making reports, and they never refused the whole grant; but under the new system the power of the Inspectors would be unlimited; they would be able to give or withhold the grant at their pleasure. The "drastic stimulus" of which the hon. Gentleman had spoken, as if the managers were fat cattle who could not be moved without a goad, would be applied, and upon the inspectors would depend whether it would be applied severely or not. These low-paid Inspectors, or clerks, told off from the desks in Downing Street, would go down into the country, summon the managers before them, and decide whether the managers were to be reimbursed or whether they were to be fined for their indolence by means of the "drastic stimulus" of the Privy Council. He could not conceive duties more delicate than those which the Inspectors would have to perform. Under the new system, the temptation to falsify the log-book would be enormous, because upon the entries in it would depend the whole Government income of the school. Where temptation was great, suspicion would be rife. The inspectors would feel justified in entertaining suspicions, and, of course, feel justified in making inquiries of the managers and teachers. But the House must know how sensitive of external interference and how proud were the managers of schools. Persons below themselves in the social scale would be putting invidious questions, and inflicting penalties upon the managers to stimulate them to their duties. Would they bear this patiently? He was quite sure the reverse would be the case, and that when the managers found themselves at the mercy of these educational excisemen, they would throw up their offices in disgust, and leave the Government to educate the children as best they could. He had spoken of the benefits of the new Code—he would now speak of some of its evils. It was all very well to speak of "improving the present mode of education," of applying "drastic stimulants," of "goading and spurring managers to their duty." His (Lord Robert Cecil's) answer was, they were treating the managers as slaves, and not as partners, and the result of the energetic treatment would be that they would kill the patient outright. They were treating as dust beneath their feet, and not as equals, men whose feelings they ought to respect, and whose co-operation they ought by conciliation to seek to secure. It might be true that the managers would not lose very heavily, although he believed they would. They were embarking upon an unknown sea, with nothing to guide them. There had been no experiments, and they were led to trust entirely to the scheme which the right hon. Gentleman had evolved out of his own internal consciousness. It was important under these circumstances to consider, not what were the theories of Downing Street, but what the practical men working throughout the country thought would be the result. The managers of the schools at Stepney said they would lose a third of their income under the new code; and that was the lowest estimate in all the returns. The National Society, Sir James Kay Shuttleworth, some managers at York, and others, put their loss at two-fifths; thirty-three schools at Manchester, at one-half; the managers of the Wesleyan model school and schools at Sheffield, at three-fifths; while some managers at Manchester set the loss at two-thirds. Thus there was a great variation in the figures; but all agreed that there would be a loss, and their estimates of that loss varied from one-third to two-thirds of their present income. But the positive loss was the smallest part of the evil which the Government proposed to inflict; the contingent loss would drive the managers from office, and render the support of the schools impossible. The peculiarity of the system was, that the grant was not to depend on industry, but on a hundred other things—such as the impediments which might prevent the children attending school, the nervousness of the children, the temper of the examiner—with which the managers or teachers could have nothing to do, and for which, therefore, they could not be held responsible in the slightest degree. It was all very well for the hon. Member for Maidstone (Mr. Buxton) to look upon this matter philosophically; but it should be recollected that the managers were poor men, clergymen in the receipt of small incomes, who would be utterly unable to bear the crushing weight the right hon. Gentleman proposed to place upon them. These managers, who were practically clergymen with £200 or £250 a year, were asked to risk a sum equal to a sixth part or nearly a fourth of their income upon a scheme which made the risk depend upon such probable contingencies as the weather; or the attendance of either the child or the inspector, or the humour of the latter while performing his duties of examiner. It was impossible to make such a demand; and if it were persisted in, it would be found that the managers would not comply with it. He did not pronounce this opinion on a mere hypothesis, for the papers to which he had already referred showed that the managers of schools at Whitechapel, Bristol, Preston, Chelsea, Wisbeach, Gloucester, Wakefield, Worcester, Carmarthen, and many other places, had declared that they could not continue the system if this Revised Code was passed. He might parenthetically remark that one of the first effects of the Revised Code was that the pupil-teachers were already leaving in several places. It was evident that the managers regarded the Revised Code as a fatal dose; that they felt the "drastic stimulant" was too much for them; and that the cold-water cure the right hon. Gentleman was applying would not only fail to cure, but would kill the patient. One of the most remarkable features of the Revised Code was the extremely extravagant rashness which had characterized the conduct of its promoters. They might be right; but he did not believe it — still, with the difficulties that lay before them, the actual want of evidence on which they could ground their conduct rendered their rashness, which perilled so much to gain so little, extraordinary beyond measure. It was only on the 11th of July last year, that the right hon. Gentleman (Mr. Lowe) told the House that nothing was further from his intention than to alter in any way the condition of the pupil-teachers. [Mr. Lowe was understood to express dissent.] He had got into trouble the other night by quoting the right hon. Gentleman; but, however, these were his words, "We intend to preserve the interests of the pupil-teachers, to take care that they shall serve, as now, for a period of five years." Those were the very words used by the right hon. Gentleman. Yet within a fortnight after that announcement the right hon. Gentleman issued a Minute which provided not only that the pupil-teachers should not serve for five years, but should be liable to a determination of their engagement after six months' notice. This was a fundamental alteration, utterly depriving them of their character of pupil-teachers, and reducing them to the position of monitors, and, as his right hon. Friend the Member for Cambridge University had already pointed out, he had done this apparently without taking counsel from Parliament, or advising with his colleagues. It could only be regarded as a most rash and most extraordinary change. But the House was bound to take into consideration the magnitude of the enterprise in which it was asked to embark when it was invited to adopt this Revised Code. They should remember the difficulty with which the present system had been built up, the prejudices with which it had had to contend, the labour, the expense, the self-devotion, and conciliation which had been expended in inducing the country to accede to the system under which so much had been done, and education had been spread so far and wide. They were asked to risk all this. They had heard the opinions of the managers as to the continuation of their schools. The right hon. Gentleman contradicted all that, and said that the managers would lose little, and appeared to believe they would not give up their schools. He (Lord Robert Cecil) would, however, ask the House to believe for once that the practical men were right, and that the theorists were wrong; for such things had happened in the world before. If such turned out really to be the case, what would be the result? This fabric, the present system, which had been built up with so much care, was to be placed at the mercy of the right hon. Gentleman, and the House was asked to put a weapon into his hands by which he could pulverise it with a single blow. The right hon. Gentleman said he was merely striking off excrescences. Those who had brought the system to its present condition were of a different opinion. But if the right hon. Gentleman was wrong, and the practical men were right, which was much more probable, it might be taken for granted that the evil could not be remedied. The present system had been established with a confidence in the management of the Government. With that feeling the managers had sacrificed their time and their money; and if they once learned that they might at any time be cast aside—that a philosopher in Downing Street to-day made an alteration which another philosopher in Downing Street might to-morrow again alter, they would learn to distrust all Govermental schemes. It would then be found too late how impossible it was to restore with any expenditure of time and money principles which were so valued—a system which had done so much, and which they were now asked rashly to overthrow.

Mr. W. E. FORSTER said, it was with great reluctance that he found he could not concur in the plan of the Government—not so much because he was an habitual supporter of theirs; for it was agreed on all hands that this was not a party question—but because it was impossible to deny that the administration of the educational grant did require some reform. It was so unusual to find an Administration coming forward with administrative reform that no one would refuse it except on very strong reasons; but, having had some considerable experience in educational matters, he was convinced that the change contemplated by the Revised Code would be a destruction of the present system, and would rather aggravate the evils complained of than remedy them. The chief evil complained of was, that successful as the system had been, speaking generally—and its general success was universally allowed—yet that it was not a complete success. The Royal Commissioners admitted that the system had worked successfully; that the schools under it had increased in quantity and improved in quality; that it had stimulated private benevolence; that the schools had absorbed vast numbers of the population, and that the inspected schools were better than the uninspected schools. But it was admitted that the inspected schools were capable of improvement in an important degree—namely, with respect to the elementary education imparted. He admitted, that unless success could be obtained on this particular point, they had no right to apply the taxes of the country to educational purposes, and there seemed to be a general concurrence of opinion that, from some cause or other, the elementary teaching of the junior classes was not as successful as it should be. They had certainly arrived at one important fact in the course of this discussion — namely, that the calculations on which the Royal Commissioners had based their report, and on which this Code had mainly proceeded, were erroneous. Still, it was acknowledged that from some cause elementary education had been in a measure neglected. He thought the right hon. Gentleman was right in probing for the cause of the disease, also in thinking that examination was a good remedy; but he was wrong when, in applying that remedy, he forsook the recommendations of the Commissioners, and neglected their views. The right hon. Gentleman proposed that results only should be paid for, so that if the child was not educated, the State would, at least, be able to retain its money—they would get value received for their money. This was a very tempting offer to the representatives of a people who very often did not get value received for their money. But in making so sure that the State should not get what it did not want, let them take care lest it failed in getting what it did want. With regard to results, from whom did the right hon. Gentleman expect them? The right hon. Gentleman said to the managers of the schools, "The Government will help you, provided you produce a certain amount of positive acquirements under certain conditions—namely, good building, good apparatus, and trained masters." Those were conditions arrived at only at great cost; but for none of these costs did the right hon. Gentleman propose to pay, although he compelled them to be incurred, unless the results were arrived at. Of whom did the right hon. Gentleman ask this? He (Mr. Forster) was aware that the managers upon whom the right hon. Gentleman made this demand were not a very popular body just now. The House had heard how they had pestered the right hon. Gentleman. They were Gentlemen who felt they were performing a duty not necessarily incumbent on them, though they felt it a duty in their conscience. They felt that this Code was injuring them in the performance of that duty, and they not unnaturally represented their disapproval in rather strong language. Many of these managers were members of Dissenting congregations; and by means of subscriptions, often obtained with great trouble, they gave an education, not only to the children of those who were members of their own congregation, but to the children of those who were not members of their denomination at all. In his own neighbourhood, the Wesleyans in their schools taught a great number of poor children who did not belong to their body. A great proportion of the managers throughout the country were hard-worked and ill-paid curates, and these men, not seldom, had to deny an education to their own children, while they discharged their duty in educating the children of the poor. When any one of these managers had fulfilled all the costly conditions required by the State as to the means of teaching, he, of course, expected the State to pay the share it had engaged to pay. But what did the right hon. Gentleman say to him? He says, "Here is a child of a poor man. You think it is your duty to educate him. I also think it is my duty, and therefore I will help you in this way. If at the end of the year you bring that child and prove to me he has been taught in a certain costly building, with certain costly apparatus, and by certain machinery also costly, by masters who I determine shall be costly, what do you expect?" The manager, of course, says, "That you will pay me." "No," says the right hon. Gentleman, "I shall not pay you unless the child can do a certain amount of reading, writing, and arithmetic; and not only that, but I will have your nine-years-old child up to the nine-years-old requirements, and your eleven-years-old up to the eleven years' requirements." But the manager, in reply, says, "I cannot do that, as a child of nine years old may come to me utterly untaught." The right hon. Gentleman replies, "I cannot help that; you ought to have got him before." But the manager may add, "I will keep him till twelve or thirteen, if you will allow me." The right hon. Gentleman says, "No, I will not pay you a farthing for him if you keep him after eleven, unless indeed he chooses to go to a night-school;" to which he (Mr. Forster) was sure he was not at all likely to go. It was generally supposed that the evil most to be complained of was that children did not remain sufficiently long at school; but the right hon. Gentleman seemed to think that the children of the poor ought not to remain at school after eleven years of age. Might they not expect, that if the unfortunate manager found such conditions attached to his philanthropic duty—that it was so fettered and hampered—that he would turn round and say, "I find you have relieved me of my responsibility, you had better teach the child yourself"? He thought that this ought to make them consider whether the relationship between the managers and the Government was not after all what had been once or twice alluded to, that the State and the managers did not stand to one another in the relationship of buyer and seller; but were rather co-partners in this work of education; and, indeed, it was forgetfulness of this fact that had led the Government to throw on the managers a responsibility and risk which, if they declined to incur, as they very fairly might, must be most injurious to the cause of education throughout the country. There were three courses which the State might have taken in this matter of education. The State might have left it alone altogether, in the manner referred to by the Member for Leeds (Mr. Baines); but that course the State had not taken. The nation might have taken the education of the children entirely into its own hands, as in Prussia and America; but that plan had not been adopted. What, then, had the Government done? Finding many persons, who, from philanthropic and religious motives, took an interest in the education of the poor, it had proposed to assist them, and to become partners with them in the work. These persons were voluntary partners with the State, and might withdraw from the enterprise at any moment; but at present they were partners, and admitted to be managing partners, in this joint enterprise of education. He (Mr. Forster) admitted that the time had come when they might hope to substitute the system of payment for results for payment for machinery. But by payment for results he did not mean special results, but all results; and what were results? Attendance at a well-built and ventilated school was of itself a result; good discipline under a well-trained teacher was a result; the security that the education should be religious as well as secular was a result. The State must wish for these results, as it compelled the adoption of the means of arriving at them; but if the State wished for them, it was bound to pay for them. If, therefore, the managers found that the State turned round, and said that it would not pay a single penny, though arrived at with success and at great cost, unless some other results were also arrived at, they would consider that they were unfairly treated, and that feeling would be of an enormous injury to the cause of education. He therefore found on these grounds he was bound to vote for the first Resolution of the right hon. Gentleman the Member for the University of Cambridge, which Resolution was in accordance with the recommendation of the Royal Commission. It appeared to the Royal Commissioners that the best remedy for the deficiencies in elementary teaching complained of in the junior classes, was to be found in the two following modes of payment:—First, payment not on the daily individual attendance, but on the average attendance of the school, providing the schoolmaster fulfilled certain conditions; secondly, the other half of the moiety to be paid for individual examinations. The second Resolution moved by the right hon. Member for Cambridge University related to the manner in which the test by examinations of elementary teaching should be applied to ascertain if these chidren could read, write, and count as they should do. He conceived that the scheme of testing now proposed was as unfair as possible. Of course it should be their object to pay the schoolmasters according to the actual work they performed: but according to the plan of the right hon. Gentleman they would do nothing of the kind; because he paid, not for progress, but made rules by which payment would be made for a child who came to the school well trained before entering it, and who gave no trouble, and no payment would be made for a child who came to the school quite untrained, and gave a great deal of trouble. For this reason the grouping by age was most unfair. So much for the theory; and with the leave of the House he would now say a few words on the practical effect of the Code. He had taken pains in his neighbourhood to ascertain what would be the effect of the scheme, and he had collected the statistics himself, and would produce them if the results were questioned in Committee. He found the general result at Leeds would be, that one or two schools might get more than they did at present, these schools being confessedly those least needing it—namely, the schools of the well-to-do operatives or of rich mill-owners: as they got down to the poverty-stricken districts, so they would find that the schools would get less, and one or two of the poorest would be stopped altogether. Just as the schools found it difficult to do their work would obstacles be thrown in their way, and they would be helped in inverse proportion to their means and the work to be done. That was the effect on the schools, and the same would be the effect on the scholars. He, like many hon. Members of that House, was manager of a school; and if a child who had had no training before came to the school, he would say to the master,—"Don't neglect that child, don't care for the clever or well-trained boy rather than for him. Work hard at this neglected child." Well, the State ought to act in the same way; but the right hon. Gentleman said, "If you get a stupid or untrained child, do not try to teach him; for if you do, you shall get nothing by it." It had rather surprised the manufacturing interest to find that their half-time children, of whom there were more than 60,000, appeared to have been entirely forgotten. He did not doubt, however, that the right hon. Gentleman would set that right. He did not agree with the right hon. Gentleman that there was no hope of so arranging matters that the children of the poor might be got to remain longer at school, and therefore he looked with the greatest possible regret upon the regulation that there would be no grant for children after eleven years of age. [MR. LOWE: After twelve.] He confessed it seemed to him that the Code meant to provide that the child should leave the day school after its eleventh year. But then payment was to be made for its attendance at the night school after twelve. But the House should not be led away by the idea that those night schools, however good or useful they might be, could replace the day schools. Now, what was the position of the House with regard to the question? He supposed there would be a division, if not upon going into Committee, at all events upon the Resolutions of the right hon. Gentleman (Mr. Walpole). Under any circumstances, it must be a very close division; but would it not be most inconvenient that so great a revolution should be effected under such circumstances? He would, therefore, earnestly ask the right hon. Gentleman (Mr. Lowe) to consider whether he could not content himself with some such change as that proposed by the Royal Commissioners. In the first place, such change would entirely alter the relation between the State and the officers of education, making the State deal directly with the managers, instead of the schoolmasters and pupil-teachers. There would be also this enormous change—that he would substitute a payment for results for the provisional machinery for education which now existed. Would not the right hon. Gentleman be content with those two great changes? Would he force the House to a division because he went so far beyond the Royal Commissioners? He trusted the right hon. Gentleman would consider whether, even from his own point of view, he would not gain by those two changes as much as was usually gained in this country when any reform was proposed. Hon. Gentlemen around him aspired to extend political rights to their poorer countrymen, and they must look very much to education to enable them to carry those aspirations into effect. The humbler classes valued education for their children, and wished for it earnestly. They contributed their share of the heavy taxation of the country, but he had never heard a word of complaint from them of the amount of the educational grant. But if the right hon. Gentleman succeeded in obtaining those two changes, he would have done much towards making the education of the country effective. On the other hand, if he pushed the Code upon the House and the country, if he clung too pertinaciously to the pedantic requirements of a bureaucratic scheme he would do what was not only impolitic, but unjust; because he would alter the relations between the State and those whom it had called into partnership, and, instead of reforming education, he would injure and destroy it.

MR. PULLER said, he did not blame the Vice President of the Committee of Council for having waited till the last day of the late session before he laid the Revised Code before Parliament; but the charge he should rather make was that the right hon. Gentleman ought to have waited longer, in order to allow the country to digest the report of the Commissioners, and to give the Inspectors the opportunity of answering the charges brought against them. The right hon. Gentleman appeared to have the notion that the education grant was a sort of public boon or gift, and that all persons in any way connected with the education of the poor, those who paid and those who received—managers, inspectors, teachers, pupil-teachers, and Queen's scholars—constituted an army of 38,000 or 40,000 persons whose business it was to obtain as much money as possible out of the public revenue. In that House his right hon. Friend kept within certain bounds of propriety, but out of that House the advocates of this Revised Code allowed themselves to speak of the managers and supporters of schools under the existing system as importunate petitioners for public alms, yearning after undeserved aid, and lost to all sense of self-reliance and independence, honesty and justice. That was strange language to be applied to such people as the excellent Bishop of Bath and Wells, Mr. Cotton, the Director of the Bank of England, Archdeacons Allen and Sinclair, Mr. Scott, the Principal of the Wesleyan Training College, and others who had for years devoted both time and money to promote the moral and intellectual improvement of their poorer neighbours. Many of the managers had been induced to undertake the work of education by the terms offered by the Government, and now, after the lapse of fifteen years, when these parties had sunk their capital in bricks and mortar, had embarked in a task necessitating considerable thought and anxiety, and had entered into contracts which could not be abandoned without mortification to themselves and disappointment and injury to others, they were told that the Government had changed their minds, and that, unless they could contrive under all circumstances, however different the circumstances might be, to come up to the requirements of the new Code they must go to the wall, and if they could not carry on their schools under the new scheme, they must shut them up. After adverting to the language which had been employed in respect to the Inspectors by the Vice President of the Committee of Council, and which, he thought, was hardly what it ought to have been, considering the quarter it proceeded from, he observed that the duty of the Inspectors had been distinctly limited by the Minutes of the Privy Council in the report for the year 1855-6, in which, after prescribing a form of schedule for recording the total number of children whom the Inspector found in the school, and his opinion generally as to the quality of the instruction throughout the school in each of the subjects taught, they were expressly told that any other entries would be regarded only as memoranda made for their own convenience. It was then most unjust to make it a charge against them that they did not furnish more special information. It was well-known that on one point the practice of the Inspectors was not uniform. Some of them were accustomed to examine every child in every school which they inspected; others thought it sufficient to examine a fair proportion of children taken indiscriminately in each of the classes. He confessed that he should have thought that quite sufficient. If a man bought a quarter of barley, he did not think it necessary to examine every grain. If the sample were good, that was enough to determine his judgment. And so if an Inspector found one-third of the children in each class answer well, he might be reasonably assured that the teacher of that school had not neglected his work. When, then, the Vice President complained that the Inspectors made a good report of the schools but not of the scholars, he wished to know whether any material difference was found in the reports of those Inspectors, who, like Mr. Watkins, examined every child, and those who did not profess to do so. He had never heard it suggested that there was any such difference. The Inspectors honestly reported to the Committee of Council the faults which they discovered in the schools; but they all concurred in saying that these schools were doing a great work, and that not only in the quantity but the quality of that work a vast improvement had gradually taken place. He should next advert to the case of the certificated teachers, and he must say nothing had surprised him so much in connection with the whole subject under discussion as the manner in which they had been dealt with by the Committee of Council. Some people were inclined to deny that the teachers had a legal right or a vested interest, but he had not heard of any one who disputed that it was a very hard case. The Committee of Council itself, which had very strictly—as it was quite right in doing—insisted upon the fulfilment of their obligations on the part of those teachers, should observe an equal degree of good faith in its dealings with them. When the certificated teachers sought to compete for the Civil Service, the Committee of Council put itself in communication with the Treasury, and requested that they should not be allowed so to compete without its express consent, on the ground that £70 or £80 of the public money having been spent on the education of these young men, they were not entitled to say that they objected to devote their services to the education of the poor, and would prefer some other employment. In one case they had refused permission to compete for an appointment unless the teacher applying for it repaid the whole of the public money expended on his education, deducting only one-thirtieth part for each year that he had acted as teacher in a school; and in another case they had actually compelled a young man so to refund a sum of £92 before they gave him the required permission. Well, he did not blame them for that. But then if there was an obligation under these circumstances binding on the teachers, he thought they might fairly turn round upon the Government and say, "That obligation is reciprocal. You hold us bound to serve you for a period of thirty years, and surely you are called upon when we give up the chance of more ambitious and lucrative employment than that in which we are now engaged, in order to carry out our agreement with you, to adhere to the terms of the bargain subsisting between us." Was not that, he would ask, a fair way of putting the case? Was the Government to be at liberty to turn round upon one of those men who had been working in his vocation for a period of, let him suppose, ten years, and who during that time had done good service to the country, and tell him he was no longer entitled to the augmentation which he had learnt to count upon with as much certainty as any fundholder looked forward to the receipt of his dividends, and that he must be contented to get what he could by the higgling of the market for the future? For his own part, he thought there could be no doubt as to the answer which ought to be returned to the question, more especially after the admirable pamphlet in which the subject had been discussed by Professor Grote, of Cambridge. He would now pass to the proposals of the Revised Code. And first as to the scheme of giving all the aid to a school in the shape of a capitation grant. It was well known that even the small capitation grant which existed at present was considered by many thoughtful persons to be the least defensible part of the existing system. He spoke advisedly when he said that under the existing system frauds were not entirely unknown, and what was now proposed to be done? To make the payment in every school of a sum of money varying from £30 to £60 or £70 contingent on the fidelity and honesty with which the teacher of the school, who was interested in the amount, put down day by day a number of dots expressing the boys who were present, and a number of A's signifying those who were absent. There was no possibility of ascertaining whether the teacher had performed this duty honestly or not. The school-managers might, indeed, look into the matter; but if it should turn out that the books were not properly kept, their grant would be forfeited. He did not mean to insinuate that the great mass of teachers were capable of this dishonesty; neither would any one charge the British merchants, as a class, with want of integrity; and yet they had all heard of smuggling and of Custom-house frauds, and he might appeal to the Chancellor of the Exchequer whether he got as large a share of income-tax from a given amount of property under schedule D, when the taxpayer returned his own income, as under schedule A, where the income was assessed by other persons. He contended that it was not right, that it was an immoral thing, for the State without any necessity thus to place a large class of persons under a constant temptation to commit small acts of dishonesty. It was just as if any Member of that House were to leave a large sum of money lying about in his house under circumstances which made it impossible to know whether any of it were taken or not. He came now to that portion of the Code which had been more studied than any other, as showing its financial aspect. In a note to page 8 of the Revised Code, the Committee of Council entered into a sort of calculation to enable school-managers to estimate what they were likely to get under the new Code. The amount of grant for one hundred children, at 1*d.* per attendance after the first 100 attendances, was there put down at £64 3*s.* 4*d.*, subject to reduction on examination. This was a very tempting bait to dangle before the eyes of the managers. But let the House see how it would work in practice. A table had been compiled from returns of 317 schools with 44,727 pupils. From this number must be cut off those above 12—namely, 6,422; secondly, those below 6—3,313; thirdly, those between 11 and 12, who had not reached the first class—2,937; fourthly, those between 9 and 11, who had not reached the second class—7,088; making altogether a total of 19,760 as the number of those whom it would be either impossible or hopeless to present for examination. Subtracting the above number from those at school, there remained 24,967, one-fifth of whom must be deducted as absent on the day of examination. This reduced the 44,727 at the schools before examination to 19,974, being only 44 per cent of the whole number. Applying these facts to the note in page 8, it was found that this tempting bait of £64 3*s.* 4*d.* had dwindled down to £28 10*s.*, even before the process of examination and reduction for failure in either subject had commenced. It must be remembered also that the reduced number thus presented for examination would include a fair proportion of those who had not been six months in the school, or who from illness or other accidental circumstances laboured under special disadvantages. So that if every child presented to the Inspector passed in every subject, the grant would not exceed 5*s.* 9*d.* a head, instead of 10*s.* which the Committee of Council held out as the probable amount. The Government were in fact introducing a Code which had filled every school-manager with consternation. The right hon. Gentleman had himself stated last July that the managers were co-operators with the Government, and that without them the Government could do nothing. Well, how many school-managers had declared in favour of the new Code? Up to last week there had been 1,000 petitions against the new Code. He cared nothing for the number of signatures; it would be easy for the managers to obtain 100 signatures to each petition; the number of petitions was the important point. On the other hand, for the Revised Code, up to the same date, there had been presented one petition with one signature. How were the Government to work these schools without the managers? They were full of alarm, nor had he heard anything that night calculated to allay their apprehensions. There was another point worthy of consideration. How would the new Code act in schools, on teachers, on children, and on their parents? What had been the aim set before an honest and industrious teacher up to this time? What had been his measure of success? Simply the moral and intellectual improvement of the children attending his school. What would be his measure of success in future? The amount of pence which he could obtain from the Government purse. The children in the school would be divided into two classes; those who by special exertions could be pushed through, and those of whom it was notorious that any such effort would be hopeless. Well, did they think that the children or the parents of the children would not find out that? Was it to be supposed that the parents of those children who did not pass the examination would not have that jealous feeling which was so common among the poor that their boys and girls were neglected in the school? There was another danger; the parents of those children who did pass would not fail to take advantage of that circumstance. Knowing that their children by staying away could ruin the school by depriving it of Government aid, they would be inclined to make a bargain with the managers. One teacher wrote to him that even with the present capitation grant he was obliged to exercise a great deal of management, and that parents had frequently returned the small rewards which he had given to their children, with the intimation, that if he did not provide something more substantial, the children should not attend his school. Then as to the discouragement given by the Revised Code to the elder children. He would not at that late hour go at length into that subject;

but he must demur to the statement made by the hon. Member for Maidstone (Mr. Buxton) that those children were all or most of them the children of farmers and tradesmen who could pay for their own schooling. He held in his hand letters from certificated teachers in Lincolnshire and Dorsetshire which showed that in their neighbourhood great exertions were made by labouring men to keep their children at school to a later period than was commonly supposed. If that was the case with boys, still more was it so with girls. But the Revised Code hardly made any difference in respect of girls. It expected from them, although a large portion of their time was given, and properly given, to needlework, the same proficiency in arithmetic as from boys of the same age. What were the facts of the case? From the returns recently obtained it appeared, that comparing 50 boys' schools with 50 girls' schools taken indiscriminately, the boys were, as might be expected, much more forward in arithmetic than the girls. He would now ask for what good purpose all this vast disturbance was to be made. Suppose the Revised Code to be sanctioned by Parliament, and to be as successful as its authors could hope, what was the measure of improvement which they hoped to secure? As regards the elder children, it was admitted by the Commissioners that the first class received an excellent education at present. Then what about the second class? They had the assertion of the teachers in the 317 schools which had made returns, that 77 per cent of the second class could read the Bible easily and correctly, and that 70 per cent could do sums easily and correctly, and that was confirmed by the testimony of the Diocesan Inspectors that a large proportion of the second class could read the Bible with ease. Well, what did the Revised Code aim at securing for the group which answered in age to the second class? That they should satisfy the Inspector in reading, not the Bible, but a reading book used in the school. There did not appear to be any prospect of securing higher attainments than were actually obtained at present. It had been said that the existing Code was a tentative and a provisional system, and that the time had come when some permanent plan ought to be adopted. The new Code would not be a bit more final than the old one. It did not contain within itself the elements of finality. The continuation of a modified system of protection to certificated teachers was inconsistent with payment for results. He believed the practical effect of the Revised Code would be that certificated masters would in many, perhaps most cases, lose their augmentation. They would not be exposed to open competition, but they would have to struggle against a new monopoly which the Government proposed to create—the monopoly of provisionally certificated ex-pupil teachers—those young people of eighteen years old, to whose inexperience it was proposed to hand over (as a great boon to managers) the children of our small country parishes. It was impossible that the new Code could establish a permanent state of things. Sooner or later it would lead to the introduction of a real system of paying for results—the total abolition of certificated teachers and the payment of so much money for reading, writing, and arithmetic.

MR. LEATHAM: Sir, I think that no one can compare the tone of this debate with that which was assumed by those who have assailed the Revised Code out of doors, without arriving at the conclusion that one of two things must have happened, either that the assailants of the Code have attacked it with a vehemence and passion wholly unjustifiable, wholly unreasonable, and the recollection of which, therefore, must involve them in a corresponding amount of ridicule, or that hon. Members who have spoken upon that side of the question are strangely blind to the gravity of the crisis, and strangely indifferent to the demands of their religion and their country. But, since the whole controversy has descended from the region of metaphor and hyperbole, I think it has become one from which no one need run away; and this must be my apology for venturing to offer to the House a few observations upon some of the more prominent objections which have been urged against the Revised Code in the course of this debate. Now the strong point of the hon. Gentleman who has just sat down (Mr. Puller) appeared to be the argument that we are about to violate a vested interest—but, who, except the hon. Gentleman ever heard of a vested interest which was still in its teens. Although, then, I cannot admit that the certificated schoolmasters constitute a vested interest; although I cannot admit that the men to whom you have given an almost gratuitous education—to whom, with the name of free-trade upon your lips, you are confirming the close monopoly of public instruction—who ought to have been warned, if anything could have warned them, by the perpetual changes which have been introduced into this system, that the whole was provisional, the whole was tentative, and the whole was terminable at any time at the will of the State; although I cannot admit that these men have any legal claim upon the Exchequer; yet, inasmuch as schoolmasters are not politicians, and cannot therefore be supposed to have been initiated into the mysteries of the Consolidated Fund; and inasmuch as they must be excused if, a little too blindly, they flung themselves into a career which they found so petted and coddled by the State, so fenced about on every side with bounty and privilege, it probably will accord with the general policy of this House—a policy which considers every one and indulges every one, except the unfortunate interests which by, a pleasing fiction, we are supposed to come here to protect—to grant them some compensation. But it must be compensation for an actual loss sustained, or which has become inevitable. It is not enough to cry ruin and confiscation until experience proves that ruin and confiscation are at hand. It must first be shown that the efforts of school managers and masters in the way of cutting off superfluities, raising the school fees, stimulating attendance, making something like an adequate appeal to the consciences of landed proprietors, have altogether failed to meet the deficiency caused by that modicum of retrenchment which the most sanguine economizers in this House hope will accrue from the enactment of this measure. Now, Sir, the right hon. Gentleman who opened the debate spoke a good deal about the liability of managers under the new Code. He thought that the uncertainty which would attend the administration of the grant, would paralyze the efforts of school managers. The right hon. Gentleman more than once cited Mr. Birks. Now Mr. Birks is a great authority. This is the gentleman who made the startling discovery which has upset the statistics of the right hon. Gentleman the Vice President, and which is to overthrow the Revised Code. Mr. Birks accuses that right hon. Gentleman of "playing the despot with the Christian education of a whole people;" therefore Mr. Birks is not an authority prejudiced in favour of the Revised Code. But upon this point Mr. Birks and the right hon. Gentleman who opened the debate would seem to be at issue; for Mr. Birks says that "as soon as the examination could be made a fair working test of *minimum* progress, he suspects that the *maximum* would be speedily reached even in a majority of our existing schools." And with reference to his own school—a rural one in an agricultural county, the very kind of locality where the hon. Member for Lincolnshire (Mr. Stanhope) anticipated that the operation of the Code would be most oppressive—he says, "So far, then, as can be guessed before trial in so complex a scheme, I do not think that the school would suffer direct pecuniary loss." And we must remember that this was written before the modifications were introduced which the right hon. Gentleman (Mr. Lowe) announced in his speech, and the tendency of which was entirely in the direction of increased grants. But the gravest charge which the right hon. Gentleman brought against the new Code was, that it would injuriously affect the religious education of the people. He argued that, under a system of tests, unless there were a test for religious knowledge, religious instruction would be comparatively neglected. But I do not think that religious knowledge is a fit subject for tests. I do not think that it ought to be considered in the light of a commodity bearing a money value. By far the most important part of religious instruction is that which is addressed, not to the memory, but to the heart. You may, if you please, burden a little child's memory with the whole weight of Goliath's spear, and reproduce this important fact by examination. You may, if you please, follow the example of a certain reverend educationist of whom I heard recently, who published a sacred arithmetic for the use of national schools, full of problems such as these; "There were 12 apostles, 12 patriarchs, and 4 evangelists, multiply the patriarchs and apostles together, and divide by the evangelists." "Solomon had so many hundred wives and so many hundred concubines, substract the concubines from the wives, or the wives from the concubines," I forget which, for I have not mastered the niceties of the subject. But is all this sort of thing teaching religion? But the right hon. Gentleman says that we must have some security for adequate religious instruction. What security have we now? Why, religion is the power which has set all this machinery in motion! Dr. Temple calls it the fly-wheel. He says that the state "purchased the aid of the religious communities by incorporating their objects with its own." And will the hon. Gentleman maintain that the fly-wheel will come to a stand-still unless it be kept perpetually lubricated by the Government, and that the zeal of your clergy and of your religious laity (your only valid guarantees for public religious instruction) will cease unless it be subjected afresh and doubly to the supervision of the State—a supervision which, when a few years ago it was contemplated to impose it, you deprecated as altogether derogatory to the position of the clergyman, and which, when a few weeks ago you imagined that it was about to be withdrawn, with equal consternation and equal clamour you extolled and invoked. Well, but the right hon. Gentleman thinks that the new Code will not only impair the religious education of the people, but their secular education as well. It will do this in the first place through the relaxation, which it introduces, with reference to the attainments required of teachers. Now, I confess that I should regard with jealousy any such relaxation, unless it could be shown, either that the present race of schoolmasters are over-educated for their work, or that persons of inferior acquirements would do the work as well. Now, the right hon. Gentleman argues, and very plausibly, that in proportion as you lower the standard of attainment in teachers there will be a corresponding decline in the character of the education given—an opinion, however, which hardly coincides with that of some of the Inspectors. For example, I find Mr. Brookfield writing in 1853—"It is an undoubted truth, that of the good schools in my district under certificates the proportion is by no means in favour of those of a higher class." And, in 1857—"Upon a very careful investigation of the results effected by teachers holding a third class certificate and by those of a higher diploma, I do not find any such difference in favour of either division as would justify a general inference to the disadvantage of the other. The preponderance of efficiency, indeed, is somewhat, though very slightly, in favour of the third or lowest certificate." Well, if this be the case, it is possible that we have been all along employing tools with too fine an edge for the rough work which they have to perform; and if this be so, I think we ought to hesitate before we reject the contemplated relaxation, especially as all motives of economy point in the same direction. But the Revised Code will injuriously affect secular education, because, as Sir James Shuttleworth says, its object is to "define national education as a mechanical drill in reading, writing, and arithmetic." The right hon. Gentleman did not use these terms, but his arguments were, I think, to the same effect. Now, Sir, that class of objections appears to me to arise from a total misconception of the objects of those who framed the Revised Code. Surely it was not their aim to fix the *maximum* but the *minimum* of instruction. I do not even think that the principle of the Revised Code is rightly defined as the principle of payment for results. I do not think that my hon. Friend the Member for Maidstone (Mr. Buxton) accurately describes it as a system of educational piece-work. The principle which is at the bottom of this Code appears to me to be the principle of no payment for no results. The framers of the Code seem to say, "You may teach whatever else you please in your schools; but if you expect to receive the aid and countenance of the State, you must teach reading, writing, and arithmetic, and teach them well. You must lay a foundation upon which something like an education may hereafter be reared—either at school or after leaving school." And here I must demur to the term which the right hon. Gentleman opposite employs when he calls this system of elementary schooling a system of national education—just as though a nation like ours could be educated in any number of elementary schools. I think it is Mr. Gibbon who says somewhere that "every man who rises above the common level receives two educations—one from his teacher, the second, more personal and important, from himself." And, in order that the children of the poor may receive this second, more personal and important education, it is positively indispensable that they be furnished with the barest necessaries of intellectual life. Well, Sir, at this late hour, I will not longer detain the House; but I must thank both sides of it for the indulgence with which they have listened to my imperfect observations.

MR. WHITESIDE moved that the Debate be now adjourned.

Motion *agreed to.*

Debate *adjourned* till *Thursday* next.

WEST HARTLEPOOL RAILWAY AND DOCK COMPANY.

COMMITTEE MOVED FOR.

Mr. ROEBUCK rose to move for a Select Committee to inquire into the truth of the allegations contained in the petition of Benjamin Coleman, presented on the 18th inst., charging fraud on the part of the Directors of the West Hartlepool Railway and Dock Company. The hon. and learned Member said, he had no personal knowledge of the facts, he knew nothing of the parties, and he had no interest in the case. As he was informed, this Railway Company obtained their Act of incorporation in 1852. A certain sum of money was fixed by the Railway Act as forming their capital, and borrowing powers to the extent of one-half their paid-up capital were conferred on them. That House required that every railway company should make a statement of the sums paid up as capital in their undertaking, in order that the sums which they were at liberty to borrow might be made known to the public. The fraud which it was alleged the Company had committed was in respect of their statements as to paid-up capital and interest. Three several returns of paid-up capital had been made by this Company. In their return to the Board of Trade, in 1854, under the heading "Amount of Share Capital of the Company actually paid up," there appeared the sum of £552,000. In the same year the sum stated to their shareholders was £403,110; while the actual issue, as appeared by the books of the Company, was £287,878. In the return of 1859 the paid-up capital was stated to the Board of Trade as £815,000; the same amount was stated to the shareholders; while, in point of fact, no more than the £287,878 had ever been paid up. It was further alleged that the Company had borrowed to the extent of upwards of £2,000,000, which the House would see was greatly in excess of what was authorized by their borrowing powers. The actual interest paid by the Company was £59,497 1*s.* 4*d.*; while the amount returned to the Board of Trade was £26,076. In 1859 the actual interest paid was £84,427 3*s.* 6*d.*; the amount returned to the Board of Trade £31,897 4*s.* He knew it might be said by way of objection to his Motion that this matter was *sub judice*, as proceedings were pending in a court of law; but what he complained of was, that if the allegations in the petition were true, the House of Commons had been imposed upon, and had been made the medium by which a fraud had been perpetrated on the public. He now left it to the House to deal with the case, and begged to move for the appointment of a Select Committee, at the same time intimating his intention of declining to serve on such Committee.

Mr. CLAY seconded the Motion.

Motion made and Question proposed,

"That a Select Committee be appointed, to inquire into the truth of the allegations contained in the Petition of Benjamin Coleman, presented upon the 18th day of this instant March, charging Fraud on the part of the Directors of the West Hartlepool Railway and Dock Company."

Mr. CONINGHAM said, he could not help remembering, when the hon. and learned Gentleman (Mr. Roebuck) was the other night applying the terms "swindling" and "swindler" to those concerned in this matter, that last year he had shown excessive indignation when he (Mr. Coningham) asked for an inquiry into the Galway Company, with which the hon. and learned Member had been connected. He (Mr. Coningham) knew of no valid reason why inquiries of this kind should be instituted by the House. He found counter-allegations circulated among the Members of the House, in which reflections were made upon the person whom the hon. and learned Member represented. [Mr. Roebuck: No; I do not.] In a statement it was put forth that Benjamin Coleman, at Preston, had proposed to withdraw all proceedings on payment to him of £6,000, and it had also been stated by those connected with him that it was expected to make £20,000 by proceedings of a similar nature against other companies. He (Mr. Coningham) thought the House of Commons had far better business to attend to than to meddle in matters of this kind.

Mr. FARRER thought the House would arrive at the conclusion that there was no reason for appointing a Select Committee. The hon. and learned Member for Sheffield (Mr. Roebuck) had stated that he had no interest in the case, and that he knew nothing about it. No one would suppose that he had any interest in it; and his speech was sufficient to show that he knew nothing about it. Was it fair, right, or generous, or was it consistent with the character of English gentlemen, to seek to prejudice the case of persons which, at the present moment, was undergoing inquiry in a court of law?

Personally, he had not the slightest acquaintance with Mr. Coleman, nor had he any interest in the Hartlepool Company; but he felt bound to put the House in possession of a few facts, as the subject had been introduced. Owing to an injunction issued by the Court of Chancery, the evidence could not be published till the whole case was concluded; but he might state that Mr. Coleman's Solicitor had said he hoped when this business was over, or words to that effect, they should be able to realize a large sum—he believed £20,000 had been mentioned—by adopting similar proceedings against other companies. Such an expression went far to confirm the opinion entertained by many persons that it was a scheme set on foot to extort money. On the 30th of November, at Preston, Mr. Coleman himself offered to withdraw all further opposition if the Company would give him a sum of £6,000. He by no means defended all the acts of the Company, and he was not prepared to deny that the gentleman at its head might, in the zeal of the moment have transgressed the power given by Parliament; but he maintained strongly that he was incapable of being influenced by any dishonourable or improper feeling. The objections now raised ought to have been brought before the Committee which sat last year, but there would shortly be another opportunity for the hon. and learned Gentleman and his friends and supporters.

MR. ROEBUCK said, he had nothing whatever to do with the matter referred to.

MR. FARRER was glad to receive that assurance. From the warm manner in which the hon. Gentleman had brought the matter before the House, coupled with his previous assertion that the Company had committed an act of swindling, the inference which he had drawn was not unnatural. It had been stated that Mr. Jackson was indebted to the Company in a very large sum: the fact being that at the present moment the Company were actually indebted to Mr. Jackson to the extent of £40,000. This was a most unwarrantable attack on a most respectable Company.

MR. CLAY thought, the House ought either to leave off calling for returns which many railway companies declared to be vexatious; or, if false returns were made, they should prosecute an inquiry.

MR. MILNER GIBSON reminded the House that the decision arrived at in this case would doubtless form a precedent; and if, on the mere presentation of a petition complaining of inaccuracies in a return made by a railway company, they were to appoint a Select Committee, they might have to inquire into the pecuniary transactions of all the railway companies in the kingdom. He himself had been the medium of procuring these returns; but they were ordered by the House, and the Board of Trade had no means whatever of testing their accuracy—although, if they were false, he presumed that a contempt of the House had been committed. Last Session the Company applied for power to raise further capital, and the Board of Trade pointed out the discrepancy between the statements contained in their returns and in the Bill itself. The returns alleged that the Company had not exercised any powers of raising money beyond the statutory limits, whereas by the Bill it was sought to legalize loans in excess. An inquiry of this kind could not be so successfully conducted by a Committee of that House as by a court of law. He understood that all the allegations of the petition were about to be investigated by means of a Bill in Chancery, and he thought that under those circumstances they should be careful not to prejudge the question. So far as the Board of Trade was concerned, he did not think it would be expedient to grant the Committee.

MR. ROEBUCK said, he had no earthly interest in this matter. An attempt had been made to direct the feeling of the House against him for bringing this subject forward; but he had brought it forward on public grounds alone. He had used the word "swindling," and the way he had used it was this. He said, that if the allegations of the petition were true, it amounted to "swindling" upon the public. He had had evidence laid before him which appeared to him to sustain the allegations. In doing so he had done his duty, and it was now for the House to do theirs.

Question put, and *negatived.*

ECCLESIASTICAL COMMISSION.

NOMINATION OF COMMITTEE.

MR. HENRY SEYMOUR proposed the appointment of the Committee.

Ordered, That the Committee do consist of seventeen Members.

Committee *nominated*—

MR. HENRY SEYMOUR, MR. CARDWELL, MR. LOWE, MR. EDWARD PLEYDELL BOUVERIE, SIR JOHN PAKINGTON, MR. WALPOLE, MR. DEEDES, Mr. SELWYN, Mr. LOCKE KING, Mr. FENWICK, Mr. Alderman COPELAND, Mr. NEWDEGATE, Mr. KINNAIRD.

Motion made, and Question proposed, "That Mr. FREELAND be one other Member of the said Committee."

MR. LYGON opposed the name of Mr. Freeland, on the ground that the landed interest was not sufficiently represented. He proposed that the name of the hon. Member for East Norfolk (Mr. Howes) should be substituted for that of Mr. Freeland, who had been nominated simply because he represented a cathedral city.

Amendment proposed, to leave out the name of Mr. FREELAND, and insert the name of Mr. HOWES instead thereof.

Mr. HENRY SEYMOUR said he had endeavoured to select the Members of the Committee with the utmost fairness and impartiality. He trusted that the hon. Gentleman would not press his Amendment.

MR. CAVENDISH BENTINCK also urged upon the hon. Member not to persevere with his Amendment.

MR. DEEDES thought the proposed Committee was very fairly selected.

Question, "That the name of Mr. FREELAND stand part of the Question," put, and *agreed to.*

Mr. FREELAND, Mr. TITE, Lord ROBERT CECIL, and Mr. PHILLIPPS nominated other Members of the said Committee:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at a quarter before One o'clock.

HOUSE OF COMMONS,

Wednesday, March 26, 1862.

MINUTES.]—PUBLIC BILLS.—2ᵉ Smoke Nuisance (Metropolis) Acts Amendment; Law of Property Amendment.

REGISTER OF VOTERS BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

Clause 1 (Clerks of the Peace and Town Clerks to prepare Alphabetical Lists of Voters for Counties, Cities, and Boroughs).

Mr. HOWES said, he objected to the proposition to throw the expense of the register on the rates. In the constituency which he had the honour to represent, he found that the expense for printing the register and making out the index would be about £80. The hon. Member (Mr. L. King) wished that the index should form part of the register. By the law, as it stood at present, the register should be prepared by the 20th of November in each year; in practice that was rarely done; but if an index was to be added, as its preparation would, according to the constituency, take perhaps from three to six weeks, the difficulty would be greatly increased. He would suggest, therefore, that the index should be added after the register had been made out.

MR. LOCKE KING said, he thought the expense would be very trifling. His great object was to have that most important book of reference carefully indexed, for without an index it would be of no use whatever. The compilation of an index was really scissors work; some of his children had amused themselves at home by making one for a constituency of some 5,000 electors, and had made a very excellent index. If the index were not brought out together with the register it would be of no use. He wished to propose, by way of Amendment, to except cities or boroughs not comprising more than six parishes. He should therefore move, in line 7, after "borough" to insert "comprising more than six parishes, wards, or districts."

Amendment proposed, page 1, line 7, after the word "borough," to insert the words "comprising more than six parishes, wards, or districts."

Mr. HOWES said, if the making of the index was so very small a matter that it could be done in any gentleman's house, it would be too bad to throw the expense of it on the rates.

MR. G. W. HOPE said, he saw no reason for omitting constituencies where there were only six parishes. He and his constituents thought the measure a very useful one.

MR. COX said, the intention of the hon. Member for East Surrey was that there should be an index for the benefit of the constituents and not of the candidates. It appeared to him to be unnecessary to have an index to the register of names where there were only six parishes, and he therefore approved the proposition of the hon. Gentleman.

Mr. G. W. HOPE said, even where there were only two or three parishes such an index would be a great convenience.

Sir FITZROY KELLY said, if the Bill were to pass at all, it ought to have a general operation, and it would be found to be a great convenience to the public, and particularly to Members of that House.

Mr. PAGET said, he thought the Bill would be of no advantage to the borough which he represented (Nottingham), or to boroughs generally, though it would to counties.

Mr. MITFORD observed, that he did not approve of the burden being thrown on the rates. He should be glad if the hon. Gentleman would insert twenty parishes instead of six.

Mr. LOCKE KING said, he was in the hands of the House whether to extend the proposition to boroughs or not. He had intended the Bill originally for counties only, but had been induced by representations which had been made to him to extend it to boroughs.

Sir FRANCIS BARING said, he hoped the hon. Gentleman would not withdraw his Amendment. In the large borough which he had the honour to represent (Portsmouth) there were only two parishes, and the register would not be of the slightest use.

Mr. PAGET said, he would beg to move that the words "wards or districts" be left out.

Amendment proposed to the said proposed Amendment, to leave out the words "wards or districts."

Question, "That the words proposed to be left out stand part of the said proposed Amendment," put, and *negatived.*

Question put, "That the proposed Amendment, as amended, be inserted."

The Committee *divided* :—Ayes 43; Noes 46 : Majority 3.

Question put, "That Clause 1 stand part of the Bill."

The Committee *divided* :—Ayes 64; Noes 28 : Majority 36.

House *resumed.*

Bill *reported,* without Amendment; to be read 3° *To-morrow.*

SMALL HOUSES EXEMPTION (SCOTLAND) BILL.—SECOND READING.

Order for Second Reading read.

Sir GEORGE GREY remarked, that the Bill was of much importance, as it made a great alteration in respect to the assessment of property, and he asked the hon. Member in charge of the measure to postpone it, on account of the absence of his learned Friend the Lord Advocate, and because some necessary information, which would be furnished by a Return of which notice had been given, was not yet before the House.

Sir JOHN OGILVY said, he would consent to postpone the second reading for a fortnight.

Second Reading *deferred* till Wednesday, 9th April.

CHANCERY REGULATION BILL.

COMMITTEE.

Order for Committee read.

Mr. SELWYN said, that on the second reading of the Bill no opportunity had been given for discussing its provisions, and he had taken advantage of the time which had since elapsed to consult the opinions of several eminent lawyers both on the Bench and at the Bar. Finding that they entertained the same objections to the measure that he himself had, he thought it right to state those objections. When he informed the House that his objections were shared by the senior Vice Chancellor, Sir R. T. Kindersley, and by Sir John Romilly, the worthy son of an eminent law reformer, he was sure that they would have some weight with the House. The object of the Bill might be stated in a few words. It proposed to enact that in all cases in which any relief or remedy within the jurisdiction of the Courts of Chancery should be sought in any cause or matter in those courts, and whether the title to such relief were or were not incident to or dependent on a legal right, every question of law or fact, on the determination of which the title to such relief or remedy depended, should be determined by or before the same court. The Bill therefore took away from the judges of the Courts of Chancery the discretion hitherto exercised by them in reference to the mode in which justice should be dispensed in their own courts. It had been stated by his hon. and learned Friend as one reason for the introduction of the Bill, that the judgment of the judges was fettered by a certain train of precedents and authorities. If the operation of the Bill were confined to the removal of that fetter which was supposed to exist, he should not oppose it; but he dissented from the Bill entirely when he found that it really imposed a more complete fetter. A suitor had only to exercise some ingenuity in discovering the smallest ground for equitable relief—in fact, an equitable relief simply ancillary to the main question to be determined—and therefore it was made incumbent upon equity judges to hear and determine matters which ought properly to be determined in Courts of Common Law. In the first place, the Bill gave an unfair advantage to one of the parties to a suit, namely, the plaintiff, in enabling him to initiate proceedings before the tribunal least fitted to decide the point in dispute; and, in the next place, it would operate most unfavourably for the interests of suitors legitimately invoking the aid of Courts of Equity, by obliging their causes to be postponed for the determination of matters which might be better adjudicated upon elsewhere. If they had juries, the court must sit continuously to finish the causes in which there were juries, and the result would be that the other business must be put off. At the present time there was no delay in the Court of Chancery. A cause might be set down to-day and heard the next week. The only delay was in the proceedings in the judges' chambers. This was the weak point in the present system of the Court of Chancery. But the Bill would increase that delay. The proceedings in chambers were very numerous, and necessitated the attendance of a great number of persons; but as this occupied but a short time, they were usually taken at a fixed time when the court rose; but if the convenience of juries and witnesses must be consulted, there could be no fixed time for the rising of the court. He thought his hon. and learned Friend had been induced to bring forward the Bill on account of the exceptional experience of one branch of the court, where a particular class of business was principally taken, and which was much occupied by hearing motions in commercial cases; and the hearing of the regular causes has consequently been delayed, and those causes have frequently been transferred to other branches of the court. But he would ask him if the present inconvenience experienced in that court would not be greater if there were frequent jury trials in it, than it is now. And he would ask him to state his opinion as to how many causes would have been heard in that branch of the court during the past year if this Bill had been then in operation as a law. However, he would not press his opposition to the Bill if his hon. and learned Friend (Mr. Rolt) who had charge of it would consent not to fetter the discretion of the Equity Judges as to the nature of the cases to which the requirements of the measure should be applicable; otherwise, if the Bill were to pass in its present shape, he only saw one of three alternatives open to them—either they must return to the old system of Masters in Chancery, or they must increase the number of judges, a proposal which he was sure the House would regard with jealousy, or they must recur to the old practice of Chancery delay.

Mr. HADFIELD said, he should support the principle of the Bill, which would greatly promote public convenience. The public would be further benefited if the judges who tried causes had the opportunity of going down to the assizes to try the issues of fact which were involved.

Mr. ROLT said, that his object in introducing the Bill was to prevent suitors being bandied from one court to another; he thought, that where a court had jurisdiction to deal with any subject, then every question of law and fact necessary to enable the court to administer the required relief ought to be determined by the court itself. When a suitor had been at the expense of having his case argued, it ought not to be in the power of the court to say, "We think the case should go to a Court of Law before this court decides." At present that was done, and when the suitor had been at the expense of going to a Court of Law, the case was sent back again. His object was not to deprive the Court of Chancery of jurisdiction, or to impart jurisdiction to it. His hon. and learned Friend had entirely mistaken the effect of the Bill. It would not enable any suitor to shift a cause from the right to the wrong court; for if the equity judge should think that the cause was more properly triable at law, he would still have the power to dismiss the suit in equity. All he wanted to enact was, when an Equity Court held that it had jurisdiction in the matter brought before it, that then that court should not have the power, upon any question of law or fact incident to the relief sought, to send to another court the suitor, who must afterwards come back again to the Court of Equity for the desired relief. His hon. and learned Friend the Solicitor General had been kind enough to give his consideration to the matter, and he agreed in thinking that the Bill would have the effect he had stated; but to make the matter sure, he had suggested an Amendment which would remove all doubt. That Amendment, he (Mr. Rolt) would gladly adopt. Discretionary power to dispose of questions of law and fact, or to send such questions to law had been tried for years to its utmost limits, and the time had arrived when the court should be bound to determine all the questions that were necessary to be determined to give the relief sought. His hon. and learned Friend said the result of the Bill would be that the jury trials would occupy the court so much that it would not have time to transact the ordinary business. He (Mr. Rolt) did not apprehend that there would be any such extraordinary number of jury cases. It was true, that if the Bill should become law, the court would not have the power to direct any cause or matter to stand over with liberty to bring an action; but by one of the Amendments the court was still empowered, in certain cases, to direct issues of fact to be tried before a jury at law. In many cases, also, the facts would be ascertained before the court itself without a jury; and, on the whole, there could be no doubt the courts would be quite equal, and without any inconvenience, to discharge any duties which this Bill might cast upon them.

THE SOLICITOR GENERAL said, he did not quite agree with the observations of the hon. and learned Member for the University (Mr. Selwyn). In considering the question it would be convenient to distinguish between questions of law and questions of fact. So far as the proposal of his hon. and learned Friend (Mr. Rolt) went in reference to the expediency of leaving questions of law to be dealt with by the Courts of Equity, it commended itself strongly to the favourable consideration of the House, inasmuch as it was extremely desirable that suitors should not be bandied about from one Court to another as at present during the progress of the same case, unless for strong and clear reasons. Now, there could be only three reasons why a Court of Equity should be permitted at its discretion to send a case to a Court of Law, not that the whole case should be disposed of at law, but that after part of it had been disposed of at law, it should come back to the Court of Equity. The first of these reasons was that of greater convenience, but that point was so obvious that he should not waste the time of the House in arguing it. The next reason was the greater competency of the Courts of Law, but he denied that there was any superior competency in the Courts of Law over Courts of Equity to determine questions of law. That objection, therefore, was got rid of. There was, however, a third reason, which was forcibly put by the hon. and learned Gentleman (Mr. Selwyn)—namely, that it would be a great evil that suitors should be permitted arbitrarily—as the Bill, it was said, would enable them—to transfer to Courts of Equity a jurisdiction which, having regard to the subject-matter of the suit, more properly belonged to a Court of Law. Now, he was sure it was not the intention of his hon. and learned Friend the Member for Gloucestershire to produce such an effect, and he (the Solicitor General) did not think the Bill would have that effect, though he would not pledge himself to that opinion. To obviate, however, all doubt on the point, he had framed an additional clause, the adoption of which he should ask the House to sanction in Committtee, and which provided that nothing in the Act should make it necessary for a Court of Equity to grant relief with reference to matters in which Courts of Law had a concurrent jurisdiction, if it should appear to the Judge that such matters had been improperly referred for decision to a Court of Equity. That clause would, he thought, meet the objections which had been raised by his hon. and learned Friend (Mr. Selwyn) in relation to that part of the Bill which had reference to questions of law. As to questions of fact, he could not conceive upon what ground they should tie up the Court of Equity by more strict prohibitions in this respect than were at present applicable to a Court of Law. He thought the proper course would be to allow a Court of Equity to be in all cases the judge whether a question of fact, which ought to be submitted to a jury, could be more conveniently tried before itself, or before a jury at the assizes, or in London or Middlesex. He would be prepared to propose in Committee that they should have that power. He quite concurred with the learned Gentleman in the opinion that it would be inconvenient to the suitors in equity that there should be a multiplication of jury trials before the court itself; but he thought that his Amendments would prevent the Equity Courts from encumbering themselves with jury trials save in those cases in which it was more convenient that they should take place before the court.

Mr. MALINS said, he thought that the operation of the act of 1852 had been very beneficial. Before the passing of that act the custom used to be, as soon as a Bill was filed, to send issues to be tried at common law; and after going through all the courts, they came back again to the Court of Equity, which had very often to decide the point for itself in the end. His impression was, that wherever it was convenient for the Court of Equity to try the question of fact as well as settle the law, it should do so. He should give his cordial support to the Bill, as he felt assured that it would on the whole produce a considerable improvement in the despatch of business in the Courts of Equity.

Mr. WALPOLE said, he approved the principle of the Bill; but he thought it would be better to leave things as they stood, unless the House was prepared to sanction the proposition—which he was of opinion it ought to sanction—that whether a question of law or a question of fact arose for decision, all the points incidental to the principal matter at issue should be decided by the court having jurisdiction over that matter.

Sir FITZROY KELLY said, he was glad to perceive that a first stride was made by his learned Friend towards conferring on a Court of Equity a much extended jurisdiction; but considering the important interests involved, it would be incumbent on the House to proceed with very great caution in considering the provisions of the Bill. If they once conferred upon a Court of Equity the power to decide all the questions of law and fact that might come before it, they ought to make it imperative on the court to determine those questions. It ought to be incumbent on the judges of the Court of Equity having jurisdiction over the entire case to decide the question—subject, of course, to an appeal to a higher court. Where there was a concurrent jurisdiction in a Court of Law and a Court of Equity, it was the right of the subject to choose the one or the other; and when he asked for relief in a certain court, that court ought not to have power to abdicate its functions because it might be thought more convenient that the question should be decided in another court. He would suggest to his hon. Friend who had charge of the Bill that some machinery should be provided to give the judge in equity all the powers on a trial before a jury that were possessed by courts of common law.

House in Committee.

Clause 1 (Court shall determine every question of law, and law incident to the relief sought).

Mr. SELWYN said, he would submit that the clause, as worded, did not carry out the intention of the author of the Bill. It made provision for cases in which the court had jurisdiction, but it left untouched cases in which the court might hold that it was not fitting to exercise jurisdiction. The main objection to the Bill was, that it left out of sight the view which defendants might take of cases to which they might be parties. It was in fact, a plaintiff's Bill, and the interests of defendants were entirely forgotten.

Mr. HADFIELD said, he proposed to add to the end of the clause the following proviso:—

> "That all serjeants and barristers at law, and all attorneys at law and solicitors, shall, from and after the passing of this Act, be entitled to practise in the said court, notwithstanding any rule or regulation to the contrary; and the said serjeants and barristers at law shall have respectively the same rank and precedence as they are now entitled to."

Mr. ROLT said, that if his hon. and learned Friend (Mr. Selwyn) would look to the clause again, he would see that it required no Amendment on the point referred to by him. The Amendment of the hon. Member for Sheffield (Mr. Hadfield) was wholly unnecessary. There was no rule nor practice of the court, no rule of etiquette nor code of honour, no obligation of any kind whatever, to prevent any barrister practising in a court of law from appearing in that court without reservation and without complying with any qualification. Common-law barristers might, and constantly did, appear in the Court of Chancery, and were welcomed there as cordially as any gentleman who regularly practised in the Courts of Equity. There was no such rule respecting the Equity Courts as there was with regard to the circuits.

Amendment, by leave, *withdrawn*.

Clause agreed to.

Clause 2 (Where Expense will be thereby saved Issues of Fact may be tried at the Assizes).

The SOLICITOR GENERAL proposed an Amendment to the effect that questions of fact might be tried either at the assizes or at the sessions in London or Westminster, whenever the court thought it might be conveniently done.

Mr. ROLT said, that if the Amendment were adopted, plaintiffs in the Court of Chancery would still be put to unnecessary expense, inasmuch as, not knowing whether the court would exercise the discretion left to it, they would be obliged to prepare for the trial of issues of fact in the Court of Chancery itself. If, as was not unlikely, their cases should be sent to a Court of Law, they would have to incur all the trouble and expense over again. He believed that the practical effect of the Amendment would be that all questions of fact, and of mixed fact and law, would be sent to be tried at the assizes, or at the sessions in London.

The SOLICITOR GENERAL said, his object was to place jury trials, in cases originating in Courts of Equity, upon the same footing as jury trials in cases originating in Courts of Law. His Amendment was applicable only to cases in which, in the first place, the court determined that a jury trial was necessary; and where, in the second place, from the circumstances of the court and of the cause, that jury trial might conveniently be taken either at the assizes or in London, as in cases arising in courts of common law. The interposition of jury trials without arrangement, in the Courts of Chancery, would lead to indefinite and protracted delays in the despatch of business.

Sir HUGH CAIRNS said, the operation of the Bill, with regard to jury trials in the Court of Chancery, would be productive of delay, uncertainty, and expense. The clause, as proposed to be amended, would not provide that the court should direct any action at law to be commenced. The court would simply be charged with the burden of determining the right to relief for itself; but in questions of fact it would adopt the verdict of the jury, on a distinct issue stated by itself and returned direct to itself, instead of taking its own opinion upon the evidence. He believed that jury trials could more conveniently be taken at the assizes or at the sessions in London than in the Court of Chancery itself. Great inconvenience arose from interspersing proceedings in Chancery with jury trials, and, although he would not go so far as to say that a jury trial should never take place in the Court of Chancery, yet, upon the whole, he thought it would be preferable to have issues of fact tried in a Court of Law. The Amendment was in no respect at variance with the principle of the Bill, and he hoped it would be adopted.

Mr. MALINS said, he should support the Amendment. The clause as it stood limited discretion to the matter of expense; the Amendment extended it to the question of general convenience, which included expense and the best mode of deciding issue, according to the probable length of the trial and the residences of the witnesses. The Amendment would not maintain existing abuses, because the object of the Bill was to lay down the principle that the court must act for itself, except where it would be most convenient to do otherwise. A rule that the court must try all issues would, by interfering with the business of the court, produce an amount of inconvenience to the public of which the Committee could be little aware.

Mr. ROLT said, he must maintain that the analogy between the Court of Chancery and the other courts was so imperfect that it could not stand. As, however, there had been such an expression of opinion in favour of the Amendment, he would not divide the House against it.

Amendment *agreed to.*

Mr. HADFIELD said, he would then propose to add at the end of the clause the following proviso:—

> "Provided always that the Lord Chancellor, the Master of the Rolls, or one of the Lords Justices, or one of the Vice Chancellors of the said Court, shall be empowered to preside at the trial of any such issue, if it shall be deemed expedient to do so, or the justice of the case shall require it or render it advisable."

Mr. ROLT objected to the proviso as obviously impracticable.

Proviso *negatived.*

Clause, as amended, *ordered* to stand part of the Bill.

Remaining Clauses *agreed to.*

The SOLICITOR GENERAL said, he wished to introduce a new clause, providing that in cases where the object of the suit is to recover or defend possession of land under a legal title, such relief only shall be given in equity as would have been proper if the Act had not passed.

Clause added to the Bill.

Preamble *agreed to.*

House *resumed.*

Bill *reported*; as amended, to be considered on *Wednesday* next, and to be *printed.* [Bill 61.]

WHIPPING (No. 2) BILL.—COMMITTEE.

Order for Committee read.

House in Committee.

Clause 1.

MR. STANLEY said, he would move the addition of the following words at the end of Clause 1:—"The instrument used to be only a birch rod."

Amendment *agreed to.*

MR. DUNLOP said, that in the absence of his hon. Friend (Mr. Kinnaird) he wished to move to add, after the previous Amendment, the following words :—

> "And further, that in Scotland no offender for theft, or for crime committed against the person, or against property, exceeding sixteen years of age, shall be whipped; or if under that age, be whipped more than once for the same offence."

MR. MURE said, he did not think the clause necessary. He was not aware that any offender above fourteen years of age was liable to be whipped. Certainly, in practice, whipping was limited to offenders under that age.

MR. HADFIELD observed, that the clause had been carefully drawn, and was approved by the Secretary for the Home Department.

MR. DUNLOP said, the clause had been framed with the view of assimilating the law of Scotland to what had been done with reference to England last year.

MR. MURE said, he had no objection to the clause, but he rather apprehended the proposed limitation would imply the power to inflict this mode of punishment on offenders of the age of sixteen, whereas, in practice, it was restricted to those under fourteen.

Clause *agreed to.*

MR. MITFORD said, he wished to take that opportunity of referring to what took place during the last discussion of that subject, when severe strictures were made on punishments said to be excessive, which were inflicted on juvenile offenders in Salford prison. The matter came under the notice of the prison authorities, and he had received communications on the subject. He was assured by the governor of the prison that the surgeon, who under the old law was responsible that no undue punishment was inflicted, had discharged the duties of his office for upwards of twenty years, was a most humane man, and possessed justly the full confidence of the visiting justices. The hon. Member for Manchester had also placed in his hand a letter from the visiting magistrates to the same effect. He had been present when the punishment was inflicted, to see that no undue severity was used, and the magistrates of Salford must be entirely absolved from any charge of cruelty that might be made against them. He might add that, in his opinion, there were many cases in which a good whipping would be attended with much more beneficial effect than if they were to send the wretched boy to prison at the expense of the ratepayers, and branding him as a gaol bird.

MR. HADFIELD said, he would rather not go into the discussion again, but he hoped the occurrence to which allusion had been made would not take place again.

MR. BLACK said, he proposed to add words at the end of the clause, providing that where the punishment of whipping was inflicted, the offender should not also be imprisoned for the same offence. His hon. Friend the Member for Sheffield thought whipping a cruel and degrading punishment; but it was certainly preferable to imprisoning juvenile delinquents, who came out of prison not only degraded but corrupted. After a sound whipping the offender felt the smart, and the chances were he would not get into the same mess again; but once in prison, among spirits more wicked than himself, a most serious moral injury was inflicted on him, which he might never be able to overcome. He did not understand why criminals should not be whipped when respectable boys had often to undergo the punishment. In the school where he was, not one of them escaped. Besides, the instrument to be used was only a birch rod. He had a notion that a birch rod was rather a harmless instrument. He had never come into contact with anything less formidable than "the tawse."

MR. HADFIELD said, there were sixty-four crimes punishable with whipping, with or without imprisonment, and with or without hard labour, and the effect of the Amendment would be in a great measure to neutralize the Act of last Session in many of these cases.

Amendment *withdrawn.*

Clause *agreed to;* remaining Clauses *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

TURNPIKE TOLLS EXEMPTION (SCOTLAND) BILL.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. BLACKBURN said, he objected to all exemptions as bad. They were now confined to clergymen within their own parishes, but the Bill sought to extend them to all ministers being pastors of congregations. There was obscurity in the language of the measure which would lead to great litigation; and, rather than extend the exemptions from toll in the manner proposed, it would be better to sweep them away altogether. He would therefore move, as an Amendment, that the Speaker leave the chair that day six months.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"

—instead thereof.

MR. BUCHANAN said, that since the exemption was originally established, division had occurred in the religious community in Scotland, and he thought ministers of all denominations ought now to be put on an equality in that matter with the ministers of the established church. Such a course was in accordance with the intentions of the House in all recent legislation.

MR. STIRLING said, he believed that the Bill would extend the existing exemption from 1,000 or 1,100 persons to about three times that number. Indeed, if they were to go upon the principle that persons who were useful but not rich should enjoy the immunity, they could not consistently refuse it to country doctors, country lawyers, butchers, bakers, and even many landed proprietors. The way to put all denominations on an equal footing was to abolish the exemption entirely. The Bill would place Dissenting ministers in a better position than the clergy of the Establishment, because the latter were exempt from toll in their own parishes only, whereas the former would be exempt in perhaps six contiguous parishes. It was, moreover, very difficult in Soctland to define what a minister was. The desire to preach and to hear sermons was something quite peculiar to the place; indeed, there was nothing like it on this side of the Tweed. Noblemen and other laymen were sometimes seen suddenly to emerge from the ranks, to leap into the pulpit, and practise there for a certain time, and, after being to all intents and purposes "ministers to a congregation," they withdrew into a more retired position.

MR. POLLARD-URQUHART said, that as a trustee of a Scotch turnpike-road, he might observe that since the introduction of railways it was very difficult for turnpike trustees to pay their way, and he must therefore orotest, on behalf of the many poor persons interested in such investments, against the invasion of their property by undue exemptions. In Scotland there was a great rage for amateur preaching, and there was some fear that many persons would take to that vocation in order to avoid paying toll.

MR. MURE said, he might have agreed in the opinion of the hon. Member for Perthshire (Mr. Stirling) if the question of exemption were raised for the first time. But they found an Act of Parliament in existence granting the exemption to clergymen, and doubts had arisen as to the right construction of that Act; it having been held in some cases that the exemption already extended to Roman Catholic clergymen and Dissenting ministers in common with the clergy of the established church, and in other cases that it was strictly confined to the latter. The Bill was intended to remove that uncertainty, and if any Amendment were required in its terms, it could be made in Committee.

MR. W. LESLIE said, he concurred in thinking that there ought to be no exemptions of the kind, but he should maintain that if they were to be extended to Dissenting ministers, they should also, in fairness, be conferred upon that most useful and meritorious class, country medical practitioners. Therefore, if they went into Committee, he should certainly move a clause to that effect.

MAJOR CUMMING BRUCE said, he thought that the exemptions were altogether wrong, and that the measure, under the guise of only removing doubts, sought to extend a vicious principle.

MR. DUNLOP observed, that the Bill had a twofold object; first to explain, and next to extend an Act of William IV. Doubts had arisen through the use of the word "clergyman," which had been decided sometimes to apply to a Dissenting minister, and sometimes not. The confines of a Dissenting congregation were not generally coterminous with those of a parish; but he was willing to introduce a clause limiting the exemption of a Dissenting minister to within so many miles of his church. There could be no difficulty in restricting the immunity to ministers actually in charge of a particular congregation. If the opponents of the Bill succeeded in rejecting it, he trusted they would, in consistency, bring in a measure for doing away with the existing exemption.

MR. STEUART said, he could confirm what had fallen from the hon. Member opposite (Mr. Urquhart), as to the injury inflicted upon turnpike trusts by these exemptions, and hoped that the hon. Member for Greenock (Mr. Dunlop) would himself introduce a Bill to abolish them. If the existing exemption were to be extended to travelling preachers and to medical men an equal claim might be put in on behalf of that useful class—the cow-doctors.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 61; Noes 86: Majority 25.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

LAW OF PROPERTY AMENDMENT BILL.

SECOND READING.

Order for Second Reading read.

SIR FITZROY KELLY in moving the second reading of this Bill said, he proposed, with the permission of the House, to take the discussion upon it at another stage.

SIR FRANCIS GOLDSMID said, that the first clause was substantially the same as one that had been twice rejected by that House; and therefore, in Committee, if no one else did so, he would move the omission of that clause.

Mr. MALINS said, that he could not distinguish between the first clause and that which had been rejected.

Bill read 2°, and *committed* for *Wednesday* next.

House adjourned at half after
Four o'Clock.

HOUSE OF LORDS,

Thursday, March 27, 1862.

MINUTES.]—PUBLIC BILLS.—1ª Mutiny.
2ª Charitable Uses Act (1861) Amendment.

THE INDIAN REVENUE.

THE EARL OF AIRLIE rose to ask whether a report which had appeared in the public journals of Friday last was true, that the India Licence Act had been abolished, and that 50 lacs of rupees, or £500,000, which had already been collected, had been returned to the taxpayers? If it were so, it would be very gratifying to their Lordships and to the country to know that the finances of India were in such a flourishing condition; but he would beg to remind their Lordships that there had been a general expectation that the customs duties on the import of manufactured articles would have been abolished, or at any rate reduced, as soon as the state of the revenue would allow. He did not wish to discuss the policy of levying those duties in India; but he would observe that those duties had been petitioned against by every considerable town in the north of England and in Scotland that was engaged in the cotton trade; and they had never been defended on principle by the Government. Last year the Under Secretary of State admitted that they were perfectly indefensible; and that the only excuse that could be made for them was the necessity of raising a large revenue. The severe financial pressure which existed last year appeared to have abated, and the first use that had been made of the fact by the Indian Government appeared to be the abolition of another tax which had already yielded more than £500,000. He wished to say one word as to this tax which had been remitted. The tax, at the time it was proposed, was the subject of considerable discussion in the other House of Parliament. It was defended in 1860 by Sir Charles Wood, who was then, as now, Secretary for India. He maintained that the tax was a just tax, that it was admitted to be just by those who paid it, and he went so far as to say that it was a popular tax. Now he did not wish to attack the policy of the Indian Government. Circumstances might have since arisen which rendered the continuance of the tax unadvisable, and which might not have been forseen in 1860. He was quite willing to admit also, that as India bore the expense of its own administration, those who administered the affairs of India were bound to consult the interests of that country. But when we heard that for the first time the Indian Government had a surplus, and that the first use they made of that surplus was to remit a tax which, by the Minister of the Crown who was more directly responsible for the affairs of India, had been declared to be a tax just, popular, and easily collected, leaving unrepealed customs duties which were of a protective character, he did not think he was guilty of any unreasonable curiosity in asking the Government—first, whether it was true that the Licence Tax had been remitted; and next, if it were true, if the Government could explain the reasons which induced the Indian Government to remit it?

The Duke of ARGYLL said, that no official information had reached the India Office in regard to the course which the Indian Government had finally resolved upon in reference to the Licence Tax, and even the last private letters from the Governor General were not of a nature to enable his right hon. Friend the Secretary of State for India to state what course the Government in India intended to pursue with regard to that tax. He thought it possible, however, that the noble Earl's information might be correct, and that the Indian Government would rather abstain from collecting the tax than abolish it. He thought his noble Friend was not quite aware of the circumstances under which the tax now stood. As far as he (the Duke of Argyll) could make out, the Licence Tax was a matter of very grave consideration in India a year and a half ago. In point of fact, it had never been actually collected throughout the whole of India, but he believed that the collection had begun in certain parts of the Presidency of Bombay and elsewhere; but as a general measure the tax had never been put in operation, and in all probability it would turn out that the recent course of the Government was not so much an abolition of the tax as deferring the collection for the present. He was far from dissenting from the observations of his noble Friend as to the abstract inexpediency of remitting this tax, and leaving unrepealed import duties which, though not intended to be so, were undoubtedly protective in their operation; and he believed it was the intention of the Indian Government, as soon as possible, to modify those import duties; but on a question of repealing one tax and putting in force another the Indian Government must consider the comparative burden on the people of India. The general tenor of the communications from India was that the financial condition of that country was so hopeful that ere long the Government would probably find itself in a position not only to continue to refrain from collecting this Licence Tax but to modify the customs duties also.

House adjourned at half-past Five o'clock,
till To-morrow, half-past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, March 27, 1862.

Minutes.]—Public Bills.—1° Writs of Habeas Corpus into Her Majesty's Possessions Abroad.

3° Industrial Schools Acts (1861) Amendment; Register of Voters.

CIVIL SERVICE (INDIA).—QUESTION.

Mr. VANSITTART said, he would beg to ask the Secretary of State for India, Whether he has received any and what Memorials from those Members of Her Majesty's Covenanted Civil Service who are now in India, praying for the redress of certain grievances; and, if so, whether he has any objection to place the same on the table of the House?

Sir CHARLES WOOD said, that the Indian Department had received one Memorial, and he understood that others were on their way to this country. He did not think it advisable to present simply the one just received, though ultimately there would be no objection to present the whole of them.

MILITARY EDUCATION.—QUESTION.

Mr. SELWYN said, he rose to ask the Secretary of State for War, Whether the undermentioned Letters were not omitted from the "Copy of Correspondence between the Secretary of State for War and the Universities of Oxford, Cambridge, and Dublin, relating to Military Education," ordered by the House of Commons to be printed 11th March, 1862, and whether there is any objection to the production of those Letters—namely, Letter dated Cambridge, 23rd April, 1861, signed Latimer Neville, Vice Chancellor; Letter from Lord Herbert, dated War Office, April 30th, 1861; Letter dated 6th May, 1861, signed Latimer Neville, Vice Chancellor; and enclosing a scheme for Military Education, signed by L. Neville, Vice Chancellor; W. Whewell, G. E. Corrie, W. H. Bateson, and by twelve other members of the Council of the Senate.

Mr. LEFROY said, he would also beg to ask the Secretary of State for War, Whether a Letter of the Vice Chancellor of the University of Dublin of the 10th of February was not omitted from "the Copy of Correspondence between the Secretary of State for War and the Universities of Oxford, Cambridge, and Dublin, relating to Military Education," ordered by the House to be printed 11th March, 1862; and whether there is any objection to the production of that Letter?

Sir GEORGE LEWIS said, in answer to the question put by the hon. and learned Member for the University of Cambridge (Mr. Selwyn), that the documents referred to appeared to the late Lord Herbert as private, and they were not in the War Department. With respect to the letter alluded to by the hon. Member for the University of Dublin (Mr. Lefroy) that was certainly omitted by inadvertence, but Supplementary Returns, in which it was included, had already been laid on the table of the House.

THE MALTA POLICE.—QUESTION.

Mr. DARBY GRIFFITH said, he wished to ask the Under Secretary of State for the Colonies, Whether a Memorial or Petition, signed by thirty gentlemen of Malta, has been addressed to the Governor of that Island, complaining of the conduct of the Police there in not effectually preventing, or conniving at, the riots which took place on the 9th and 10th of February; whether they were desired, in answer, to address any "evidence or explanation they might possess" on the subject to the Superintendent of Police; which they declined to do, on the ground that the inquiry should be made by authority "independent of the Department of the Executive Police;" and, whether it is the opinion of the Secretary of State for the Colonies that the Chief of the Police is the proper authority to be appointed to inquire into the conduct of his own Department, as between the inhabitants and that Establishment, in case of a complaint publicly preferred against it?

Mr. CHICHESTER FORTESCUE said, in reply, that the papers referring to this subject had only been received from the Governor of Malta that day. Such a Petition as that referred to had been presented to the Governor, but the precise terms of the answer were not stated. The Governor had naturally called for a Report from the head of the Police in a case involving the conduct of some of the officers within his own department. But the Governor also himself instituted a rigid inquiry into the circumstances, the result of which was to convince him that the reports which had reached this country were grossly exaggerated, and that the circumstances were really of a very trifling character. With respect to the last question of the hon. Gentleman, he (Mr. Fortescue) had heard nothing of the occurrence.

DIPLOMATIC AND CONSULAR SERVICES.
QUESTION.

Mr. LINDSAY said, he wished to ask the Under Secretary of State for Foreign Affairs, Why the Return relative to the Diplomatic and Consular Services, addressed for on the 26th July last, has not been laid upon the table of the House?

Mr. LAYARD said, the fact was that in the early part of the last Session his hon. Friend the Member for Brighton moved for a similar Return, but on the representation of the noble Lord at the head of the Foreign Office (Lord John Russell), he withdrew the Motion. His hon. Friend (Mr. Lindsay), however, moved for his Return on the 26th of July, at the end of the session, after the noble Lord (Lord John Russell) had removed from that House, and by a mistake it had been allowed to pass, at a late hour, as an unopposed Return. The fact was, that a part of the information required by his hon. Friend (Mr. Lindsay) could not be given; but if his hon. Friend would communicate with him (Mr. Layard), he would endeavour to put the address in such a shape as would enable his hon. Friend to obtain the greater part of that information.

RATING OF GREENWICH HOSPITAL.
QUESTION.

Mr. ANGERSTEIN said, he wished to ask the Secretary to the Treasury, Whether Her Majesty's Government will consent during the present Session of Parliament to place the Rating of Greenwich Hospital upon the same footing already conceded to other places where there is a large amount of public property, the justice of which was acknowledged by a Clause in the Greenwich Hospital Bill, laid upon the table of the House in 1861 by the Government?

Mr. PEEL said, the Bill referred to by the hon. Gentleman gave permission to the Commissioners of Greenwich Hospital to contribute to the support of the poor in their parish, but nothing more. As to the claim put forward by the hon. Gentleman for a contribution from the public funds, he (Mr. Peel) did not consider that it ought to be admitted. The Hospital had large funds; and if the parish had any claim against the Hospital, it was from those funds that it should be met.

MARRIAGES (IRELAND).—QUESTION.

Mr. LONGFIELD said, he rose to ask the Chief Secretary for Ireland, When he proposes to introduce his promised Measure for the Registration of Marriages in Ireland and the equalizing the powers of the Unpaid and Stipendiary Magistrates?

Sir ROBERT PEEL replied, that it was his intention to ask leave to-morrow to introduce the Bill.

FAIRS AND MARKETS (IRELAND) BILL.

QUESTION.

Mr. HENNESSY said, he wished to ask the Chief Secretary for Ireland, Whether, inasmuch as the Amendments in Clause 10 of the Fairs and Markets Bill impose a new penalty on all classes of Traders and Shopkeepers who sell by weight in Ireland, and as this new penalty is imposed in a Bill which was originally confined to Fairs and Markets, but which thus extends to every commercial transaction in which goods are sold by weight, he will postpone the next stage of the Bill till after Easter?

Sir ROBERT PEEL said, he should be sorry to proceed with the Markets and Fairs (Ireland) Bill against the wishes of hon. Gentlemen from Ireland, but he thought the matter of so much importance that he wished to continue until the Bill had passed through all its stages.

RED SEA TELEGRAPH.

OBSERVATIONS.

The CHANCELLOR of the EXCHEQUER said, in reference to a notice as to the Red Sea Telegraph which stood in his name for that night, that it did not clearly convey his attention. He would not, therefore, under any circumstances, bring it forward that night, but it would be made an order of the day for to-morrow (Friday), when he should move that the House resolve itself into a Committee of the whole House on the subject.

PROSECUTIONS EXPENSES BILL.

OBSERVATIONS.

Sir GEORGE GREY said, it might be convenient that he should state that he did not intend to proceed with the Prosecutions Expenses Bill that night. He had been waited upon by an influential deputation of Chairmen of Quarter Sessions and other gentlemen, and they all concurred in requesting him to postpone the Bill till after the Sessions, so that the Magistrates of Counties might have the opportunity of discussing it. He should, therefore, move that the Order for the Second Reading of the Bill be postponed till the 5th of May.

Motion *agreed to.*

AFFAIRS OF SOUTHERN ITALY.

OBSERVATIONS.

Sir GEORGE GREY said, that the hon. and learned Baronet (Sir G. Bowyer) had an important notice on the Paper for the next evening, to call attention to the affairs of Southern Italy, and to move for Papers. Now, his (Sir G. Grey's) noble Friend, Viscount Palmerston, was not able to be present in his place that night, and it was doubtful whether he would be able to be present the next night. The House would feel that it was most desirable that the noble Lord should be present when the subject was brought on; and therefore, in order that the House might have some certainty as to the course of procedure, he wished to ask the hon. and learned Baronet to name another day for the discussion. It was impossible to give a day for it next week before Friday. He would, therefore, ask the hon. and learned Baronet to postpone his Motion till that day.

Sir GEORGE BOWYER said, he had no difficulty in acceding to the request made to him on the part of the Government. But he wished to take the opportunity of asking a question of the Under Secretary of State for Foreign Affairs, which he thought would convince the House that no unnecessary delay ought to take place in bringing the affairs of Southern Italy before the House. The question was as to another Proclamation of the celebrated Major Fumel. The Proclamation was dated the 1st of this month. He had translated it carefully, and it was as follows:

> "NOTICE TO THE PUBLIC.
>
> "The undersigned, charged with the destruction of brigandage, promises a sum of 100*f.* for every brigand who may be brought to him,—dead or alive. The same reward will be given to any brigand who shall kill one of his companions, and his life shall, moreover, be spared. The undersigned declares that any one who shall give shelter to the brigands, provide for their subsistence, or give them the slighest relief, or who shall see them, or even shall simply know their place of refuge, without immediately giving notice to the civil and military authorities, shall be immediately shot. For the protection of flocks the shepherds are invited to form several centres with a sufficient armed force, because in case of attack they will not be permitted to plead the excuse that the cattle were taken by force. In three days all the cottages must be burnt, and the towers and uninhabited country houses must be unroofed and the windows walled up. After the lapse of the said time they will be burnt, and all cattle and sheep not guarded with a sufficient force will be killed. It is explicitly forbidden to carry bread or other food out of the commune. Every one transgressing this order will be considered as an accomplice of the brigands. Provisionally and for the present circumstance the Syndics are authorized to give to the peasants permission to carry arms, on the responsibility of the proprietors who may ask for this to be done. Each member of the National Guard is responsible for the territory of his commune. The undersigned can see none but two parties—the brigands and the opponents of the brigands (*centrebrigands*). All who stand indifferent will be classed with the brigands, and the most energetic measures will be taken against them; because when the common interest requires their assistance, it is a crime to refuse to give it. All disbanded soldiers who do not present themselves within four days will be considered as brigands."

That document was dated from a place called Celico. There was also another circumstance with respect to which he wished to ask the Under Secretary for Foreign Affairs a question. He had read an article in an Italian newspaper, the *Stella del Sud*, making the following statement:—

> "The Captain of the guarda mobile was traversing the district of Salice, in the commune of Bernalda, and having met some of the shepherds of the country, asked them if they had seen an armed band. They answered in the negative. After some time it appeared that a sanguinary contest took place between the guard and an armed body. The captain, believing that he had been deceived by the country people and shepherds, returned, after a period of three days, to the locality where he had met them, and there captured thirteen unfortunate countrymen, and drove them into a cabin. Then, by firing on them, he set fire to the place, and by that means thirteen innocent men were burned to death."

Now, what he wanted to know from the Government was, whether they had been more fortunate in reference to the case to which he had just drawn their attention than they had been on a former occasion, and whether they had received any information with respect to events so important? He also wished to know whether the Government, in the event of their not having received the information, would immediately endeavour to ascertain the truth or falsehood of the statements which he had laid before the House—of their truth he himself had little doubt—and would, in the event of their turning out true, address some remonstrance to the Piedmontese Government with regard to the atrocious means taken by them to keep down the people of the Two Sicilies?

MR. LAYARD said, the hon. and learned Baronet had given him no notice that he was about to ask the questions which he had just put to him, and he was not, until that moment, aware that he was about to put them. He might, however, in reply to the hon. and learned Gentleman, state that Her Majesty's Government could not hold themselves responsible for articles which might appear in the Italian newspapers, or for all the Proclamations which might, or might not, be issued in that country. As regarded the particular Proclamation to which the hon. and learned Baronet had called attention, the Government had received information from Naples that a copy of that Proclamation had been brought under the notice of Her Majesty's Consul. By him the circumstance had been mentioned to the Governor of Naples, who had no information on the subject, but who sent to the remote place called Celico—a place which did not seem to be known to the Members of that House—and, after some time, learned from the syndic of the district that Major Fumel—an officer, he believed, not now in the military service of the Government—had prepared a draught of some such Proclamation, but that it had not even been printed. How the hon. and learned Baronet had procured a copy of it he was unable to say. He must, however, observe that he thought the questions which the hon. and learned Gentleman was in the habit of asking might be more appropriately put in the free Parliament which was now sitting at Turin.

Sir GEORGE BOWYER: The hon. Gentleman has not answered my question about the thirteen peasants.

Mr. LAYARD: We have no information on the subject.

EDUCATION—THE REVISED CODE OF REGULATIONS—DISTRIBUTION OF PARLIAMENTARY GRANTS.

MOTION FOR COMMITTEE.

ADJOURNED DEBATE. (SECOND NIGHT.)

Order read, for resuming Adjourned Debate on Question [25th March],

> "That this House will immediately resolve itself into a Committee to consider the best mode of distributing the Parliamentary Grants for Education now administered by the Privy Council."

Question again proposed.

Debate *resumed.*

Mr. WHITESIDE: The question under discussion is one of national importance, because it relates to national education. A question of national education, however, is fortunately one in dealing with which men holding different opinions may meet on common ground; inasmuch as it is the province of the true statesman, to whatever political party he may belong, to teach the humblest of his fellow-countrymen his duty towards himself, as well as that which he owes to his neighbour, his Sovereign, and his God, and therefore he is bound to promote whatever in his opinion might be the best system of education. The present great system of national education has existed for some time in this country, fostered by the liberality of Parliament. The advantages which that system confers are now called in question. The good which it has done is in a measure denied. We are asked to reconsider the course which we have pursued with respect to it—it may be, to retrace our steps. To enable us to do so, Her Majesty's Ministers have laid on the table a new scheme of education, slowly elaborated, and suddenly propounded: they have revised that scheme, with the view to make it more perfect, and then intrusted to a skilful and eloquent advocate the task of recommending it to the House. That advocate—the Vice President of the Committee of Council—has told us, that whereas our system of education has been heretofore experimental, it is now to become permanent; that whereas it was temporary, it is now to be made final. He has told us on behalf of the Government, which he is so well able to represent, that he deemed it to be his duty to take a comprehensive view of the whole of this great subject, and, to use his own words, "to recommend to the notice of Parliament a scheme of education on which he and his colleagues were prepared to take their stand." That manly avowal was in exact conformity with the course which the right hon. Gentleman had previously pursued; because, as the House will perhaps recollect, the Revised Code, when it was first published, appeared from its language to be intended as a settlement of this question. On the 12th of August last, papers were issued, explaining to the managers and officials connected with the schools the scope and purposes of the new Code. "My Lords" informed the public that they had come to the resolution to carry into effect its provisions. They told the public, through the right hon. Gentleman, that apprentices would henceforth be taken only on the terms which the Code laid down; while, with respect to the all-important subject of money, they stated to the officials under them and the public, that "My Lords" had considered carefully the objections which were made to the system of giving large sums in a lump to fluctuating and irresponsible managers; that they had determined to overrule all objections, to establish their plan, and to maintain it until convinced by long experience that it was erroneous. The Government, I think, have thus fairly put the House in possession of their scheme, and we have ample means afforded us for the purpose of considering the magnitude, the importance, and the wisdom of the plan they have proposed.

That being so, let me ask under whose management has this business of education been heretofore conducted? It has, I believe, been committed to the hands of able, competent, and energetic men, who failed to discover those great abuses which the right hon. Gentleman tells us prevail in the department over which he presides, or who, if they did discover those abuses, lacked the courage with which he is gifted to proclaim their existence to this House and to the country. Under what auspices, let me ask, has the great system which it is now sought to disturb, sprung up? It owes its origin, we are informed, to a happy union between the Government and many of the best men in the kingdom—the Government not interfering with necessary freedom of action or opinion, but encouraging and stimulating the exertions of benevolent individuals. Now, if it would not alarm hon. Members, I would wish to make a supposition. Let me suppose that the old Code and the Revised and the Revision of the Revised Code were burnt—that no copy of these valuable or invaluable documents remained on the face of the earth, and that, while we were awaiting the arrival of some modern Justinian who instead of perplexity should give us clearness, instead of doubt certainty, instead of injustice equity, we put the question to each other assembled round this table, "What does common sense suggest in a matter of this kind—what ought we, as interested in the welfare of a Christian country, to resolve upon in the absence of those documents?" In supplying an answer to that question, I do not seek to justify the old Code, or the Revised or the Re-revised Code. I am content on that point to set one against another the able men who have written pamphlets and made speeches on this subject. I am satisfied with setting a Shuttleworth against a Foster, and a statistical Chadwick against a visionary Vice President. Having thus cleared the ground, I may venture to reply to the question which I have put; and that I may the better do so I would ask whether there is no precedent in this matter of education worthy of being followed by a Christian nation—whether there is no principle by which we might be guided in the line of conduct which, under the circumstances I have supposed, we ought to pursue? A brilliant light which once shone on those benches has been extinguished. Lord Macaulay is no more, but he has left behind him a History of England, and in the course of that History he found it necessary to consider and explain the causes of the greatness of the kingdom of Scotland. In doing so he does not speak of the genius of her poets or the chivalry of her warriors. He makes no mention of the high courage which never deserted her sons when danger was to be faced or honour won. No; but he records it as his opinion that the greatness of that country is to be ascribed to the system of national education which, in the Scotch phrase, was about 1690 statuted or enacted in a very short Act of Parliament in a very short Session. By that law, he says, it was provided that in every parish there should be established, at the expense of the people, a competent master and a commodious school-house. He says that at first the value of that great enactment was not felt; but that before one generation had passed away it was found that the humble Scotchman was superior—at least, in the author's opinion—to any man of the same class to be discovered in Europe. He states, that whether in India or in America, in trade or in war, the training he had received in the parish school established his superiority. He does not say, "reading, writing, and arithmetic," but "the training" he had received in the parish school. If he was hired as a porter in a warehouse, he speedily became foreman; if he enlisted in the army, he quickly became a sergeant. Then, rising from the state of men of that condition, the distinguished historian asserts, that owing to the system of education established in Scotland, a sterile country became a fruitful land; that in letters, in arts, in commerce, in agriculture—in everything that constitutes civilization—the parochial system of Scotland enabled that country to reach a pitch of prosperity which in ancient times had never been seen, and in modern times has scarcely ever been surpassed. Such is the account given by the historian —and I believe truly—of Scotland. The Vice President of the Education Committee has, of course, a minute acquaintance with Scotland, with England, and with the world, and being of a benevolent disposition, he naturally, when he framed his Revised Code, included Scotland within the scope of his measure. I rather startled the Lord Advocate the other night from his ordinary composure by putting the question—I knew very well how the matter stood, but still I asked him—whether or not morality and religion were the basis of education in Scotland—of that education which is provided at the expense of the State. He answered me at one o'clock in the morning, with more liveliness and vigour than I ever remember to have been displayed by my learned Friend, that he was surprised at my putting such a question, for I ought to have known that no system would be tolerated in Scotland which was designed merely to teach the elements of knowledge, but that it must rest upon and have for its primary object the instruction of the youth of Scotland in morality and religion. Such was the reply of the Lord Advocate. When the Vice President announced his intention to include Scotland in a measure which, according to his representation of it, is eminently favourable to the inculcation of morality and religion, all Scotland took the alarm.

The Scotchmen of the present day seem to me to be pretty much made of the same stuff as they were when they drew the broad claymore and struck for Charlie. I have got two specimens of their views on this subject which I received to day, and for which I feel greatly indebted to the gentleman who furnished me with them. In these documents or pamphlets—one emanating from the Established Church and the other from the Free Church—they pronounce upon the Vice President such a condemnation of the impracticability of his plan of attack upon their own parochial system, of the absurdity of the new Code, and of the insult offered to the Scottish nation, that I do not wonder the right hon. Gentleman was frightened in a moment out of his benevolent intention to inflict his scheme upon Scotland, and forthwith produced that revision of the Revised Code from which Scotland is omitted. I have here a passage from his speech explaining that omission. He says he has just discovered that there has been for two centuries a system of national education in Scotland. He found that out from the Lord Advocate, and he says the learned Lord had informed him that he had a measure in contemplation which would smooth down the asperity of the Scotch representatives on the eve of a Parliamentary division, enabling them to give their votes with impartiality, judgment, and serenity of mind. The Lord Advocate, no doubt, told the Vice President that it would not do to push his scheme upon Scotland; that he might make experiments in legislation upon England, but he must not meddle with Scotland, for he had received, I have no doubt, the valuable documents which have been sent to me, and which contain resolutions condemnatory of the whole Revised Code, calling upon the Scotch People to unite against the Vice President, and warning the Lord Advocate of what he might expect if he were not prompt in his measures. Accordingly, as the result of that sincere conviction which sometimes reaches the official mind, the Revision of the Revised Code was published, and the Lord Advocate gave notice of a separate scheme for Scotland. Is the Scotch Bill drawn? Has it been seen by the eyes of the Vice President? The Lord Advocate gave notice of it, made a speech explanatory of its provisions, and stated that it is not to interfere with the parochial system of Scotland, sacred in the eyes of all true Scotchmen; but from that hour to the present we have never seen the measure, which, for aught I know, may not exist even in manuscript, and which very probably has yet to be composed by the combined talents of the Lord Advocate and the Vice President. I would ask the Scotch representatives whether, because they have saved their own country from the infliction of the Revised Code, it is fair or kindly in them to bestow upon England a blessing which Scotland would not have? I would appeal to them not to act in a provincial spirit in reference to this question; but, as they have rejected—wisely and manfully rejected — the Revised Code for themselves, to give us through their votes the benefit of their conscientious judgment. I will refer to a precedent which I think ought to guide us. I do not believe that in the magnificent literature of the Church of England we have a greater divine than Bishop Butler. About 1740 he published a profound discourse upon the subject of education. How does he reason the matter? Not certainly in the spirit of the Vice President. He states, as the result to which his thoughtful mind had come, that the principle of equality is more expressed in our whole civil and ecclesiastical system than in the Government of any other country in Europe. He says that each subject of the realm is born to freedom; and that, consequently, he may, if he errs, be more extravagant or reckless than if he had been born in a country where he would have been a slave of superstition or a slave of power. Therefore, he reasons, it is peculiarly incumbent upon the rich and great in England to bestow upon their humbler fellow countrymen a blessing which they required more than any other people of the world. What is that blessing? In what did his idea of education consist? In giving the people, as he says, "an inward principle" which will govern their actions and guide their conduct through life. I therefore submit to the judgment of the House that, if we had no Code of Education at all, the principle of the parochial system of Scotland might well be adopted in England. But since we cannot adopt the Scotch system, then, I say, the discourse of the profound Butler furnishes us with a principle which we might wisely carry out in our legislation.

In an assembly which rightly busies itself with results, the question is at once asked, and ought to be answered satisfactorily—what are the results of the established system of education? Our expenditure has been large, you have been generous, but in my opinion you have been wise; you have been munificent in your grants, but in my opinion you have been sagacious. Still you have a right to ask, what are the results of the system? I mean results founded upon the principles to which I have already adverted—results consistent with, and naturally flowing from, a system of education which has for its highest and greatest object the promotion of the morality, the happiness, the training, the discipline, and the religion of the people. Of the ponderous Report which has been laid on our table the pith and marrow are to be found in those three pages which treat of the moral influence of the system of education established in England. In dealing with that subject the Commissioners, in order to give to the public all the confidence which the public ought to feel in their opinion, first furnish us with a sketch of the managers, whom they describe as among the most excellent and useful members of society in this country. They next say of the masters, and of the pupil-teachers taught by the masters, and heretofore apprenticed to them, that they have been selected for their moral character and their intellectual fitness for the work to which they have been and are to be devoted; and they add, speaking of the pupil-teachers, that they have received a better religious education than any other persons of the same class in England. Next they proceed to state the results of their teaching. We have heard a great deal about results since this debate began. They consider the results under a threefold aspect; first, as to the individual pupils; next as to the locality; and next as to the moral influence of the system in general. They say that the system you have so wisely established, and so liberally endowed, has converted the young persons educated by it into useful and happy members of society. There is on this point a touch of feeling in the blue-book which is very rare. They say that among the successes of the system none are more remarkable than those in which the destitute and the orphan, comparatively the most helpless class of children, have been relieved and taught, and made useful members of society. They then proceed to state that in many places which they name in the appendix there have been found disorderly characters, drunken women, persons inattentive to their duties in many relations of life; but that wherever a school has been established the effect on the locality is remarkable. The impressions made on the young are immediately communicated to the old; in a great degree drunkenness ceases, crime disappears; and these results the reports of policemen and others verify. Lastly, they say, to quote their own words in their summary of moral results—

> "The religious and moral influence of the public schools appears to be very great—to be greater than even their intellectual influence; a set of good schools civlizes a whole neighbourhood. The most important function of the schools is that which they best perform."

This we have from the Commissioners, who have been so much appealed to. The Commissioners deliberately put forward what is the most important function of these schools, and they report that their most important function is that which is best performed. Now, in speaking of results we must not forget a matter which has been brought to my attention since this discussion commenced, by a minister of the Church, who was fortunate enough to hear the debate. It relates to averages, and the point is one which might have escaped the attention of hon. Members. He said that girls are included in the average; and every parochial minister who has lived in the country knows, that in regard to young females, they are sometimes, from the necessities of a family, from sickness, the illness of a mother, detained from school for a month or six weeks at a time; and furthermore, he added, while attending school one-half of the girls' time is abstracted from studying reading, writing, and ciphering, and devoted to the learning of sewing and other industrial occupations. Now, with respect to the female schools and the schoolmistresses, of whom nothing has been said, I find a judgment pronounced in three lines, with which I am much pleased. It is in the report of Mr. Brookfield. Speaking of results, he says—

> "The moral rectitude by which they are characterized gives evidence of their being placed under an habitual influence incalculably more important than any intellectual qualifications, and entitles our schoolmistresses to be pronounced one of the most praiseworthy and valuable classes of the community."

So much for the girls' schools and the mistresses by whom they are taught. Another circumstance in relation to this question of results has been brought forward—I was going to say, since we last met; but I am not sure whether Mr. Martin's paper was not published before. He shows that the migratory habits of the poor make it impossible to apply the test of the right hon. Gentleman, and therefore we are driven, according to the statements and words of the right hon. Gentleman, to reject them altogether. I have been requested by the rector of a parish not far from where we are now sitting—the parish of St. Ann's, Soho, Westminster, to state that the migratory character of the children attending the London schools—and probably the same may be the case in other large towns—is such that no reliance can be placed on the numbers attending on any particular day of the year. According to the statistics of this parochial school, there are 420 children on the books, of whom 390 were fresh additions during the year; 415 left school in the same period, owing, in a great extent, to the migratory habits of their parents, moving about from one part of London to another, according to the necessities of their occupation, in search of work. How can it be possible to judge fairly of results under such circumstances in individual cases? Then he proceeds to say, what we are all aware of, that under the proposed system these schools must be destroyed. The right hon. Gentleman said he cannot help schools composed of migratory persons—for what reason he kept in his own mind; they are to receive no help at all. The rector furnished the account he had received from the master of the schools; which showed that from March, 1861, to March, 1862, the number of boys who had left was 122. Of this number 24 were of the first class, 23 of the second. Of the 24, 22 went to situations, and two to other schools; of the 23, 11 went to situations, and 12 to other schools. Of the entire 122, 56 had been to other schools, and 16 never had been at school before. The number admitted during the year was 113. Of this number there had been at no school before, 18; at one school, 33; at two schools, 44; at three schools, 14; at four schools, 4. In reference to the girls, the number who left during the year was 88; out of 14 of the first class 11 went to situations. The number admitted during the year was 91. In the infant school the number admitted during the year was 186, and the number that left 206. Now, Sir, with that statement of the migratory character of the schools—and it is no use multiplying evidence to the same effect, because the subject was touched on by the hon. Member for Bradford (Mr. W. E. Forster) in his able and conclusive speech—the application of the right hon. Gentleman's test is a simple absurdity. He must not be offended, then, if those who understand this subject say that he does not understand it; he must not complain when they tell him that his system is impracticable as regards the great majority of the labouring poor of this kingdom, and when they appeal from the impracticable Vice President of the Education Committee to the reasoning and reasonable House of Commons. Mr. Martin has given us a number of cases of the very same class. We are told it is easy to make a speech, but to provide a remedy is not so easy. The right hon. Gentleman says it is easy to object, and I am going to object to his proposals. He says there is no remedy for migratory schools. But surely wherever children are they may be taught something; and if the children in those schools cannot learn anything more than "Thou shalt not steal," with all deference, that is quite as useful instruction as if without any moral principle they had been taught to read and write, for they might still pick your pocket as you go home, or rob the till. Well, then, these "Arabs of the streets," as they are called, leave one school and go perhaps to another. The right hon. Gentleman proceeded on the supposition that when a child left a school he ceased to attend school altogether; but if he had investigated the matter, he would have found that, in a vast number of cases, children went to one, two, or three schools in succession. But the right hon. Gentleman says he is distressed on account of the poor and miserably educated parts of this country to which the present system has failed to give assistance. We naturally turn to his proposition to discover what remedy is provided for this particular evil. Where subscriptions exist Government aid is to be applied; but where there is real destitution the right hon. Gentleman says "I can do nothing for you but this—I will enable you to get a worse master than can now be found. I will give you an inferior master"—I do not know whether he called him a certificated or uncertificated master—"but he shall be as bad a description of master as you could desire." But they say, "We have no funds." He says, "I am sorry to hear it." "We have no school." His answer is, "Why don't you build one? I can do nothing for you. When you have got a school and all the appliances of a school, when you have results, when you can read, write, and cipher, come to me; but until you can read, write, and cipher, I can do nothing in your behalf." Touching this matter of the inferior master, we are indebted to the speech of the hon. and learned Member for Sheffield (Mr. Roebuck) for a lively essay by Mr. Chadwick. That essay my hon. and learned Friend has kindly had printed, and from it I find that that very competent man differs in every respect—as might have been expected, he being a very clever and sensible man—from the right hon. Gentleman the Vice President of the Education Board. There is nothing, however, upon which he differs so decidedly from the right hon. Gentleman as upon this project of employing inferior masters. His conviction, after long experience and investigation, is that the better the master the better is the school; that to have an inferior master, is bad economy, and, he adds—that which I am sure will make an impression on the tender heart of the Chancellor of the Exchequer—that the best expenditure of public money is that which is made for the promotion of public education. He quotes evidence to show that as the Inspector goes from school to school he perceives that the children in each of them bear a distinctive impress derived from the character of their master, whose idiosyncrasies, indeed, seem to be reflected in their minds, "as in so many fragments of a broken mirror."

If the Commissioners have given the testimony which I have described as to the results in morals, habits, discipline, and the general efficiency of the schools, we naturally pass on to ask ourselves, what have they recommended? That is a natural question. The Commissioners do not contradict themselves by suggesting the absurd scheme of the right hon. Gentleman. On the contrary, their proposals are consistent with the whole scope and tenour of their report. What they counsel Parliament to do is to apply the national funds to the promotion of the greater and higher purposes of education, and to securing the advantages now conferred by the existing machinery in regard to training, discipline, morality, and religion. Lastly, they recommend, in addition to the grant from the public purse for the above objects, that a prize fund should be raised from local resources through the medium of a county rate, to be distributed in premiums for superior proficiency in reading, writing, and arithmetic, by inspectors appointed by the ratepayers. But what has the right hon. Gentleman done? First he rejects all the reports of the Inspectors, and next he rejects, or rather—with all deference to him—perverts the specific recommendations of the Commissioners; for, whereas their main and chief recommendation is that the State grants should be continued to maintain the schools on the existing principle, because they have been found so beneficial to the whole country, he takes the least important and merely supplementary part of their proposal, and makes it the sole foundation of his entire scheme. In other words, the right hon. Gentleman discards everything that is recommended by the Commissioners equally with the Inspectors, everything that is earnestly called for by the clergy and the Christian people of every denomination. The House of Commons is asked to show its respect for the Commissioners by setting aside, or turning upside down, their Report; it is asked to put foremost the prize fund for superior proficiency in elementary knowledge, which the Commissioners put last, and to transfer the funds supplied by the State for a different and higher purpose to a purpose which the Commissioners did not recommend, and which, I am informed, they never would have recommended, should be paid for out of the national Exchequer.

And this brings me to another interesting point—namely, why this is done? In the chapter in which the Commissioners speak of the reports of the Inspectors they say the public may depend implicitly upon those reports as far as the discipline, moral teaching, and general efficiency of the schools are concerned; but that the Inspectors may have been misled as to the *quantum* of elementary instruction given. On that rather nice distinction as to how far the Inspectors are to be relied upon, and how far they are to be discredited, the whole of this question turns. Unless the Commissioners are right in drawing that distinction, there is not the shadow of a foundation for the right hon. Gentleman's project. I shall deal with this part of the subject as if I were addressing a judicial assembly, with minds perfectly open to conviction by argument. We have three different bodies before us; first, the Educational Committee of Privy Council, represented by its Vice President; next, the Education Commissioners; and then the

Inspectors. When the right hon. Gentleman comes to speak on this matter, he speaks as a critic; and the House will notice that there is a very great difference between a critic and a witness. The business of a critic is to display his genius and ability, perhaps to support his own theories and crotchets. The business of a witness is faithfully to describe what he has seen and observed. The tests we apply to every man, official or unofficial, making a statement are these:—Has he had an opportunity of personally observing, or acquiring a competent knowledge of, the facts which he records; and has he the inclination or the morality to record the truth? If these qualifications are united in the same person, it is very rarely indeed that you accept one part of his testimony and reject the other. Now, that upon which the House is asked to legislate is the difference between the universal testimony of the Inspectors and the Report of the Commissioners, and the criticism of the right hon. Gentleman on that evidence and that Report. The right hon. Gentleman says he cannot reconcile the opinion of the Commissioners with the reports of the Inspectors as to the *quantum* of elementary instruction given, so contradictory are the two. The Educational Committee of the Privy Council have clearly had this discrepancy before them; and the House will naturally ask what they have done to test who has stated the truth, and who put forward inventions or fictions? The right hon. Gentleman told us that if the opinions of the Commissioners were contained in the reports of the Inspectors, the Educational Committee of the Privy Council would have struck off the list of schools in connection with the department three-fourths of all the schools throughout England. [No, no!"] I have the passage of the right hon. Gentleman's speech here; it is very remarkable. He says—

> "Had it been reported to us by the Inspectors, as it has been by the Commissioners, that in many schools three-fourths of the children were not instructed, we should have withdrawn the grant from those schools altogether."

MR. LOWE: Not three-fourths of the schools.

MR. WHITESIDE: Three-fourths of the children. I give the right hon. Gentleman the benefit of the distinction. He only means to restore to ignorance three-fourths of the children, and to preserve three-fourths of the schools. But the point is this—having before him the reports of the Inspectors and the criticisms of the Commissioners upon them, what does the right hon. Gentleman do? He adopts and gives credit to the Inspectors' reports, bestows the grant, and keeps the schools in connection with the Privy Council, and then turns round and calls on Parliament to legislate permanently and decisively on a ground in which he does not himself believe, and on which he shrank from advising the Privy Council to act. That seems to me to be clear. If he disbelieves the facts stated in the reports of the Inspectors, he should have struck these schools off from all connection with the Privy Council; but he maintains that connection, and pays the grant to these schools to secure the *quantum* of education. They report that there is that *quantum*, which is opposed to the Report of the Commissioners; and I wish to know from the right hon. Gentleman upon what principle a body of intelligent men are to be called upon to legislate decisively in favour of the criticism of the Commissioners, upon which the Privy Council have not ventured to act? So the matter stands now. But it does not rest there. The whole question turns upon this—the right hon. Gentleman wants not quality in education, but quantity. Now, have we a fair quantity? He says that only 25 per cent of the boys are educated well. Is that statement accurate? What is the percentage he allows for migratory children, which the best-informed authorities put at 40 per cent? Is the House satisfied that only 25 per cent of the boys are properly taught? I agree with the right hon. Gentleman the Home Secretary that the statement of Mr. Norris is important. The Commissioners use his words; but he claims the right of every witness to explain his meaning, and I believe that what he meant was not what the Commissioners have stated. We find that it is a fallacy to suppose that he intended to convey to the public the impression that only 25 per cent were getting education in the schools, and that he rather meant to imply that 45 or 50 per cent was the true amount. I think, therefore, that the right hon. Gentleman does not satisfy us upon the question of the *quantum* of education given in these schools, which is the ground upon which he calls upon us to change the system now existing. The only evidence as to quantity which we possess is the reports of the Inspectors, and notwithstanding the slur cast upon them by the right hon, Gentleman, I think the House will be slow to reject their testimony, unless the Commissioners or the right hon. Gentleman can show us decisive and unimpeachable facts to controvert them. But he has no facts ; he has the opinion of the Commissioners, and no more. I wish to call attention to a document which I dare say has been seen by most Members. The schoolmasters have taken up their own case, and have appointed a committee to collect facts. The right hon. Gentleman says the schoolmasters do not like him, and probably he does not like them. The committee have endeavoured to test the value of the reports of the assistant commissioners, which have been used to overthrow the reports of the Inspectors as to the *quantum* of education. They have published the results of their examination, as far as they have had time to collect them, and we find in them the danger of lightly casting aside the testimony of competent and trustworthy men. After referring to the extraordinary discrepancy between the statements of the Commissioners and the Inspectors—the former putting the proportion of schools where the children were well taught in elementary knowledge at 25 per cent, while the Inspectors stated it at 80 or 90 per cent—the committee say that they sent out circulars to various schools, and from 220 returns they found that 87 schools were not visited at all by the assistant commissioners, and of those visited no less than 162 were never examined. The schoolmasters add that the examination of the assistant commissioners will bear no comparison with that of the Inspectors in respect of thoroughness and reliability ; and secondly, that if the conclusions of the Commissioners be worth anything, they do not derive their value from the reports of the assistant commissioners. Now, as the characters of these gentlemen are at stake—if this document be genuine, as I believe it to be—I would like to hear from the right hon. Gentleman upon what grounds of facts—as contradistinguished from subtle criticism—he impeaches the reports of the Inspectors, denies the *quantum* of education which they state, and calls upon us to disbelieve it, with no evidence to support his statement. But suppose he carries out the plan he now submits, who are to work it ? The Inspectors ? But the Inspectors, he says, are not to be trusted by Parliament or the country. If their reports under the old system were not reliable, will their reports under the new system be more trustworthy ? If we yield to the crotchets of the right hon. Gentleman, shall we find that we have a greater hold upon the Inspectors when they are infallible and omnipotent upon the question of the *quantum* of education than now, when they are guided by certain rules and directions ; and if we cannot depend upon their reports now, shall we be able to do so then ? Mr. Fraser, who is a Scotchman, and therefore, as he says, more slow to come to a decision than most Englishmen, and more precise in his inquiries into matters of fact, takes up the question of the conduct of the Commissioners, sums up the evidence upon this point of the *quantum* of education, and he says that it must be clear to every impartial stranger that the weight of evidence is in favour of the Inspectors. The right hon. Gentleman has told us why he throws over the reports of the Inspectors, and he does it in this way—he says the Inspectors did not mean what they said. Thus the critic explains what the witness stated. When they say the pupils have been taught well, they meant that the masters were capable of teaching well, but the pupils learnt nothing. I remember to have heard the right hon. Gentleman say once that he was a tutor at Oxford University ; we know that he is a ripe and good scholar. Supposing that a parent or guardian had called upon him to inquire after the progress of a pupil, and the right hon. Gentleman had said, Remarkably well ; I have taught him *Horace* excellently ; would the right hon. Gentleman have allowed the parent or guardian to go away satisfied that the pupil was making satisfactory progress, when the meaning of the right hon. Gentleman's words was only this—" I have taught him well, but he has learnt nothing" ? Thus the right hon. Gentleman paraphrases the language and meaning of gentlemen of honour, ability, and education.

Then, again, how does he deal with the objection urged by the hon. Member for Bradford (Mr. W. E. Forster) and others —" Why do you not act upon the Commissioners Reports—why do you not do what they recommend, instead of setting aside the Report altogether ? The right hon. Gentleman anticipated that question, for he had told the House that his object was to increase, not the quality, but the quantity of the education—to have not better schools, but to make them work harder and to hold out an incentive to have the largest percentage of children properly taught. The meaning of the right hon. Gentleman, as I would put it, is this :—"What is the use of stipulating that the Inspectors shall see that education and moral teaching are imparted when we know that, whatever the facts may be, these incorrigible men will give the money contrary to their duty?" After such an opinion of the Inspectors the House will judge whether, upon the right hon. Gentleman's own showing, it is desirable to adopt the new scheme on the ground that the Inspectors will carry out a new system better than they have carried out the old one.

There were four or five points in the right hon. Gentleman's speech of less consequence—one of these is the complication of accounts. But, surely of all absurd things, the most absurd is the notion of confounding the simplification of the accounts with the instruction of the children! There is no objection to such a simplification; the public money ought, no doubt, to be economized; but is the right hon. Gentleman really serious when he tells the House to be on its guard "against an army of stipendiaries who may overawe the Parliament and the Crown." All I can say is, that if the stipendiaries should take hostile measures against the House, the House must call upon the volunteers for assistance. But I do not think that such an argument will make a very deep impression upon the House. The right hon. Gentleman seems to be quite happy in office. Is he really embarrassed by the difficulty of his position? I venture to say that so great is his sense of duty that he would rather continue to serve his country in office than be driven from it by any such difficulty. Let him then, take counsel of the easy good-natured Gentlemen who sit beside him on the Treasury Bench. They have no difficulty in accommodating themselves to circumstances. They move from war to peace, from the Exchequer to the Admiralty, from the Admiralty to India, without apparently experiencing any trouble or difficulty. If he was embarrassed with difficulties, why did he not apply to them? They apparently understood all kinds of accounts, however various and dissimilar. The Chancellor of the Exchequer, who is such a master of figures, would soon systematize the right hon. Gentleman's accounts, and relieve him and the House from the difficulties engendered from having too many clerks—or too few, as the case might be. I do not object to economy. Let him, if he likes, reform by economizing the public money: all I say is, do not disturb and destroy the education of the children of the country. Then there has been an interesting conflict between the right hon. Gentleman and Sir James Kay Shuttleworth. I am not going to defend Sir James Kay Shuttleworth; but, as that gentleman is an absent person, he ought to be quoted fairly. The right hon. Gentleman said that Sir James Kay Shuttleworth's theory was that a knowledge of morals and religion ought to precede instruction in other branches of knowledge; and then he said that that was a very absurd opinion; that the Privy Council had nothing to do with morals and religion; that schools established to teach morals and religion were not within his system, that those things must be taught by the missionaries and not by the State. In fact, the right hon. Gentleman ridiculed the notion of teaching morality and religion throughout his speech, and in dealing with the arguments of Sir James Kay Shuttleworth asserted that that gentleman "had invented a physical theory of stupidity," to show why it would be impossible for the childen to pass his examination. Whether that is a fair description of what Sir James Kay Shuttleworth really said I will leave the House to determine. The passage to which the right hon. Gentleman referred is as follows:—

> "National education does not depend simply on the school training of one generation; the first generation of children in schools inherit some physical incapacity; they have no help at home from their parents; they are, on the contrary, much hindered from the bad example of rude household management, and the incapacity of parents to understand school training. The influence of the school is not felt until the parents themselves have been trained and instructed, or civilized by other influences."

Such is the passage to which the right hon. Gentleman referred when he said that those who argued that morals and some portion of religious teaching should precede reading, writing, and arithmetic, argued an absurdity. The right hon. Gentleman then went off to Diogenes, and his search for an honest man. Why, if Diogenes were to come now, and renew his search, he would soon know where to find an honest man at the Privy Council of Education. But why quote Diogenes, who, I think, was a man of very questionable practices and doubtful opinions? If the right hon. Gentleman chooses to transform himself into a modern cynic, he ought not to ask us to adopt his dogmas. All he can ask us to do is to stand out of his sunshine. The right hon. Gentleman has disposed of the school Inspectors;

but something remained behind—the masters and the clergy. It would not answer for the Vice President of the Council to leave undemolished each branch of the service with which he is connected, and therefore the masters are next dealt with. As to the alleged conceit of the masters, it all amounts to this—and has not the right hon. Gentleman known the same thing to have occurred in higher positions of life?—that when a man gets one place, he grumbles till he gets a better. Why, it is an Englishman's right to grumble, and that surely does not affect his moral character? The Commissioners in their Report alluded to this question thus—"Upon the whole, the charges brought against the masters are not sufficient to justify a censure upon the class;" and further say that the qualities of the masters are good, and their intellectuality is of a high order. Now, I asked the House to consider what the right hon. Gentleman has done. He says that a party in the House is in favour of what he has chosen to name the "vested interests" of these masters. But that party—and I am one of them—are only in favour of seeing justice done to the masters, precisely as we wish to see justice done to the Inspectors. We have no unworthy object to carry in reference to the masters; but we think that the scheme of the right hon. Gentleman, as has been proved already by preceding speakers, will operate most unjustly upon the masters, and will be utterly subversive of the pupil-teacher system. The right hon. Gentleman says that the masters have no favourable opinion of him, and he has himself shown that he has no favourable opinion of them, for he referred to them in his speech in the following terms—and I have never read a passage which gave me greater pain:—

> "For some time past the masters have been in the receipt of large incomes; and considering what they are and the circumstances of their education, they have enjoyed a vast amount of prosperity. Some people might be disposed to think that the schoolmasters ought, therefore, to be very contented; but I will take the opportunity of reading a few lines from the report of one of the assistant commissioners."

Now, the opinion of this gentleman is in itself of little consequence, but the manner in which it was quoted by the right hon. Gentleman makes it of the greatest consequence. The quotation runs thus—

> "Masters of National Schools are generally dissatisfied; their salary is far beneath that which an equal amount of skill and labour would command elsewhere; their position in society is lower than it ought to be, which is the fault of the clergy, who spoil the work by foolishly interfering. If it succeeds, they take the credit, and therefore the cleverest men leave their schools directly they can find a more genial employment."

The right hon. Gentleman, having read this extract, proceeded in his speech to quote the happy condition of the British schoolmaster.

MR. LOWE said, that he had not quoted the passage just read from the report of the assistant commissioner, but from the summary of the evidence contained therein.

MR. WHITESIDE: I understand that perfectly, as the House will shortly find. The right hon. Gentleman proceeded to describe the condition of the British schoolmaster, and continued his quotation thus—

> "The British schoolmasters share the feelings of the National schoolmasters as to insufficient salaries, but fortunately they are free from priestly tyranny."

Now it is evident that the right hon. Gentleman had two objects in view in this part of his speech. He says that what he quoted was a "summary of the evidence;" but, with great deference to the right hon. Gentleman, I must be allowed to say that it is not a summary of the evidence. That is a matter of fact. But I repeat that the right hon. Gentleman had two objects in quoting that passage—first, to insult the clergy; and, secondly, to cast an imputation upon the whole body of the masters connected with the Department to which he belongs, and upon whose fidelity, conduct, and morality, the whole system of national education depends. What is the meaning else of "priestly tyranny"? What did the right hon. Gentleman mean by quoting that expression? The "summary of evidence" in itself is of small consequence; but when an eminent person, sitting on the Ministerial benches, where, it is supposed, are to be found the best friends of the Church, in constructing an elaborate oration, fixes upon such a passage, culls it out from the whole summary of evidence, and gives it to the House for the purpose of showing how true is the whole idea that pervades his discourse, I will appeal to the Chancellor of the Exchequer, who is regarded as a great friend of the Church—who admires the clergy, and who is admired by them—and I will ask the right hon. Gentleman to say whether he thinks it was wise or expedient to select the members of that Church, who, in the majority of instances, are the managers of these schools throughout the country, and hold them up to public contempt as persons capable of inflicting "priestly tyranny"?

MR. LOWE denied that that was his meaning.

MR. WHITESIDE: What, then, did the right hon. Gentleman mean? Probably he will explain when he again addresses the House. I repeat that in constructing his elaborate speech the right hon. Gentleman designedly culled the only offensive passage in the evidence collected by Mr. Wilkinson, the assistant commissioner, to adorn his speech, and point it as a barbed arrow against the body he thought fit to censure. But, further, what is the fact with regard to this quotation? The right hon. Gentleman corrected me rightly when he said he had not quoted from Mr. Wilkinson's "report." I had the curiosity to turn to the appendix to the Report of the Commissioners, and I was surprised to find that the passage was a condensation of answers of witnesses to a number of questions propounded to them. But Mr. Wilkinson in his report, not only disclaims the calumnious statement, but reports exactly the other way, and in a manner highly favourable to the clergy, the masters, and the existing establishment. The right hon. Gentleman would have done well if he had quoted from the report, instead of from a summary of evidence of an entirely opposite character, for the purpose of picking out from the evidence of a single witness a passage showing that the masters were a grumbling, dissatisfied, discontented set of men, who, so far from being of advantage to the country, were overpaid and treated too indulgently. There were twenty-seven witnesses referred to by the Commissioner; of these twenty-six were members of the Church of England. The twenty-seventh witness was a Mr. R——: who he may be, I do not want more particularly to know; but he is described as "a schoolmaster in a poor neighbourhood in St. Pancras." The right hon. Gentleman (Mr. Lowe) passed over the twenty-six witnesses entirely, and fixed upon this twenty-seventh witness for the purpose of finding in his evidence the passage he quoted. This Mr. R.—— says he is a dissenter. That is no reason why he should not be allowed to express his opinion whichever way it may be; but there is no reason why he should claim the right to speak for the general body of National schoolmasters; and I dispute the fairness of the right hon. Gentleman in picking out the quotation in order to announce to the English nation that the National schoolmasters are suffering from "the foolish interference of the clergy," and that the British schoolmasters are subjected to "priestly tyranny." If the right hon. Gentleman will turn to the end of Mr. Wilkinson's report, he will see that he says—

> "I have a high admiration for the ability, zeal, and high tone of feeling, prevailing among the general body of masters and mistresses with whom I have been brought into contact in the progress of this inquiry."

The Commissioners say, too, in their Report—

> "It is sometimes alleged that they are conceited, that their behaviour to managers and persons connected with the school is not satisfactory, and that they are dissatisfied with their position. We have inquired into these assertions, and we do not think they are well founded. Cases of bad manners have appeared, but not enough to form a ground for any serious charge against the masters as a class."

Such is the acquittal of the whole body of the masters by the Commissioners. Mr. Wilkinson, again, is of opinion that education has made rapid progress, from the poorest districts in the east to the richest districts in the west, and himself testifies to the universal admission of its necessity, and the equally prevalent feeling that religion should form an ingredient in it. Mr. Wilkinson also approves of the principle of the present Government system of promoting local individual exertion, and recommends that the national grant should be largely increased. I therefore submit that the sentence pronounced by the right hon. Gentleman upon the masters and upon the clergy is entirely without justification, and also that it was as impolitic as it was unnecessary to quote such a passage—one which would have but small weight coming from "a poor schoolmaster of St. Pancras," but which comes with very different weight when it falls from the lips of a Gentleman of great eminence, a Member of the Government, to whom is committed, in deference to his talents and high position, the important duty of conducting the education of the country.

It has been said that the manner in which this scheme has been introduced is a matter of very small importance; but I am of opinion that the two last Resolutions which my right hon. Friend (Mr. Walpole) has proposed are among the most important of any which he has framed. They raise a constitutional question of great importance, on which this House ought not to hesitate to give an opinion. It may be in the recollection of the House that after the Report of the Commissioners had been laid on the table, and after the reports of the Inspectors had been received and examined, my right hon. Friend the Member for Oxfordshire (Mr. Henley) asked the Vice President what course the Government intended to take in the matter. In reply to that question, on the 11th of July the right hon. Gentleman said—

> "The question as to what system of education is to prevail will be regulated by the opinion of those whose hands maintain it."

And further on he said—

> "So long as it is the opinion of those who contribute to the maintenance of the schools that the present system is the right and the best one, so long will the present system continue."

And yet a few days after—on the 12th of August--the paper announcing the new Code is published by the Privy Council; and now, after the important speeches of the hon. Member for Bradford (Mr. W. E. Forster) and the hon. Member for Lincolnshire (Mr. B. Stanhope), both managers of schools, after the almost unanimous rejection of his proposals throughout England and the entirely unanimous rejection of them in Scotland, does he mean to say that this scheme is sanctioned by all those persons who carry on the work of education in the country? The statement is contradicted by the facts, and I hope the House will pause before they allow it to be carried into operation, considering the time, manner, and mode in which it has been introduced by the Government. I have heard of the Russian Government being arbitrary, of the Austrian Government being despotic; but what more despotic act could either Government have done than to announce its will, and say that they had determined that the matter should be done so and so, and that they would not be overruled by discussions that might arise upon the subject? Can a system carried out without the sanction of Parliament be binding on Parliament? It seems at first to have been decided to say nothing until the public money was about to be voted, except to make a declaration that no change in the system should be effected save in conformity with the opinions of those by whom the work of education is carried out. And, indeed, the right hon. Gentleman seemed to say, "Let us do this thing rightly, properly, and exactly in the spirit of the Constitution;" and he appeared to think that you ought to resist the Resolutions of my right hon. Friend.

But I have no doubt that when the House goes into Committee it will take care to confirm those Resolutions in such a manner as to coerce the Government to pay that respect to Parliament to which Parliament is entitled, and that no change will be tolerated by this House until it has first been fairly proposed and maturely considered. The right hon. Gentleman says that one great argument why you should overthrow the system is that it is expensive. I shall not enter into the question of expense, further than to say that I admit the cost is considerable, but you ought to rejoice that the results have been so valuable. I quite admit that half a million is a considerable sum; but the same argument, I would urge most respectfully upon the House, would apply if the Vote were a million and a half as will apply now. You neglected too long the education of the humbler classes. You have endowments for the middle classes and the rich; you have colleges and universities which hold out to the wealthy inducements to pursue knowledge and become distinguished in the noblest paths of intellect. All that you have done, but for a long series of years you did nothing for the education of the poor. The Scotch Parliament did something, and we see the results in the improved moral condition of the Scotch people. You have now begun the great work; and have you not been successful? Are you not satisfied in mind with the results, and are you not anxious to persevere in the good work that you have commenced? And observe, your whole course of legislation of late years has been on the side of mercy. Last year you repealed by wholesale statutes that imposed capital punishment. Nobody rejoiced more than I did. What would Romilly have said had he lived to see the day when you abolished the punishment of death in nine cases? And why are you so legislating? Because you are educating the people on the one hand, while you are legislating in a spirit of humanity on the other, and I have little doubt that your final success will be glorious. Why speak night after night of the cost of iron ships, of armaments, of your expensive wars that filled the world with widows and orphans? What is this small grant compared with the cost of those things—what is it compared with the wealth and the greatness of this nation? Is it not one of the best purposes to which the money could be put? Economize the system if you please

—but do not imperil the education of the humbler classes of your country. In former days this country indulged in the pride of conquest, in the splendour of victory. You are now more usefully employed; easier battles are to be fought, a victory is to be won over ignorance, misery, vice, and crime. I have no doubt you will be successful in the conflict, and the results will add to the peaceful glories of Victoria's reign.

MR. BERNAL OSBORNE: I cannot help suspecting from the tone of several passages in the able speech which has been made by the right hon. Gentleman who has just resumed his seat, that he is rather inclined to dissent from the first position of the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole)—to dissent from it so far that he is disposed to infuse into this debate somewhat of a party spirit. Sir, I shall endeavour to steer clear of anything of the sort. I think that the discussion of this question, the solution of which is, of all others, so great a social problem, ought not to be dragged down to the narrow level of a party conflict. Now, the right hon. Gentleman who has just sat down has given us his ideas of the difference between a critic and a witness; but I must say, after having attentively listened to every word of his speech, he has displayed in reviewing this question more of the ingenuity of the critic than the fairness of the judge. The right hon. Gentleman, leaving Ireland aside, has taken up for the occasion, as regards education especially, the question of justice to Scotland. But when he speaks of the profound principle which the great Butler inculcates, and however he may have read Lord Macaulay, the right hon. Gentleman does not appear to have paid very close attention to the evidence which was given last year before the Select Committee on the Relief of the Poor in Ireland as to the morals of Scotland; because if he had read the testimony of Mr. Briscoe, he would have found that the morals of the ladies of that country are not altogether of the most brilliant description, and that the Scottish system of education has not promoted that particular virtue of which he is so great an admirer. So much for the Scotch portion of the subject, which has been somewhat unwisely, I think, introduced into this subject.

Now, Sir, I cannot see why so much odium has been attempted to be thrown upon the right hon. Gentleman the Vice President of the Committee of Council on Education. I, for one, think that great credit is due to him for the moral courage and ability which he has displayed in grappling with the costly, cumbrous, and complicated details of this system, which by successive minutes and diverse Orders of Council, under different Ministries, has been made unintelligible to the many and a puzzle to the few. The right hon. Gentleman, in that speech which has been so severely criticised this evening, showed himself equal to the task which he has undertaken. He not only unravelled all the details of this complicated system, but laid them bare before us; and we are here not to catch at petty details, but to look at the workings of the whole machine. I am not at all surprised that the right hon. Gentleman has been met with violent controversy and loud outcries. It is in the natural course of things that whenever Government seeks to control and check a large public outlay, which by means of bounties and protection has been fostered into a purely artificial system, they should be met with a most vehement opposition from those who have been nurtured and kept by that system. And when we are told that those excellent men of all religious denominations—"hating each other for the love of God" in other things—all agree in opposing this Code, we know that, however Gentlemen may differ in doctrinal points, they will all unite in going to the public Exchequer for their support. Therefore, I am not at all surprised that the right hon. Gentleman has been met with such vehement opposition from all classes of the clergy. There is a remarkable unanimity of opinion displayed that those grants should go on unchecked and uncontrolled. I must say, when those clergymen do agree their unanimity is wonderful. All reforms must necessarily cause individual hardship; but it is not for Parliament to consider that, but how far this Revised Code may be advantageous to the public in general. Let us look at it in that light, and discuss it without throwing taunts on the right hon. Gentleman—taunts which I think were unworthy of the high position of the right hon. Gentleman who has just sat down. Let us discuss the question, not as a matter personal to the Vice President of the Committee of Council on Education, but as to whether it may be advantageous or otherwise to the country.

Now, divested of all tedious and difficult technicalities, I think the question is in itself a very simple one. Here we have a scheme which has been above twenty-two years in being—a scheme which always, until to night, has been admitted to be provisional and experimental. That is of some importance for the House to consider. Well, what has been the cost of this scheme during those twenty-two years? I find it has been £4,500,000. Having commenced in the year 1839 with a draught for £32,000, it has slowly, unchecked by Parliament, mounted up now, in 1862, to £825,000. Hitherto we have been content to look upon this system as a mere experiment. Let the House always bear that in mind. Now, what is the wisdom brought forward before the Royal Commission as to the ultimate consolidation of this expenditure? We have the evidence of one rev. gentleman who knows as much of this system as any man, and he stated before the Commissioners, that if the existing scheme were carried out to its full extent, it would cost £5,000,000. This is the evidence of Dr. Temple. The most sanguine supporters of the system admit that it cannot be worked to its full extent for less than £2,100,000. This is an enormous sum. And is Parliament to go on sanctioning these costly grants, made and spent without sufficient inquiry, and exercise no check or control over this wasteful system? What were the circumstances under which this Royal Commission was appointed? It was appointed at the instigation of the right hon. Baronet the Member for Droitwich (Sir J. Pakington), to whose exertions in the cause of Education I render my sincere tribute of respect. The Commissioners sat, I believe, for two years and a half. Their labour was very great; and what has been their report? I do not think sufficient stress has been laid on what the Commissioners say; it has been rather too much assumed that their Report is favourable to the system. I will endeavour to prove that their report is condemnatory of the whole system as it at present exists. The Commissioners, after commending the system of pupil-teachers and trained masters as superior to untrained teachers, add, "They are in every respect but one positively good." But what is that respect? It is this, "that the junior classes, comprehending the majority of children, do not learn, or learn imperfectly, the most necessary part of what they come to learn—reading, writing, and arithmetic!" This, in my opinion, gives up the whole case. In the name of common sense, what are children sent to school for but to acquire the rudiments of education—to learn reading, writing, and arithmetic? The right hon. Gentleman talks of discipline. Is not learning to read and write in itself a moral discipline, and discipline of the most wholesome kind? There are hon. Gentlemen in this House and noble Lords in another place who seem to think with Dogberry, that "to read and write comes by nature," and that it is not necessary to take any pains about it. They say we should look mainly at moral results. But how can you possibly attain much moral result if reading, writing, and arithmetic, the three first elements of education, are neglected? Now, what have we done under this system, that may cost us between four and five millions? We have created a central office, so unwieldy that it has broken down, as I will presently show. I will quote nothing from anonymous pamphlets; I shall not even mention Mr. Chadwick's; I attempted to read it, but, like the great central office itself, I broke down. I will only quote from the Report of the Commissioners, to show that we have created an army of schoolmasters, teachers, and inspectors—an enormous stipendiary army, all looking to the State for assistance, and some of whom are ready to threaten the Executive if the grants are not continued in their present shape. But is the House of Commons prepared to allow this army of teachers to play the tyrant? Have we not had something like a political blunderbuss presented at our heads, with threats, that if we do not vote these grants, we shall be turned out at the next election? Has representative Government come to this? It seems nearly to have come to this; and in consequence of the mistake of making these costly grants, by which we have created an army of stipendiaries. Now, though I am not prepared to say I entirely approve this Revised Code, I do agree with the right hon. Gentleman that a revision of the present system is most necessary. The revision is a step in the right direction. The fault I find with the revision is that it does not go far enough. The right hon. Gentleman merely sets up a finger-post to point out the way the House of Commons ought to go. I accept his direction, but I think the Revised Code falls far short of the occasion. We have heard a great deal to-night—more to-night than in the former debate—of the religious view of this question. The religious element has been more largely introduced. The right hon. Gentleman (Mr. Whiteside) is particularly the representative of the clergy; he says my right hon. Friend (Mr. Lowe) is not the friend of the clergy. But I utterly deny the success of this scheme of education as a system of religious teaching. I am prepared to show that it has as much failed in religious teaching as in teaching reading, writing, and arithmetic. What is the opinion of Dr. Hook (the Dean of Chichester) on this subject? He says it is a mockery to tell the people that this system of education teaches the children religion, because they are permitted to dog's-ear their Bibles in school. And what is the evidence as to the efficacy of the system on this point of another rev. gentleman, whose testimony is entitled to great respect? Mr. Brookfield says he in 1859 examined 1,344 children in the first classes of 53 schools, containing 6,890 scholars. One question he put to them all was this—"What do you mean by 'the state of life into which it shall please God to call you'?" He says, of the whole 1,344 children, only 142 were able to answer this question from the Catechism, and he reports accordingly. The evidence shows that the religious teaching is something merely learned by rote. What is Mr. Fraser's testimony, and Mr. Forster's? It is that religious principles are taught only by rote and most defectively. Mr. Jellinger Symons says—

> "In Scripture I find nothing commoner than a knowledge of such facts as the weight of Goliath's spear, the length of Noah's ark, or the dimensions of Solomon's Temple, by children who cannot explain the Atonement, the Sacraments, or the Parables with moderate intelligence, or tell the practical teaching of the Saviour's life."

And in the Report of the Royal Commissioners they themselves say—

> "The religious instruction of the children is unintelligent, and, to a great degree, confined to exercises of merely verbal memory."

It is a vain attempt to make this a religious question; it is not a religious question. It is really a breeches-pocket question, and whether the country is to continue to pay, and the managers and schoolmasters to receive. And let us look a little at this point. All have agreed that something must be done, with one remarkable exception. The right hon. Member for the University of Cambridge (Mr. Walpole) says that something must be done. [MR. WALPOLE: I am not going to propose anything.] Well, he made an able speech, in a spirit becoming the subject; but he ended by moving a series of negative Resolutions; and finally he tells us, in a stage whisper, that he will propose nothing. Is the House satisfied with that? There is only one hon. Gentleman who has spoken on this subject who says nothing ought to be done—the hon. Member for Hertfordshire. [MR. PULLER: I beg the hon. Member's pardon. I did not say that nothing ought to be done.] At any rate, the hon. Gentleman gave us no inkling of a scheme. He condemned the new scheme, root and branch; he said it was an immoral act; and I am surprised to see him now in conversation with the author of that immoral act. It has been asked where are the petitions in favour of the scheme, and great ridicule was thrown on my right hon. Friend when he presented a petition from one solitary schoolmaster in favour of the Revised Code. All of us have witnessed the proceedings in regard to petitions, and we all know that this is a great manufacturing country, and it is possible to manufacture any number of petitions if you have a good organization. We have heard something in the course of this debate of a very excellent man, the Rev. Mr. Scott. I do not often read sermons, but I have read one of his to the working classes, and I never read a better one in my life. Mr. Scott has taken a prominent part among his Wesleyan brethren in the education of the people. But Mr. Scott is not quite insensible to the way petitions are manufactured, and here is an extract from a letter of Mr. Scott, in which he details the plan by which Members are to be be worked. It is addressed to the ministers of that most excellent persuasion, the Wesleyan—and we know how they ramify throughout the country—and is dated from Westminster, March 12. The Wesleyans have received £300,000 for their schools, and, naturally, have a great interest in receiving £300,000 more. "All legitimate influences," says Mr. Scott, "should be used with our representatives in Parliament." This is very curious. "Few of them understand the subject of the Revised Code so well as to have any opinion of their own." I do not know whether this is Parliamentary language. "They are, therefore, the more likely to act for their constituents if they plainly and strongly express to their Members their convictions." We know what that means. It means an opposition "looming in the future." "Will you carefully see that a petition is immediately forwarded from the managers of every school in your circuit?" That is the way petitions are manufactured. It is asked, why are there no petitions for the Revised Code? Who is to petition, I ask, for the poor? Any man who attempts to make a reform, or to throw himself in the gap to do an unpopular thing cannot command an organization. Nothing is so unpopular as to stop money which has been going on for years—nothing; and I say, instead of taunting the right hon. Gentleman (Mr. Lowe), the right hon. Gentleman is one of the best friends which this country has had, not only in showing upon merely economical, but upon higher grounds, that the Government ought to see that proper education is given, and that the country has some return for the money which is so lavishly expended. It is said that there are no such things as vested interests. In the teeth of all these schoolmasters meeting together and holding pocket-pistols—moral pocket-pistols—to our heads in the lobby, we are told they are not the representatives of vested interests; and the hon. Member for Hertfordshire went so far the other night as to say that the faith of the country was pledged to the certificated teachers. The hon. Gentleman's doctrine seems to be that all these sums which the House has so lavishly granted are given not so much primarily for the education of the poor, as for the benefit of this army of schoolmasters, who are first to receive their education at the public expense, and then turn round and threaten the Government and Members in general unless the grants from the public purse are continued. I am surprised that the hon. Gentleman (Mr. Puller), with his Chancery experience, should have said, in the teeth of the Report of the Commissioners, that the faith of the country was pledged to the certificated teachers. What do the Commissioners say? [Mr. PULLER: Hear, hear.] Would the hon. Gentleman like to hear?

> "It may be said that the State has excited expectations in the minds of the teachers by the system of augmentation grants, which give them a moral right to their continuance. We do not think this really to be the case. The fact that under the present system the sums are voted annually, and not by a permanent charge upon the Consolidated Fund, shows that the State is not pledged to its permanence. Indeed, it is notorious that it has grown up by degrees, and that ever since its origin the propriety of replacing or altering it has been under discussion."

I cannot understand how, after such a statement by the Commissioners, a gentleman with a luminous mind like the hon. Member can reconcile his Chancery experience and his knowledge as a lawyer with the assertion that the faith of the country is pledged to a continuation of the grant for certificated teachers. My hon. Friend—if he will permit me to call him so, and every one who heard his speech must wish to call him his Friend—my hon. Friend the Member for Bradford (Mr. W. E. Forster) made one of the most powerful speeches which have been made upon this subject, displaying great reasoning powers, and discussing the principles in such a way that I confess I felt disinclined to rise immediately after him. At the end of his speech my hon. Friend, carried away, no doubt, by his enthusiasm in the cause of education, termed this a pedantic and bureaucratic scheme. I think that at any rate the scheme does not deserve to be called bureaucratic; because if it does any one thing more than another, it decentralizes and cuts away the patronage of bureaucratic administration. One of its great recommendations, to my mind, is that it simplifies administration. What business has the Government, I ask, to interfere or meddle with education? It was not originally contemplated that they should do so. It was never contemplated that this office of the Privy Council should interfere and meddle with education. The right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole) very artfully endeavoured to enlist the sympathies of the old Whigs—the Gentlemen who sit on the back bench and who go to sleep at eleven o'clock. The old Whigs are fast fading away from recollection, but the right hon. Gentleman endeavoured very artfully to enlist them against the innovations of the right hon. Gentleman (Mr. Lowe) by insinuating that this was the scheme of Lord Lansdowne and of the late noble Lord who has gone to another and a happier place—Lord John Russell. He said they had initiated this scheme. This is more material for the old Whigs than for the rest of the House. But I deny that they ever contemplated a continuance of the scheme under the Board of the Committee of Council on Education. What said Lord Lansdowne in July, 1839?—

> "A permanent settlement [of education] was at present quite out of the question; the arrangement contemplated was of a temporary nature, liable to be modified at pleasure, and revised at any moment, or enlarged if found to work well for the country."

Lord John Russell said—

> "Those who in 1839 commenced the system did not intend its plan should be such as to pervade the whole country."

What has grown up under this system? Why, we have an office the magnitude of which is so great that the staff exceeds the entire staff of the Secretary of State for the Home Department; and, in spite of this enormous staff, it is at the present moment unequal to the duties which have been thrown upon it. We have some extraordinary evidence on this point. There is the evidence of a gentleman probably better able to give evidence on this particular point than any man in the country—Mr Lingen, the Secretary of the Education Committee for fourteen years, who has seen the Votes grow from thousands to hundreds of thousands, and who knows intimately the working of the system. What does Mr. Lingen say?—

> "It you follow out the present system it will break down at its centre, without a much larger establishment than either Parliament or the country would be willing to grant."

He is asked by Mr. Lake, one of the Commissioners—

> "Do you think it would be possible or desirable materially to reduce the existing amount of Government assistance?"

He says—

> "My own opinion is, that if the whole were withdrawn to-morrow, things would not fall back to what they were before by a very great deal."

What is the evidence of another gentleman, who has retired in consequence of ill health (Mr. Chester), and who was in the Committee of Privy Council on Education from 1839, and lately Assistant Secretary ?He is of opinion—and I wish the House were generally of opinion—that—

> "The Committee of Privy Council is so overwhelmed with details it has not time to direct its attention to general measures. The system of placing the education of the country under the control of a department of the political Government appears vicious in the extreme."

These are the opinions of Mr. Lingen and Mr. Chester, two gentlemen who have worked in this office and who know its working thoroughly. They are of opinion that we have created an office which is totally unequal to grapple with the mass of details thrown upon it by Minutes and Votes of this House. It is a very material thing for the House to consider how far the Revised Code deals with this state of things. I think it deals with it in a most sensible manner. It is the best thing it does. No one will question that to simplify the business the great thing is to reduce all these various grants to one payment. Therefore, the right hon. Gentleman has reduced them to one capitation payment, which is the great virtue of the Code, leaving the managers to appropriate the money, and taking away from the masters and pupil-teachers the idea that they are stipendiaries of the State. For my own part, I look with much suspicion, and not a little horror, on the creation of a host of State-paid men, whose claims may reach no one can tell how far. They have threatened Parliament—take care they do not go even beyond that.

And, now let me ask, how far is this really a system of national and popular education? I find that the assisted schools number 8,697, while of unassisted schools, which receive no Government pay, there are 15,925, or about twice as many. How, under such circumstances, can you say that you have a truly national system of education? It never reaches the social depths. It educates those who ought to educate themselves, but it leaves untouched the very class you wish to get at. Take the county in which I have the honour to represent a borough. In Cornwall there are 71 parishes with a population under 600, and I believe out of that number there is only one school which receives a Government grant, and that is in Liskeard. Of course that borough is very unwilling to part with the grant; but I have a sense of public duty, and I feel, that although I have presented a petition against the Revised Code, I cannot consistently vote against the revision and support my very excellent friends who form the body of schoolmasters in Liskeard.

I come now to a very material point, which I think has been least thought of in this discussion—namely, the nature of the teaching under this system and its consequences. What is its nature? Can any hon. Gentleman who has looked into the whole system—who has gone through one of those labours of Hercules, wading through the report with its five volumes of evidence—which has given me a most terrible vertigo—can any one doubt this, that the whole of the system is pitched too high, that the system is too ambitious, and that we have been occupied too much in cramming head boys to send out by way of show, instead of instilling the rudiments of education into the great mass of children. We have heard a great deal to-night about the influence of the clergy. To my mind, they deserve immortal honour for the pains they have taken with the system, and I think my right hon. Friend the Vice President has been unjustly treated in this respect, when he was taunted with having used the phrase "priestly tyranny," because he gave full credit to the clergy for their great efforts in the cause of national education. But how has this ambitious system acted on the clergy? Mr. Fraser, speaking of the failure of local aid, describes the effect of the present system in that class. "The ambitiousness," he says, "of the present teaching has tended more than anything else to alienate the laiety from the work of elementary education, and to throw it entirely on the clergy." Is that right or just? On the same point the Commissioners say in their Report, "We have come to the conclusion that the instruction given is commonly both too ambitious and too superficial in its character." In the teeth of such evidence it is ridiculous to speak of our having a perfect system of education, and that it is an immoral act to attempt to revise it. Mr. Fraser gives a curious instance of the tendency of the present pretentious standard of education. He found in one school a poor young mistress, evidently earnest in her work, carrying her class through a sum in long division with eight figures in the quotient, which but one child in the class could read. Will the House believe it possible that under this system which is so highly prized, which we are deluged with pamphlets and letters to sustain, such a thing could occur? He mentions also that the certificated schoolmistresses of Kirkdale apologized for devoting their time to teaching history and geography by saying, that if their salaries did not depend on their children answering the Inspector of Schools in history, &c., they could spend the time much more profitably. That was to say, that if these schoolmistresses were not engaged in teaching the children what could be of no earthly use to them, they might teach them reading, writing, and arithmetic, which would be of the utmost value. The whole evidence on the subject leads us to the conclusion that unless the children are taught the primary elements of education, all higher knowledge is utterly useless; for the children will not be educated, and the money of the country will be spent to no purpose. We heard something from the hon. Member for Bradford and other hon. Gentlemen about the co-partnership of the Government in the training colleges. I could not help thinking that if my hon. Friend had that sort of partner in his manufactory he would very speedily make him a sleeping partner. For what is this partnership of the Government with respect to the training colleges—which I am sorry to say the Revised Code does not touch or interfere with in any way? This omission is a blot on the whole scheme. I find that the cost of these training colleges has amounted in building grants to £2,544,000, and there are thirty-four training colleges I believe in England and Wales, having in them 2,065 students, male and female. These training colleges were originally founded upon self-supporting principles. How are they self supporting now? We find that in one instance—the Cheltenham College —99 per cent, and in all others 90 per cent is paid from the public taxes to the support of these training colleges. And that is what is called a partnership between the Government and the colleges. If it continues, it will be a partnership on the principle of unlimited liability. I find also, from the evidence, that these colleges do not appear to be in a proper state at all. There are hints in the Report of tendencies to immorality, and other faults, which it would be well to inquire into. I will not go into those matters now. There is, however, one great objection to the system to which I would direct attention. The supply is greater than the demand. We are educating a great many men at the national expense for whom there are no places in the schools, and who are thus enabled to compete with the public at large for situations in Government offices. The evidence of the Reverend Samuel Clarke, Principal of the Battersea Training College, bears very strongly on this phase of the question—

"You mean, that taking the training schools, generally speaking, through the country, the supply is now greater than the demand?—I believe it will be so next year, if it is not this year [1859].

"If the Government turns out such a large supply, and pays for their support, does not it virtually discourage any other class of men from coming into the market?—I believe so.

"And at the same time it is impossible that its own class of men should be paid for, because they ask such high salaries?—Yes.

"The total expenditure for the training colleges might be diminished, and diminished with advantage?—I must confess that I think so; but, of course, it must be considered how far it would be keeping faith with those who have built and founded those colleges.

"In point of fact, have the subscriptions fallen off since the Government have paid so much?—Yes, our subscriptions have fallen off from £1,500 to £300."

Yet there is abundant proof that these schoolmasters are not grateful for the education afforded to them at the public cost, and are generally discontented men. I hope my right hon. Friend the Vice President will not omit to deal with the training colleges in a more serious spirit, and will have a Committee to inquire into their present condition, and into the expediency of continuing the grants.

It seems to me that the principle of a national system of education has been lost sight of in this discussion. What has been the effect of Government interference in the education of the country? There can be no doubt that its effect has been to cripple voluntary effort; and if the speech of the Vice President of the Board of Trade —[An hon. MEMBER: Vice President of the Committee of Council for Education.] Well, education is now but another trade —if the speech of the right hon. Gentleman was worth anything, it went to show that the system of Government grants had crippled, if not extinguished, voluntary energy. Here is the most conclusive evidence on this point from two men who, from their knowledge as masters of public schools, are peculiarly qualified to speak on this point. The Reverend Doctor Temple, the Head Master of Rugby, late President of Kneller Hall, and at one time an Inspector of training schools, says—

> "The system has done the great good of improving education, it has also done the great harm of accustoming the educators to lean upon the Government; the more they are accustomed to lean on Government the less they are willing to stand on their own strength. I think the good is increasing, but that the evil is increasing much faster."

He objects to the enormous expense of the system, to its rigidity and want of local interest, and adds that he has no doubt, that if Parliament goes on upon the present system, the grant will eventually reach five millions. Dr. Vaughan, the Head Master of Harrow, says—" Nothing, not even the defence of our shores"—I am sure that the Bishop of Oxford took that idea from him—

> "Can be more important than the education of our people; but is there no risk of injury to the cause itself by these lavish and wasteful subsidies —no risk of paralysing energies which we seek to stimulate, and of inducing, in place of vigorous individual effort, a most un-English reliance upon Government aid? I can have no hesitation in believing that that has already been in some cases the result of the present wasteful profusion."

And yet, in the teeth of this evidence, from great and remarkable men, we are about to consolidate and extend this system, without first inquiring what is the real principle on which Government interference with education ought to proceed. I believe that we never had but one debate upon the subject in this House—that which was brought on by the right hon. Gentleman the Member for Droitwich (Sir John Pakington)—to whatever falls from whom upon this subject, although I differ from him in opinion, I pay the greatest attention. I cannot conceive why, at this period, which is particularly favourable for settling this question at least, we should not come to some decision upon it. Here we are; no party spirit; a little infusion to-night, but very slight—a tincture of the University of Dublin. Here we are— Reform at a discount:

"Its name is never heard;
"Our lips are now forbid to speak
"That once familiar word."

Why, even the invasion panic is gone by. There is a political millennium. The Conservative lion is lying down by the Liberal lamb; and if the noble Lord at the head of the Government could only get an Irish Lord of the Treasury, everything would be smooth. The calm almost approaches stagnation. Chickweed is on the face of our debates. Why, then, cannot the Government—I will not ask the right hon. Gentleman, because I know he has already raised a storm which will probably serve him till the end of his life—but why cannot the Government come down boldly and propose—I will not say some comprehensive plan, because when that is done by a Government it means profusion and waste— but why should they not endeavour to unfetter the popular education of this country from the trammels and ties of Government assistance? I do not ask you at once to stop all votes, but gradually to accustom the country to run alone in this great matter. Since I have looked into this subject —and I have looked into it very deeply and attentively—I have come to the conclusion, that if you wish the country to be educated on right principles, that if you wish the healthful spirit of the community to be restored, you must not continue this lavish system of Government grants and put the matter of the education of the country under a Government office. The political departments of this country ought to have nothing to do with the education of the people. And when I am told of the unanimity of this Report, I say that the Royal Commissioners were not unanimous upon this point. No attention has been drawn to the report of the minority, but among that minority was not only the respected name of Mr. Miall, to whom objection may be taken by some because he is pledged to the voluntary system, but also that of Mr. Goldwin Smith, whom I take to be one of the rising men of this generation. And what did that minority say? Why, they disagreed altogether from the Report of the majority, and they say that they desire that—

> "A good type of school-teachers having now been extensively introduced, the benefits of popular education having been manifested, and public interest in the subject having been thoroughly awakened, the Government should gradually abstain from making further grants, except grants for the building of schools, to which the public assistance was originally confined, and the discontinuance of which would be unfair towards the parishes which have hitherto received no assistance. The annual grants which are now made should be gradually withdrawn, and Government should confine its efforts to the improvement of union schools, reformatories, and schools connected with public establishments."

They add—

> "At least, they do not feel confident that the Government will ever be able to control the growing expenditure and multiplying appointments of a department the operations of which are regulated by the unceasing and varying demands of philanthropists rather than by the requirements of the public service."

I cannot help thinking that the Report of this minority is well worthy of the attention of the House. We have never yet discussed what are the true principles of popular education. So long as we are content to lavish these sums without inquiry, I feel confident that this Revised Code will not be sufficient to deal with this extravagant outlay, and that we shall eventually be compelled once for all to put a stop to this lavish expenditure from the public Exchequer.

Mr. ADDERLEY said, that he could not agree with the hon. Member for Liskeard (Mr. B. Osborne) that this was a question simply of economy. It appeared to him to be a question whether the present system of expenditure on National Education was beneficial or injurious to that education. This at least seemed clear, that the opinions of all Members, on both sides of the House, were thus far agreed, that some revision was necessary in the present Education Code. The only question was as to the kind and mode of the revision. The Code itself was scarcely two years old, and it seemed rather young perhaps, for revision; but it must be borne in mind that the law on this subject had long required it, but was not capable of revision until the consolidation of the Minutes of Council, which, at the time he (Mr. Adderley) was at the Education Board, were scattered through the Reports of twenty years. They were indebted to the right hon. Gentleman the Vice President of the Committee of Council on Education, for the steps he had afterwards taken in codifying the consolidated Minutes; and he thought that all who were interested in the subject of education were indebted to the right hon. Gentleman for having made this Code which he now proposed to revise. He did not know that in any instance by-legislation by a Department could be more justifiable than in connection with a system based on the support of various religious denominations and which could not come under discussion in the House without raising a certain degree of religious animosity. But though he thought that by-legislation by a Department was wise on the subject of education, yet it was quite clear that it must not be allowed unlimited scope or permanence in its action, without being brought from time to time under the revision of the House. No sooner was the Code established by the Vice President of the Board of Education than the whole subject of National Education came under the consideration of a Royal Commission; and therefore no step could be taken by him in the way of its revision pending their inquiry: but no sooner did that Royal Commission report than the right hon. Gentlemen proceeded to revise the Code which he himself had drawn up, and his proposed revision was the present subject of discussion. The revision proposed applied mainly to the second chapter of the Code; and it certainly had been misrepresented, and its character greatly exaggerated, when it had been called a proposition for revolutionizing the existing system of national education. At the same time, he did not in the least undervalue its importance, for it referred to the most material part of the system—namely, the nature and mode by which the Treasury grants in aid of education should be made to schools. It was now proposed that the aid from the State, instead of being made in appropriated grants to the teachers themselves, should be given in annual sums in aid of the funds of the managers. That, he allowed, was a very important alteration but it certainly did not go to the extent of revolutionizing the whole system of national education. The apparent object of the change was to do that which was suggested in Mr. Lingen's circular to the schools at the time the revision was first proposed—namely, to limit the interference of Government and to revive the action of voluntary management. So far as that object went, they would concur, he believed, in approving it. The present system had very much overlaid the spirit of voluntary action by Government interference. No one, who had watched the course of events for the last twenty years, would doubt that such was the case. He would, for a moment, draw the attention of hon. Members to the circumstances under which this system arose; with what difficulty the Government induced the managers of schools to accept Government aid; how they had to coquette with school-managers and with the two educational societies then in existence to induce them to come in to any relations, and how they had to bind themselves not to interfere further than to see after the expenditure of their own grants; and the House was so averse to interference that, if he mistook not, the proposition was only carried by a majority of one. But what was the case now? So far from the great educational societies being averse to Government aid, they were hugging the Government, and crying for more and more. This was a distinct proof that Government aid had overlaid the voluntary spirit. No one who had taken part in the management of schools could doubt that such had been the result. For himself, he could say that he had felt the influence of Government aid. As the Government increased their grants he gave less, and directed those funds into other channels. When he found that the Government was ready to do what he was doing before himself, he abstained from doing it, thinking that he might as well have his share in the public purse as any one else. He thought it would be allowed that this was the inevitable tendency of Government aid in all cases. Had it not been the case with regard to every other institution which Government had assisted? It had been so with reformatories and industrial schools; and it was probable that few hon. Members recollected that Houses of Correction were at first charitable institutions to give work instead of severe punishment to slight offenders, and were supported by voluntary contributions. But when Government aid was given to these institutions, they gradually became Government Establishments. This being the natural tendency of all Government interference, he thought that those who believed that voluntary support ought to be the basis of national education, and thought that alone was a guarantee of the religious character of the education, had better look carefully to this, and recollect that they had no time to lose if they desired to check this tendency of Government aid to overlay voluntary efforts. The Government, in the first instance, for a great national object, pressed their aid on voluntary bodies labouring in the cause of education; but now they found these bodies leaning upon them to such an extent that they necessarily remonstrated. If the managers gave up the management of schools entirely to the Government, it would conduct them on a simpler and cheaper plan than the managers did. It was in consequence of the voluntary nature of the undertaking that a complicated system was necessary. Inspectors of various religious denominations had to be provided, and it was not uncommon for two three Inspectors to arrive in a small town in one day to examine different schools, all aided by the Treasury; and this was the more absurd in Scotland, where the religious sects were very numerous, but the differences between them were not differences of creed, but matters of patronage only. If the managers were so very anxious to rest on Government aid, then the Government must at least adopt some check on its application. If the management was left to the Government, it would do the whole thing in its own way at half the expense; if not, the Government aid should only come in the shape of aggregate annual sums to the managers of the schools, and the masters must be the servants of the managers, not of the Government. So far he thought the proposition a wise one. He now came to the question as to the mode of carrying out this object. He must say there was some difficulty about the present proposition. They were all agreed that they should revive the voluntary system, but it was difficult to say how that was to be carried out. The proposition before the House was, to carry this out by paying the grants of the State no longer as heretofore in augmentation of salaries, but as an aggregate annual sum added to the incomes of the managers; and the proportions of these grants were to be regulated by an individual examination test. Now, it was said that this gave a precarious nature to the aid—this was the principal objection to the mode proposed. But those who thus objected ought at the same time to consider whether it was possible that Government aid could be given without any test, and a test must be precarious in result or nugatory. He did not see that the managers' incomes under the test proposed would be precarious. The aid to schools must be more or less precarious if dependent on a test; but the managers would not be subject to that risk, but the teachers. He supposed that the managers would pay the teachers as they had hitherto done, and would add to those payments a certain proportion of whatever they might get from the Government. The proportion for teaching was generally one-third. The risk, therefore, to the managers would be nothing, and whatever it might be to the teachers depended upon themselves. It seemed to him that, so far as regarded the receipt of Government aid, there was more precariousness in the existing system than there would be under the proposed scheme, because under the existing system aid depended on the amount subscribed, but in the new scheme the amount which the master would receive would depend much more on his own success as a teacher. But then came the question, how was the test of an examination to be applied under the Revised Code? The proposition was an examination of the scholars according to a certain *minimum* standard of instruction; for it was clearly not meant that the proposed standard was to be regarded as the *maximum* amount of education which was to be supplied; it was merely to be held to be the *minimum* amount below which it was supposed no instruction was given at all. It was evident that the test proposed was not intended in any way to limit or to characterize the nature of the instruction given; and it would be as unreasonable to suppose that by such a proposal any discouragement would be offered to a higher class of teaching, or to religious teaching, as it would be to say, that the Government by promising a certain sum for every Volunteer who could show he had passed the first drill, would be holding out to drill-serjeants an inducement to confine their instructions to the goose-step. He must say he thought the arguments which he had heard in more than one instance used with reference to the *minimum* standard of which he was speaking were not only nonsense, but nonsense put in a form insulting to the managers of schools, who were represented as not likely to attend to anything beyond what was required for a grant in aid. He must at the same time observe, that although he considered it most desirable that the object which it was sought to accomplish by means of the Revised Code should be attained, he could not help entertaining the opinion which he had expressed when it first made its appearance, with reference to the practicability of the mode in which it was proposed to carry it into effect. It was proposed, for instance, that there should be an individual examination of every scholar in every school connected with the Committee of Council above the age of six. No description, however, had been given of the machinery by which the examination was to be secured. It was not stated whether or not there was to be an increase made in the number of Inspectors for the purpose, or whether the end in view was to be arrived at through the medium of an inferior body of agents called Examiners. He agreed with the noble Lord the Member for Stamford (Lord R. Cecil), that although that latter expedient would be the most natural one, it would be liable to this very great objection—that it would leave the granting public aid to a school to be decided by a class insufficiently independent and fearless for such a task. There was another difficulty in the way of making all points depend on a single day's examination, such as sickness and bad weather, which might prevent the attendance of children at the schools on the day of examination. This difficulty was, nevertheless, one which could be removed only by a relaxation of that rigidity which constituted the chief merit of the system; for if certificated excuses for absence were allowed, a looseness would be re-introduced which it was the main object of the revision to remove. Under these circumstances he should refrain from expressing any more decided opinion on the point until he heard some explanation as to the machinery proposed for conducting the examination. If, on the other hand, the grant was to be made dependent on the result of a general inspection of each school, he could state, from his own experience in the office, that such a test would be wholly valueless. Not only did a great difference exist in the minds of different Inspectors as to what constituted a good or a bad school, but he had never known an instance in which an Inspector had reported that the general character of a school was so bad that it ought to receive no assistance from the State; and under our denominational system no other result could have been expected, for it would be unreasonable to expect an Inspector to give a general account of schools of his own denomination which would contrast unfavourably with the state of schools managed probably no better by some other denomination by its side. He had never found a Roman Catholic Inspector, for instance, stating that a Roman Catholic school was in such a state as not to deserve the aid which others were getting; and he was not at all surprised to find that in the returns of the Diocesan Inspectors of the National Society, which had recently been laid before the House, not one of those Inspectors had reported that any of the schools he had visited was in a bad condition—of most of the schools in England they reported that they were "very good" or "tolerable," or fair, but in no one case that he could recollect that it was actually "bad." This he said without impugning the honour or veracity of the Inspectors. The fact was, that if the grant was not to be made to depend on the result of some special inquiry, it would be better to do away with the Inspectors altogether, save the amount of salary they received, and shovel out the money per head or upon any still readier method that might be possible. For the purposes of curtailing the expenditure, the system of a general inspection would prove a complete failure. Then they had to consider the tempting proposal of his right hon. Friend the Member for the University of Cambridge (Mr. Walpole)—a compromise, that they should grant a portion of the money in consideration of the general character of the school, and the rest on an examination test. When he (Mr. Adderley) was in office, there was a constant pressure put upon the Education Committee to do away with all special tests, in the case, at all events, of the smaller schools, and to make grants of public money in every case in which an Inspector reported that the general condition of a school was good. That was the proposal made the other day by the Bishop of Oxford in another place; and there were many other persons who took the same view of the subject. The argument of the Bishop was, "What has the House of Commons to do with the fact whether or not John Tomkins can read? All that they have to do is to ascertain whether or not John Tomkins is at a school in which he can be taught to read." But if that principle was sound, Parliament should abandon the idea of any inquiry, and should merely consider what sum it would grant from motives of pure benevolence to any particular school. For his part, he should be very glad to find that his right hon. Friend the Member for the University of Cambridge was able to suggest a mode of ascertaining by specific tests the general efficiency of a school in ensuring good discipline, a fair attendance of pupils, and proper religious instructions, while he hoped they might at the same time find some mode of applying the more rigid and more certain test of individual examination in regard to the ordinary branches of elementary education. If he could do so, he (Mr. Adderley) should certainly go with him. He took it for granted that one object of the framers of the Revised Code was to spread the system of Government aid for educational purposes more generally over the country. It appeared that one-half of the schools at present in existence received no portion of the public aid; and it was generally the schools in the poorer districts that were subject to that disadvantage. How had that occurred? It was shown by Mr. Senior that in those districts the poverty of the schools did not consist in the poverty of the poor themselves; for his evidence showed that in the very poorest districts the poor contributed more to the education of their children than the same class of persons in the more prosperous portions of the country. The cause, therefore, of the failure of the voluntary principle in the districts to which he was referring was not the poverty of the humbler classes, but the poorness of spirit of the rich, and their neglect—in fact, the breaking-down of the voluntary principle. The rich allowed the burden of education to fall upon the clergy; and yet these involuntary agents were the persons who now asked that the voluntary system, as represented in their persons, should be aided by public taxation, and that their own neglect should be the measure of the grants from the Treasury. But it was evident that the general adoption of such a course would altogether destroy the voluntary system in the whole country. He considered that the Revised Code met their case in the only way in which it could be met—namely, by offering to those poorer districts a cheaper class of teachers, and enabling them by every means, regular and irregular, to make up for the small amount of their funds. It would be a great advantage to the schools in those districts that a certain *minimum* standard of education should be established as the basis of public aid; for by only attaining that low standard they would receive as large an allowance from the State as the schools in the wealthier portions of the country, where a much higher standard would in many cases be reached. During his tenure of office on the Committee of Education a great boon was conferred on those poorer districts by the Minute of Council, which enabled them to obtain probationary masters from the Training Colleges at a cheaper rate. That Minute had been productive of great advantage, and it had brought within the reach of the Government grants a large number of rural schools which did not receive public aid before. After all, however, he believed that what kept the school-managers of poor districts aloof from the Privy Council was an intense dislike among famous statesmen to the interference of the Government. He only wished that feeling were more general. But here, again, the Revised Code, by throwing the management more into the hands of local committees, would in a great measure, do away with the repugnance which was felt in poor districts to the receipt of Government aid. Something had been said about the too pretentious character of that system, and he believed that it was very desirable to check the growth of such an evil. They should all remember that the Government only undertook to aid in the education of the labouring classes. But by establishing training schools and employing a high class of Inspectors, they had given an artificial stimulus to the whole system, and had raised it above its natural demand. Such a state of things ought not to be allowed without check, for the use of those schools ought to be restricted, and the grant of public money for purposes of general education was opposed to the spirit of the people of this country. He believed the Revised Code would tend to correct this evil also, not only by the limitation of the test to the elements of instruction, but by putting a check and limit altogether upon Government interference. Much had been said about the claims and interests of existing certificated masters and pupil-teachers. In whatever revision of the system we might adopt we ought undoubtedly to be careful to deal fairly with existing rights; but our first duty was to amend the system of education where it required amendment, and, when that was done, then would be the time to give a careful and favourable consideration to the interests which might be affected by the change. The first consideration was the interest of the labouring classes in national education, and how Government aid could be given to these schools so as not to suppress and overlay the voluntary management on the vigour of which their character and permanence depended. One schoolmaster in his neighbourhood wrote to him to say that his position would be damaged by this change, but he thought that school masters as a class had injured themselves by acting too much as if that were the primary consideration to be discussed. Another schoolmaster had discussed at great length the effect of the Revised Code on the schools of the poor, and had only added in a brief postscript his hope that the interests of the scholmasters would also be considered. This feeling was most honourable to the schoolmasters, who acknowledged that they were instituted for the schools, not the schools for them; and if the House only discussed the matter in the same spirit, and with the same view, they might hope to arrive at a satisfactory conclusion. If the House thought that the voluntary system had broken down, or had fallen too heavily on the clergy, which was the same thing, let the fact, however painful be recognised, and let the Government take the management of education into its own hands. One thing was clear, that it was impossible to carry on the two systems together. The French and English systems, the State and voluntary undertakings cannot exist together. One must be the basis, and the other a merely subsidiary part of the system. If the House should decide that the voluntary system had failed, no doubt the Government would be able to conduct the education of the poor more cheaply and more simply. But if they were of opinion that the voluntary system was alive, or could be revived, let the House pause in time and take at once means to prevent it from imminent danger of being overlaid and dwarfed by Government interference.

Mr. LEVESON GOWER said, he could assure the House that it was not because he was somewhat peculiarly situated in regard to the Revised Code that he wished it to succeed, but because he believed it to be a wise measure. The only effect of his near connection with the noble Earl who was President of the Committee of Council was that he had been induced to give this subject more attention than he should otherwise have done; and he had come to the conclusion of supporting the revision proposed, because he thought the change was required. Nothing had surprised him more than the erroneous views entertained with regard to the plan of the Government by many of its opponents, both in the House and by the school-managers. Some objected to the principle of grouping, on the ground that the Government proposed to insist that the children should all be arranged and educated in classes according to age: whereas the Government had never entertained any such preposterous idea, and merely meant that individual examinations should take place according to age. Another prevalent misconception was, that the Government reward was to be given merely with reference to the acquirement of the elementary arts of reading, writing, and arithmetic: whereas the fact was that the Government annexed two conditions to the grant, one being that the Inspector should report favourably upon the discipline, health, and religious teaching of the schools; and if they failed in these respects, the whole grant was to be withheld. Even although every scholar should pass an examination in reading, writing, and arithmetic, still, if the other condition was not complied with, the school would not receive one farthing of public money. This misconception had pervaded the arguments of many of the writers and speakers against the Revised Code. It was to be found in a pamphlet which had been placed in his hands that morning, and was repeated in a memorial from the clergy and managers of parish schools in the borough of Birmingham. It even appeared to be shared by the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole), who had quoted with approval a passage in the letter of the Rev. Mr. Scott to this effect. The right hon. Gentleman also expressed his apprehension lest the effect of the Revised Code should be to deteriorate the discipline of the schools. But, as he had shown, if the discipline were unsatisfactory, the school would receive the grant no longer. The hon. Member for Bradford (Mr. W. E. Forster) misconceived the scheme in another respect. He admitted that other requirements were made by the Revised Code besides the teaching of reading, writing, and arithmetic. The hon. Member, however, complained that the Government would not pay for these additional matters, and contended that if they were necessary, they ought to be paid for. What the Government, however, proposed to pay for was the education of the people as a whole, in which these two conditions were included. The Government had revised their scheme, and had stipulated for certain things; and if they did not pay enough, the fault was in the scale they had adopted, and not in the scheme. With respect to elementary education, he did not think that any one could read the interesting Report of the Commissioners without being convinced that there was great foundation for what they said on that subject. He would go further, and say, that even if there was no evidence of the fact in the official documents connected with the National Schools, it was not in human nature that a schoolmaster should devote as much attention to the less competent as he did to the more competent boys. Hon. Gentlemen must know, from the experience of their own school-days, that the schoolmaster took more pains with the industrious and clever than he did with the idle and less intelligent boy; but in the case of the higher classes there was a check to that practice being carried to a very injurious extent, because the educated parent was able to judge of the progress made by his child, and could remove him from the school if his education was not attended to by the master. The poor man had not the same facilities for transferring his child from one school to another. He could not but think that personal examination would be a very useful test. By such a system of examination they would be able to ascertain the exact number of pupils that had passed in those elementary schools, and the proportion it bore to the total number in the school; and from those *data* they would be afforded a test as to the comparative merits of the various schools. The system of individual examination would, therefore, be a powerful inducement to the master not to neglect the school generally for the purpose of getting forward individual pupils, and would even stimulate a certain rivalry among the schools, and in this way contribute to stimulate the education of the country. Much had been said as to the injury which it was asserted would be done by the Revised Code to the managers of schools. He believed that those gentlemen were entitled to great credit for their sacrifice of time and money in the cause of education, and they deserved the sympathy and respect of the whole country. But, he could not shut his eyes to the fact, that they might consider themselves personally interested in this question, and that therefore they did not view it with that calmness and impartiality which were so desirable in considering a subject of this nature. If managers of schools were not economical, they must not come to Parliament to be indemnified for losses which they might have avoided. They had assumed a responsibility, and of that responsibility they could not divest themselves. He had no doubt that the effects of the Revised Code in respect of the finances of schools were much exaggerated by the opponents of the new scheme. Managers looking at the present condition of their schools, and finding that there was a great number of the children who could not read, and that the majority could neither write nor cipher, asked themselves, "What amount of money shall we receive for the minority? If we compare it with what we receive now, it will be a small one." But they left out of consideration the enormous stimulus which the Revised Code would give to masters to bring their schools up to the mark. He believed that already the announcement of the change had had its effects in that way. A clergyman had written to him a few days before, stating that, though opposed to the new scheme, he had observed that since its promulgation great progress had been made. Several managers of schools had told him that they were surprised at the liberality of the Privy Council; and one had informed him, that if he had not had repairs to make last year, he would not have been able to lay out the money he had received. There was another point which was worthy the attention of the House. Under the old system pupil-teachers were paid the same salaries throughout the country. The necessary result of the bargains being made by a central office was, that teachers were paid the same salaries in districts where wages were highest as they were in those where wages were lowest. It followed that there must be a most extravagant waste in the payment of many of these pupil-teachers, and he thought that much advantage would result from the revised scheme, in consequence of the increased liberty of action it would give to the managers in reference to the employment of pupil-teachers, for they would now be enabled to employ pupil-teachers where masters were formerly required. In the richer districts, where the masters were employed, the managers would be able to compensate themselves for the high salaries which they paid by imposing a great amount of school-pence on the children. There was only one other topic on which he wished to touch, and that was payment by the parents of children. He did not think that the man who had the means of paying for the education of his child had any right to call on the State to provide that education gratuitously, any more than he had to ask it to clothe or feed his child. That being his opinion, he had read with very great pleasure the remarks of the Commissioners as to the growing appreciation among the people of this country of the advantages of education for their children, and as to the great willingness displayed by many of them to pay for that education to the extent of their means. Parliament ought to take care not to destroy the latter feeling, and one of the merits of the Revised Code was that it not only did not discourage, but positively encouraged it. He entreated the House to inquire into the real facts of the case. This was a most important question. He hoped they would not be misled by erroneous statements; above all, he trusted they would not allow anything in the nature of an electioneering pressure to prevent them from fairly recognising the merits of a scheme which he firmly believed would be conducive to the prosperity and welfare of the community.

Mr. LIDDELL said, he would admit that his hon. Friend who had just sat down was as good an authority as any man in the House or out of it to give an explanation of the meaning of the Revised Code, having had the very best opportunity of studying and understanding it; yet he thought the House would hesitate before accepting his explanation of the Code, because, as he understood him, his hon. Friend said it was a mere fancy that Government was only going to pay for results of individual examination, whereas they were going to pay for attendance. Now he should like to have that part of the Revised Code pointed out which gave any authority for such a statement. It had been said that the Revised Code would produce a complete revolution in the schools. If by revolution was meant confusion and disorder, the usual concomitants, he quite agreed that such would be the result of its adoption. The arguments of the hon. Member for Liskeard (Mr. Osborne) and the right hon. Gentleman the Member for North Staffordshire (Mr. Adderley) would justify the refusal of Government aid altogether. If that view were largely entertained, why not try the question fairly, and renew the old battle between Government aid and the voluntary system? The hon. Member for Liskeard exposed a prominent defect in the present arrangement when he spoke of the burdens which country clergymen, who managed seven-tenths of the schools of the country, were called on to bear; but the Revised Code, instead of bettering their condition, would aggravate the charges upon them, by calling on the managers of schools to advance the whole of the salaries of masters, pupil-teachers, and other outlay. The hon. Member for Liskeard also talked of the religious teaching of the schools as a delusion, and attributed to a high dignitary of the Church an observation of a very singular character about "dogs-earing the leaves of a Bible." But he wished that hon. Gentlemen who shared that opinion would follow those children to their homes and see the effects which were produced on dissipated parents, in disorderly districts and villages, by the beneficial influences carried away by children from the religious teaching in school. An instance of this nature had come under his personal observation, where a most demoralized community, in the midst of which a school had been established, had since exhibited marked symptoms of reformation; crime became unknown or nearly so, drunkenness was comparatively rare, and parents commenced to attend church regularly. He was not opposed heart and soul, or anything approaching to it, to the proposed scheme, and still less to any real improvement of the existing system. He admitted that the old system of education had been rightly described as expensive, cumbrous, and complex; but who made it so? The Privy Council, by the mass of details and the number of costly conditions with which they encircled the grants. Popular education, apart from the Privy Council, was neither expensive, cumbrous, nor difficult to manage. In bringing forward this new Code the Privy Council were actuated by two strong motives, one being to save themselves trouble, and the other to save the Exchequer expense. He regarded the measure as the first in a series of financial reforms which he hoped might be effected; but it was certainly remarkable that the first of the long list doubtless occupying the attention of the Chancellor of the Exchequer was that of which the people complained least and from which they derived the greatest benefit. If there was any expenditure of public money that was made willingly, and was attended with perceptible beneficial results, it was the money expended on education. There was a right and a wrong way of doing everything, and in his opinion most of the details of this attempt at improving national education had been erroneously conceived. The proposal was to make the grant depend on the test of the results of teaching. Part of the grant should undoubtedly be made upon ascertained results; but other portions of it ought to depend on the character and condition of the school; and he felt very little doubt that before the measure left the House it would be altered in accordance with that view. If the whole aid from Government were made to depend on the result of a single examination, of two consequences one would necessarily follow. Either the teachers would learn to look on the child merely according to its money value, calculating that a certain amount of tuition expended upon it would win so much money; or else, where there were conscientious managers, who insisted upon equal pains being taken with all the children, those who came up to a certain standard would gain for the school the Government scale of remuneration, and upon all who fell below it the whole of the labour and trouble would have been completely thrown away in a pecuniary sense, a result necessarily most discouraging to the managers and teachers. Moreover, in its results the proposed scheme would not deal fairly as between schools in rich and populous districts, and schools in poor and remote districts. By drawing a hard unbending line round all schools, whether they were in wealthy settled neighbourhoods, or in wild, thinly-peopled parts of the country, great injustice was done, and great advantages were given to the richer communities. To correct this evil, and to extend the benefits of the system to schools hitherto excluded from it, were said to be among the great objects of the Revised Code. The only clause of this nature which he had been able to find in the Code, on searching it carefully through, was one by which it was proposed to create a class of cheap teachers, who were to take charge of poor schools, and the words "rural districts" were specially mentioned. These new teachers were to be boys and girls of eighteen or nineteen, fresh from their apprenticeship in some village school, and having had none of the advantages derivable from passing through a training college. He could not but think the boon one of a very doubtful character; he did not think that persons of that age had the experience or moral influence necessary for such a charge; and, certainly, such teachers could not have had that intercourse with cultivated minds which was calculated to fit them for the proper discharge of their duties. As the efficiency of the school depended so much upon the teacher, a prudent manager would be reluctant to engage such inexperienced and imperfectly qualified persons. It was most important that the *minimum* of fitness for the office of teacher should not be fixed too low, as there was always a natural tendency in the general standard to sink to that level. Instead of being a boon, then, this change was likely to prove a serious mischief—it would at once damage the training colleges and give a supply of very indifferent teachers. The great blot in the new Code, however, was that no allowance was made by it for the varying circumstances of the labouring classes in different parts of the country. The task of education was carried on under the most unfavourable conditions amid a fluctuating and migratory population, where, owing to the necessities or the poverty of their parents, or their frequent changes of residence, occasioned by the search for work, the children's school attendance was often interrupted, and their elementary instruction had to be begun over and over again. That was the state of things in the mining districts in particular, therefore to exact the same amount of proficiency from the scholars of that class, as from children of the same age, but who were more favourably placed in respect to the circumstances of their parents and the greater regularity of their school attendance, would be as unreasonable and unfair by such children as it would be discouraging to the cause of education. Therefore, in his opinion, this grouping by age was a great blot upon the Revised Code; and he trusted that the House, if it persisted in retaining the system of grouping by age, would, at all events, raise the ages of the pupils in each class one year at least in the mining and similar districts. About 40 per cent was the average proportion over the entire country of the scholars who remained less than one year in the same school. In the mining districts the proportion must necessarily be far below the general average. He now came to another important point. It was very easy to talk about teaching a child to read, write, and cipher: but what was the real meaning of teaching the child to read? Was it merely to enable him to repeat like a parrot, though it might be with a distinct articulation and with attention to his stops, a passage in the Bible or any other book? Or did it imply that the child should understand what he was reading, and should properly appreciate it, as a rule, intended, perhaps, to guide his conduct in life? That acceptation of reading—the true one he believed—required much time and training to realize. Would any noble Lord on the Treasury bench undertake to teach his own child—brought up in luxury, and amid all the associations of an elevated society—to read in that sense of the word in one year, or even in two? If not, how could they expect the child of the miner or the mechanic, reared in a cabin, or an attic, and who had lived far remote from influences calculated to sharpen the faculties or to develop the intelligence, to acquire the same capacity in the same, or in anything like the same time? If the Inspector did his duty and insisted on each child being able to understand what it read, a much longer time must be allowed to the teacher than was allotted by the Revised Code. He wished to advert for a moment to certain passages in the Report of the Assistant Commissioner, Mr. Foster, who was sent down by the Royal Commission to inquire into the educational condition of the mining districts of Durham—with which county he (Mr. Liddell) was more particularly connected—embracing about five unions. In his Report Mr. Foster stated that the class of coal-miners were the lowest in the social scale—that they were a heterogeneous, fluctuating, and rapidly-increasing population, earning high wages, which they had no way of spending but in the gratification of their animal appetites; that adultery among them was a matter of mere jest, and incest frightfully common, seeming to excite no disgust. These were very sweeping and also very alarming statements, which it hardly came within that Gentleman's province to make. But if he did make them, he ought to have inquired into their truth before launching them wholesale against a large and industrious population. Those statements naturally caused great indignation; they were repudiated by the Archdeacon of Durham, and he (Mr. Liddell) was in a position to declare that they were without foundation. He did not mean to say that single frightful instances might not be found in the towns and population of almost any crowded districts; but because the Assistant Commissioner happened to hear of such an instance, he was not justified in making such wholesale and malignant accusations against an industrious hard-working class. He had the results of a careful house-to-house visitation; he had the report of a committee of schoolmasters—for that body, knowing the intimate connection that should exist between their labours and the homes of their pupils, naturally felt that they were indirectly attacked by the assertions of the Assistant Commissioner. That committee went through the district, examined managers, schoolmasters, employers of labour, and workmen, and in their report they declared the assertions to be wholly without foundation. But Mr. Foster also spoke of the truck system being revived in that district. The same report stated that the committee could not discover a single instance where the truck system prevailed. Mr. Foster went yet further, and attributed the cause of non-attendance at schools mainly to the inefficiency and repulsive appearance of the schools and the restlessness and dissatisfaction of the schoolmasters. Mr. Foster also criticised the Inspectors, and in his Report it was stated that in many cases the Inspectors were neither morally nor mentally qualified for their offices. Now he (Mr. Liddell) knew the present Inspector of the district very well. He was a gentleman who had received a University education, and was a near relative of a distinguished Member of the Ministerial Bench. The only other Inspectors who had ever been within the district were Mr. Watkins and Mr. Stewart. Both these gentlemen were still retained by the Government in the office of Inspectors; but if Mr. Foster's statement was correct, and these gentlemen were neither morally nor mentally qualified, the sooner they were dismissed the better. If one part of the report of this Assistant Commissioner was proved to be incorrect or exaggerated, what confidence could the House place in any part of it? The reports of the Assistant Commissioners were the foundation of the new scheme; and if the foundation was unsound, what would become of the superstructure? Surely, before destroying a system which was in existence upon the authority of the Assistant Commissioners' reports, they ought to be sure that the reports themselves were capable of proof, those Reports being directly at variance with the annual statements of the Inspectors themselves. He could have wished that Mr. Foster had paid a visit upon a recent melancholy occasion to the Hartley Colliery. If he had visited that desolate village, if he had penetrated into those caverns of death, he might have learnt a lesson, and have seen proofs, living and dead, of manly heroism, of Christian fortitude, and of pious resignation, which might have had a salutary effect even upon the cultivated mind of an Assistant Commissioner. Upon the subject immediately before the House he would only add that twice within his recollection had the right hon. Gentleman the Vice President of the Council been the official instrument for carrying out the recommendations of Royal Commissions. It was singular that on each occasion the right hon. Gentleman had had to deal with the delicate subject of vested interests. In the one case the vested interests were the growth of ages, while in the other they were the productions of his own office. Upon the first occasion the right hon. Gentleman brought in a Bill to sweep away those vested interests, and frightened Parliament and all owners of property by declaring that charters were good for nothing, and all must go. The House was alarmed, and refused to pass the Bill as it stood; and it was sent to a Select Committee, whence it never returned. That question had since been settled by amicable arrangement, and with the general concurrence of those interested. The Bill he referred to was that for sweeping away the rights of corporations to levy dues upon shipping, and goods carried in ships. In the present case he thought the right hon. Gentleman would have effected his object more easily if he had not alarmed the country so much. The very alarm and uncertainty which had been caused by the proposition of the new scheme had done unspeakable harm to the cause of education. He hoped and believed, however, that in this instance an amicable arrangement and just compromise would be effected, but he believed that the

House would not consent to make all the grants of public money for the purposes of education dependent solely upon a rigid examination of children grouped as was now proposed.

MR. BAINES said, that it was not his intention to engage in the battle of the Codes; but as the right hon. Gentleman invited the House of Commons to enter upon a general discussion with respect to the principles of both the past and the proposed system, he would call attention to an evil common to both. He felt that the public money was wasted on schools which needed least, or did not need at all, public assistance; while it was withheld from parts of the country where it was needed most. That fault had been admitted by all who had written and spoken during the present controversy, and the last speaker had pointed out the great difference which existed between the circumstances of different parts of the country, to which the same rigid rule was applied. It would be remembered that the Vice President of the Committee of Council had told them on a recent occasion that the education grants were intended to aid in the education of the very poorest children. The President of the Committee of Council—speaking in another place—said the taxpayers of the country should not be called upon to contribute towards the education of those who were competent to pay for themselves. But he (Mr. Baines) believed that, to a very large extent, the enormous grant of £800,000 was at present lavished upon schools where the parents were perfectly able to pay for the education of their children; or where in other cases they were surrounded by a population so rich and liberal, and so perfectly appreciating the value of education, that there was not the slightest pretence of necessity for given the public money in aid of the schools in those districts. It seemed to him that the existing system was operating in a direction the very opposite almost of that which was intended—neglecting those in circumstances of great destitution, while squandering the public money to an enormous extent upon those who had not the smallest need for it. The Vice President of the Council, in his speech on the 13th of February, admitted that the foundation of a school was regulated rather by the wealth and the public spirit of the inhabitants than by the absolute wants of the locality. The richer the district the more money it got from the public—the poorer the district the less money it got. That was perfectly preposterous, and he asked the House would they be doing their duty as guardians of the public purse, if they allowed an evil of this kind to continue to exist? The evil he pointed out would apply to the new Code as well as to the old. It was to be a capitation grant, and would be generally distributed on the same principle as the present grants. The most populous, the richest, and the most settled districts would receive the largest amount of the grant, while such poor districts as he had described, with a scattered population, would receive scarcely any amount of the public money. He had been delighted to hear the discriminating, impartial, and manly speech of the right hon. Gentleman (Mr. Adderley), who had himself been Vice President of the Council, and he hoped it would have upon the House the effect which it deserved. To show the abuses which existed in the distribution of the grant, he would remind the House that on a previous evening he had presented a petition from the town of Glossop, in the county of Derby, in which reference was made to a school called the "Duke of Norfolk's Grammar School," established by the Premier Peer of England, amidst a manufacturing population, where good wages were received. That school was endowed with the sum of £4,000, and yet at the present time received, and for years had been receiving, £177 from the public purse. A school in the town of Faversham, in Kent, was supported in the following manner:—from Charities, £604 7*s*. 6*d*.; school pence of children, £125 13*s*. 4*d*.; subscriptions, the paltry amount of £37 18*s*. 6*d*.; from the public purse £368 16*s*. Thus, while the sum of £368 16*s*. was lavished upon this school out of the public purse, only £37 was raised by the subscriptions of the inhabitants of the locality. There had been issued, on the Motion of the right hon. Member for Oxfordshire, a return, which he held in his hand, showing the grants made to schools by the Committee of Council. He found there schools belonging to the estates of noblemen, who possess something like half a county, receiving public money to a large amount. He found schools belonging to the richest coal and iron masters in the country receiving money to a large amount. He found that schools belonging to rich millowners, whom he knew to be millionaires, or half-millionaires, capable of supporting any institution connected with those who laboured in their employment, were receiving grants. He found schools in great commercial towns and cities in this country, more wealthy than Tyre or Carthage, Venice or Amsterdam, on which money was lavished from the public purse. He found schools receiving the largest sums of money in the very parts of the country in which the highest wages were paid to the working classes, where the grant only produced the effect of demoralizing the public and preventing parents from doing their duty. He found schools in receipt of the grant that had rich endowments—some of modern and some of ancient date—and others in which the working classes were not chiefly taught, but in which the middle classes were taught—children of farmers in the country and of shopkeepers in the towns. He found that large grants were made to schools which were flourishing and effective before any public grants were made, and which would be flourishing and effective if all grants were withdrawn. He found schools in receipt of the grant that were connected with rich congregations, which raised thousands a year to send the gospel to the heathen and diffuse blessings around them. He found schools receiving so much money from the public that they did not know what to do with the capitation grants, but where the money was given away in costly treats and prizes. Was it for such schools as he had described that the public charity was intended? He maintained that it was not so intended—that it was a great abuse of the public charity—and that it was a most improper expenditure of the money voted by the House. He saw by the return that there were schools in receipt of the grant belonging to many Gentlemen in that House, and he did not know where he would tread upon some persons' toes if he made any remarks upon a system of this description. He feared he might create an explosion that would destroy him upon one side or the other. In the debate on this subject last year, two hon. Gentlemen said they could not agree in the views entertained on this subject by the Member for Leeds, but he found the gentlemen entertaining those opinions represented constituencies in the richest mining districts—districts that were coining coal and iron into gold faster than the gold could be got in California or Australia—districts in which the labourers received the highest wages, amounting to £2, £3, and £4 a week, and where, nevertheless, the schools were receiving public grants. His hon. Friend the Member for Bradford, who had spoken with so much ability the other night, was a most enlightened friend of education and a most liberal man, who employed workmen that were well paid, but he received public money for his school under circumstances in which he (Mr. Baines) did not think it was justifiable to receive such money. He (Mr. Baines) was quite certain, that if not a farthing were got from the public purse, the hon. Member for Bradford's schools would be conducted with the same liberality and effectiveness as at the present time. He trusted the House would consider how many of those gentlemen who now belonged to them would have an interest in the decision they should come to. He did not suppose that mercenary interests would influence them, but an immense number of gentlemen whose schools were receiving public money might have a prejudice on the subject. He thought that many injurious effects arose from this system of bestowing the grants. One was the waste of public money, which added to taxation, and surely that was a consideration that should have some weight in the House of Commons. Then it kept down the school fees paid by parents—the legitimate source for defraying the expenses of education throughout the country. It aided the middle classes to a greater extent than the working classes, and tended to demoralize the manager, teacher, pupil-teacher, and even the parent of the children. He did not use the term "demoralize" in an offensive sense; but it made all of those parties dependent upon the public purse instead of having that self-reliant feeling so honourable in the English population. The system also stunted benevolence; and finally he must say that it tended to demoralize and fetter the Legislature itself. He would cite authorities to the House who were entitled to the utmost weight. The first whom he would quote was the right hon. Gentleman the Vice President of the Council of Education, who had told them that—

> "The present capitation grant is often absolutely wasted. People do not know what to do with it when they get it; it is absolutely surplus, and in some cases part of it has been given to the children who have earned it for the schools by their attendance."

Mr. Foster, one of the Assistant Commissioners in the mining districts of Durham, in his report stated—

"I was not prepared to find so general a disapproval of the capitation grants as a waste of public money. Several of the wealthy coal-owners, who had placed their schools under the Privy Council, chiefly with a view to the supervision and encouragement of the schoolmasters, remarked that these grants were but saving the pockets of themselves and others who were well able to support their own schools. Of the twenty-seven schools in my district receiving capitation money, I cannot say that one has need of it. Several of them have ample endowments, and all are supported by individuals or committees well able to meet the expenses."

The Rev. Mr. Watkin, inspector of Church schools in Yorkshire, in his report for 1860 stated—

"A working man does not often spend more than one-twelfth of his income in the education of his children, a professional man, not unfrequently, one-fourth or one-fifth." "Taking the Church schools in Yorkshire, we find the case thus: In above 70 per cent of them the school fees are under 3*d.* per week ; less than 3 per cent of the whole number pay more than 4*d.* Probably in many cases the school fees are not allowed to exceed this rate, as no capitation grant is allowed by your Lordships for any child paying a higher fee. There can, I think, be little doubt that your capitation grant has had the effect of diminishing the school fee in some places and of keeping it down in others."

He then asks, "Is this, on the whole, a satisfactory result?" and he added—

"The low fee never makes a good school, nor does it even make a school popular. And as it does not succeed with the school, so it also mischievously affects the home. It tends to demoralize the parent, to teach him a bad thrift, to be grudging when he ought to be liberal in the education of his own child, to think little of and neglect his first duty to him, to leave it either undone at all or for others to do it for him." "I cannot now recall a case where a school has suffered permanently by its rate of payment being raised. I know several places where the school languishes, and is doing little good, with a fee of 1*d.* per week."

He (Mr. Baines) could not conceive stronger testimony than that of the mischievousness of the present system of education grants. Mr. Winder, Assistant Commissioner for the manufacturing districts of Rochdale and Bradford, stated—

"The school fee is usually paid without reluctance—indeed, with cheerfulness—if the return is supposed to be adequate. Over and over again have I heard of persons offering to schoolmasters to pay more than the sum demanded, if additional attention could be thereby secured for the child's progress. Nothing is more common than to find parents removing their children from cheap schools to others whose charge is 6*d.* or 8*d.* a week, in the hope—often the vain hope—that they will be 'got on' with proportionate speed."

Then again Mr. Cumin, Assistant Commissioner for the maritime districts of Bristol and Plymouth, said—

Mr. Baines

"Several remarkable instances were related to me of the beneficial effect of raising the fees. The British school in Redcross Street, of which Mr. Turner is the master, is one of the largest and best in Bristol. Some years ago the committee collected large sums of money, and made considerable improvements in the school. But funds were still wanting. They determined upon an appeal to the parents of the children, consisting of the working classes. They assembled them one evening, explained the reason why they had been invited, told them the improvements in the school and the money that had been subscribed, but declared that, notwithstanding, there was still a want of funds. If they would add 1*d.* a week for each child, that would be sufficient. The appeal was quite successful. The assembly unanimously agreed to pay the extra penny. Nor did the numbers in the school diminish by this addition to the school pence. Thirteen years ago the fee was 1*d.* per week, and the attendance was barely 100, though the master at that time was excellent. Since then the 1*d.* was raised to 2*d.* This produced an increase of scholars. Finally it was raised to 3*d.*, and the numbers are now 400."

He added—

"The workpeople thoroughly understand the distinction between a good and a bad school. I went into a ragged school one evening, and found some boys who were in the habit of paying for their day's schooling. I asked them whether they would be willing to pay the same fees in the evening school. They said 'Yes, provided the teaching was good.'"

"In short the unanimous opinion expressed to me was that gratuitous education is a mistake ; it demoralizes the parent by relieving him from the obligation of educating his child, and by destroying his sense of independence ; but, besides this, the system is impracticable ; for, without the co-operation of the parent, it is impossible to get the children to attend school regularly, and that co-operation can only be secured by compelling the parent to pay something for his child's education."

Again, he had the testimony of Mr. Wilkinson, the assistant commissioner for the metropolitan district of St. Pancras, who stated—

"I have satisfied myself entirely that the payment of school fees is not only beneficial to the schools, but popular with parents, and that the usual commercial test of the price of the article as evidence of its value is applied in full force to education. I met several instances in private schools of children removed from schools at 2*d* a week to those at 4*d.*; and the parents could give me no better reason for the change than that the school must be better, as they charged more."

The last quotation with which he should trouble the House was from Dr. Hodgson, the Assistant Commissioner for the metropolitan district of Southwark, and he said—

"This fact strengthens the conviction pressed on me from many quarters, that the fees in public schools might advantageously be raised : in several instances I found that fees had been raised, and the uniform statement was that no diminution of attendance of any importance or continuance had ensued. When we consider that even at 2*d.*

a child's schooling for a whole week costs just the price of one glass of ale, it is surely not unreasonable to think that the school fee might bear to be somewhat raised."

He hoped the House would consider that he had adduced sufficient evidence to prove that the people of England were not in a position to come to that House *in formâ pauperis* and ask for grants in aid of the education of their children. Did the House consider what the circumstances of the working classes of this country were? He believed the wages of the working classes of England might fairly be taken at upwards of 200 millions sterling a year. One pound a week might be taken as the average wages of working men in England and Wales (meaning not of the men alone, but of their families); and as the number of working men might be taken at four millions, their aggregate wages would be £208,000,000 per annum. Therefore, if they were to expend £2,000,000 in education, that would be one per cent of the wages of the working classes, and which would, he conceived, be amply sufficient to educate them, and which might be raised by themselves alone. If the cost were £3,000,000, that would only be one and a half per cent. Take it in another point of view. It was generally supposed that a working man could have five or six children at school at the same time; but that was a great mistake; the average number of children at school age was not more than two or three. Take it at an average of two and a half, which he believed to be about correct, and that the man was getting £52 a year, and supposing they were at school forty weeks a year, and he paid a penny a week for each, that would be 8*s.* 4*d.* a year, or less than one per cent of his wages; if he paid 2*d.* per week each, it would be only 1⅗ per cent; and if 4*d.* per week for each child, it would be 3⅓ per cent, which was not a large sum to ask the parent to pay for the education of his children. He admitted that there were cases in which the wages were lower, and others in which they were higher; but, of course, he could only deal with averages. It was perfectly evident, therefore, that they had a large fund untouched, provided they called upon the parents to pay for the education of their children. He might mention also in connection with this subject that Mr. Porter, the late Secretary to the Board of Trade, had calculated that no less than £50,000,000 a year was expended, chiefly by the working classes, on mere indulgence in liquor and tobacco. Of the resource presented by Christian benevolence he need not speak, as it was notorious that whenever a fair case was presented to the people of this country for the exercise of benevolence it was met with a surplus. That benevolence did not exist where the necessity did not exist; it was proportioned to the necessity, and it ceased as soon as the necessity passed away. But that was not the case with Government grants. The demand and the necessity were frequently in an inverse ratio, and the grant was often continued long after the necessity had ceased. It had been frequently stated that an immense improvement had taken place in education, but that it was all to be ascribed to the aid which Government had rendered. He had the utmost possible confidence in stating that a greater progress was made in popular education before Government gave a sixpence to the schools than had been made since. It was well known that in 1818 the number of day scholars in this country was only 674,000; in 1833 the number was 1,276,000; in 1851 it had risen to 2,144,000, and in 1858 to 2,555,000. Now, the proportionate increase in the latter periods was not equal to that in the former. He knew it was said that they could not expect to see so large a proportionate increase as education extended, and there was truth in that; but, on the other hand, it should be borne in mind that the difficulties in the earlier stages of popular education were infinitely greater than those in the later stages. Now the whole population was convinced of the necessity of education, but then the public mind required enlightening, and a taste for education had to be created both in the higher and lower classes. The evidence then, he contended, was sufficient to prove that as great, if not greater, progress was made in popular education before the Government began its grants than since. His confident belief was, that although in some districts the expenditure of large sums might have produced certain results of a beneficial character, yet that if the people were left to conduct their own education, they would find the means of doing it, and that the education so provided would have an infinitely higher moral effect than could be produced by any amount of public grants. It had been supposed that public schools were the mere produce of the public grants, and that the private schools only represented the operation of the self-sustaining principle. So far from that being the case, the public schools were growing in number from the earliest period. He would adduce a remarkable proof of the manner in which public schools of a superior kind had been substituted for private schools of an inferior kind before the Government grants were made to any considerable extent. He alluded to the city of Manchester. A Select Committee of that House sat upon the state of education in Manchester in 1852. Before that Committee a clergyman (Canon Richson) gave evidence, who compared the schools then existing with those which were in existence in 1833, at which time an educational census was taken. In 1852 the number of day scholars in Manchester was 34,354; but the amount of school accommodation in the public schools at that time was for no less than 74,886. Thus there was an immense surplus of accommodation in public schools, without reckoning private schools. How much of that had been provided in the eighteen years from 1833 to 1852? Public schools had been provided calculated to accommodate 43,146 scholars—a considerably larger number than the whole number of scholars in Manchester in 1852. It might be said that they were created by public Government grants. But it was not so. The number of public schools in Manchester was 172, and of those only nineteen had received building grants—the aggregate amount of the building grants being only £8,283. But at the same time a remarkable change went on from the poor and inferior private schools to the better-conducted public schools. In 1833 the number of scholars at the private schools in Manchester was 14,869. In 1851 they had dwindled to 5,551. During the same time the public schools, which in 1833 contained 5,384 scholars, had come in 1851 to contain 19,516. Now, unless the House was prepared to say that there was a much higher degree of virtue in Manchester than in any other part of the country, he maintained that this was an extraordinary proof of the willingness and ability of the people to provide their own education. Then as to the Training Colleges, it was supposed that they could not exist without public grants. The fact was, the number in England and Wales was very nearly as great in 1846 as it was at present. He did not say that they were so good, or that they educated so many students; but in 1846 the number of Training Colleges in England and Wales was twenty-eight, while now the number was thirty-four; so that the increase was very slight. In the former period they were entirely supported by voluntary contributions, while now, as had been stated over and over again, ninety per cent of their cost was drawn from the public funds. There were many other educational agencies in the country to which he might allude to illustrate the ability and willingness of the people to attend to their own education. To one only would he refer. In 1830 the number of members of Mechanics' Institutes was only 7,000. In the last year, according to a return which he had received from a gentleman who was as well qualified as any one in the country to judge, the number of students in those institutions was no less than 200,000. He need not remind the House that they had had assurances from hon. Gentlemen possessing official experience, that in their opinion it would be better to return to the system of the self-sustaining power in schools. Mr. Harry Chester, Mr. Tremenheere, and others, had said they looked forward to this as likely to come to pass at no very remote period; and even Sir James Kay Shuttleworth himself regarded this as ultimately desirable. He, therefore, did hope, that a case had been made out which would convince the House that a large amount of public money was lavished on schools which had no title to receive it. He hoped the House would also be of opinion that it was not for the real benefit of the people that the House should relieve them from the discharge of their duties. And he believed the House would do infinitely better for the people if it taxed them less and trusted them more.

Sir JOHN PAKINGTON: Sir, I wish to state to the House the reasons why I feel obliged to give my vote in support of the Resolutions of my Friend the right hon. Member for Cambridge University, and against the scheme laid before the House by the Government. I have, on many occasions, stated the views I entertain on this question. I have found no reason to change them, and I think they are confirmed by the Report of the Royal Commissioners and by the speeches of the Vice President of the Committee of Council. Whatever may be our opinions of this Revised Code, there can be no doubt of the great ability and the praiseworthy labour and attention the right hon. Gentleman has bestowed on this subject. My great objection to the system of the Privy Council has always been, that it is too costly and too centralized, and that it failed to reach the poorer districts of the country. I believe it is too costly because it is too centralized, and because it is both centralized and costly it failed to reach the districts where assistance is most required. These are my views, and they are precisely the views stated in the Report of the Royal Commission, and in the last speech of the right hon. Gentleman opposite. He said that the existing system failed to permeate the country, and that the establishment of schools depended, not on their necessity in a district, but on its wealth; and I find that both the Commissioners and the right hon. Gentleman have stated—what is also my strong conviction—that the present system has, notwithstanding its defects, been of great benefit to the country. What is now our position? I find one most satisfactory fact. The increase in the proportion of the population now attending school is very much augmented. It was small at the commencement of the century; it rapidly increased; it has made rapid progress since the Census of 1851, and is now in the proportion of 1 to 7½, or 13 per cent. At the same time I must caution the House that it must not trust too much to this fact, because the mere number of children attending school is comparatively immaterial, unless the quality of the instruction is good. There is another satisfactory indication of this statistical nature, and one that has no drawback to the favourable inference we may derive from it. It is the fact that while in 1845, of every 100 person married, 41 signed the register with a mark, that number has gradually diminished from year to year; and in 1860 it was reduced to 30 in every 100, without having receded in any one year. That is a fact which proves that education is satisfactorily advancing. But now I turn to a point on which I think further information is desirable—the number of children attending the schools. The Report of the Commissioners states that the number of scholars who in 1860 were on the books of schools in the receipt of the annual grant from the Committee of Council was 917,225; that the number of scholars in public schools of the class for which the grants were intended, but which derive no annual advantage from them, was 675,155. A favourable inference has been drawn from this fact; but those who draw this inference fail to bear in mind the important fact that the number of the children in private schools is 860,304. These private schools include every description of educational establishment, from the schools to which we send our children to the little dame schools of the rural districts, which, we were told in 1851, were kept in 700 instances by schoolmasters or mistresses who were unable to write their own names. Now, in what proportion are these schools attended by the children of the gentry and middle class and the children of the working class? The Commissioners tell us that from the whole number of 860,000 scholars in private schools we must deduct 286,000 as of the upper and middle class, and that the remainder, or 574,000, will be the children of the working class—of the class for which the annual grants are intended, and who derive no benefit from them. And I think I may say that in the majority of instances these children attend the worst and most worthless schools in the whole country. Putting together the 675,000 children in the unassisted schools, and the 574,000 children of the class for which the annual grants were intended, but who derive no benefit from them, it is inferred that, in round numbers, there are 1,250,000 children to whose education the annual grants do not contribute. Therefore the system which is said to be too costly is, in fact, educating only three-sevenths of the children of the working classes. I object to the plan of the right hon. Gentleman because it does nothing to meet this difficulty, and to extend the means of education where assistance is wanted. The right hon. Gentleman also complains of the great complication of this plan, and refers to the great amount of correspondence to which the system gives rise, and alludes to the remark of Mr. Lingen, that so great is the correspondence, that the system will break down in the centre if there is not a change. Will the Government get rid of this amount of correspondence by transferring it to the managers? I fear that will not be the case. You will not get rid of centralization by transferring it from the Council Office. In my opinion, there is only one mode of correcting the evil of centralization, and that is by establishing some local agency and control in aid of the existing system. The right hon. Gentleman complains, too, of the great expense of this system, and instances the great amount of payment to particular schools, observing that in some cases as much as £4 per head is paid for poor children, sometimes £1 9*s*., sometimes £1 7*s*., down to a *minimum* of 19*s*., while the theory of the educational system put the *minimum* at only 10*s*. per head. Again, I say the only way to check that improper and undue expenditure is by the employment of a local agency to aid and advise the Privy Council in the administration of the grants. Had such machinery been already in force, it would have prevented the excessive rates which the right hon. Gentleman condemns. I quite agree with the hon. Member for Leeds (Mr. Baines), that there can be little doubt that, generally speaking, the schools which receive an undue amount of assistance are those which are situated in wealthy localities, and of which a doubt may be entertained whether they stand in need of any help at all, while those in remote and poor districts require aid which they do not receive. The great evil of managing the education of the country through one central office is that you are eventually led into habits of extravagance which it is impossible to check. Under the system of regulating the grants according to results, I believe that the very same schools which are now receiving such very high payments will suffer no diminution, while schools in remote parts of the country, which are most in want of assistance, will, in many instances, have to be abandoned from sheer want of support. I am anxious to know whether it is the desire of the Government to continue the present amount of grants, spreading them over a larger area and turning them to more satisfactory account, or merely to reduce the sum of money voted by this House for Education. I cannot resist a suspicion that the Revised Code is intended not only to promote the welfare of the children of the working classes, but to ease the mind and facilitate the task of the Chancellor of the Exchequer. Perhaps the right hon. Gentleman may remember a speech he made in 1857. [The CHANCELLOR of the EXCHEQUER: I have forgotten it.] That speech then made a greater impression upon the House than the right hon. Gentleman intended. I quite remember that the right hon. Gentleman in that speech said that he viewed with great jealousy the increase in the Miscellaneous Votes; he said that a spirit of extravagance was manifested in many of the departments, and that there was an idea abroad that it was popular to propose an increase in the education Votes; and he charged the Gentlemen of the Privy Council office with deluding the public as to the nature and extent of their operations. Does he make that assertion now? The right hon. Gentleman might certainly have been justified in describing the speech of his colleague, the Vice President in July last, as tending to foster a delusion. I do not believe that the latter had any intention to deceive Parliament or the country on the subject, but practically his language produced that effect. I allude to the right hon. Gentleman's statement that the changes which he was about to propose would leave the whole system of the Privy Council intact, and would merely substitute one kind of payment for another. I cannot tell whether he had not then made up his mind as to the nature of the plan; but his words certainly conveyed no idea of the scheme now before us. From what he said, no one could have conceived that the new Code would, on the average, deprive schools of 40 per cent of the assistance which they are now receiving. I am not the advocate of any extravagance, but extravagance consists not so much in the amount of money paid as in the mode in which it is distributed, and the manner in which it is spent. If, under either the old or the new system, assistance is bestowed on schools which want it not, and withheld from those which require it, then we are committing not only extravagance but injustice. I see no hope of obviating those evils except in the manner recommended by the Commissioners—by means of local agency. In their Report the Commissioners say—

> "We have dwelt fully both on the merits and defects of the present system. We have found it stimulating voluntary subscriptions, offering many excellent models of teaching, and adapting itself to the character of the people by leaving both the general management of the schools and their religious teaching free. On the other hand, we have exposed great and growing defects in its tendency to indefinite expense, in its inability to assist the poorer districts, in the partial inadequacy of its teaching, and in the complicated business which encumbers the central office of the Committee of Council; and these defects have led us to believe that any attempt to extend it unaltered into a national system would fail. We have therefore proposed, while retaining the leading principles of the present system, and simplifying its working, to combine with it a supplementary and local system which may diffuse a wider interest in education, may distribute its burdens more equally, and may enable every school in the country to participate in its benefits."

I deeply regret to learn, from the statement of the right hon. Gentleman last year, that the Government entirely ignored and repudiated that part of the recommendation of the Commissioners. I am also unable to concur in the justice of the reason which the right hon. Gentleman gave for the decision of the Government. He said that anything like a system of rates would be unfair, because it would throw the burden upon a smaller fund; but, at least, the limited portion of the burden which I have asked and the Commissioners have recommended to be thrown upon the rates would be paid by those who derived benefit from it. And is there no injustice under the present system? In the three counties Herefordshire, Devonshire, and Somersetshire, there are 655 parishes having less than 600 inhabitants, the schools in only eight of which are in connection with the Committee of Council. Yet all these parishes contribute to the public revenue out of which the grants for education are made. There is another most important recommendation of the Commissioners, which the Government have passed over in entire silence. I mean the recommendation that a portion of the charitable endowments of the country, which were originally intended to be devoted to purposes of education, but which have now become obsolete, in many cases useless, and in some even mischievous, should be placed under the control of the Privy Council, and that thus a revenue of upwards of £100,000, which might be derived from these small and useless charities, should be applied, in connection with the funds at the disposal of the Council Office, to the useful education of the poor in the districts in which they are situated. It is stated in a pamphlet which I received this morning, and which contains a table of the amount and number of these endowments in different parts of the country, that there are in England no less than 547 endowed grammar schools, and 2,419 other endowed schools. The greater portion of these are now doing no good whatever, but might by judicious administration be made a most important element in the education of the country. In the county of Worcester there are 70 of these small endowments. I am personally acquainted with three or four of them, and they are the worst schools that I know of, though if the advice of the Commissioners had been followed they might be made a useful part of an educational system. I therefore complain of the Government scheme, that, instead of carrying out the recommendation of the Commissioners with reference to such schools, the right hon. Gentleman has neglected and ignored it. I think the right hon. Gentleman has had offered to him one of the finest opportunities of conferring a signal benefit upon this country which any man ever had; for if he had introduced a statesmanlike measure, combining the recommendations of the Commissioners with the best parts of the Privy Council system, he might have settled this question, if not for ever, at least for a long period to come. The right hon. Gentleman and the Government, however, have not had the courage to grapple with the question in a bold and statesmanlike spirit, and the result has been that they have proposed a course which involves all the evils of change without giving us the advantage of improvement. I cannot agree with my right hon. Friend the Member for the University of Cambridge that it is right to adopt the principle of the Government plan, although we may object to the details, for I cannot admit that in the Government plan there is any principle at stake.

MR. WALPOLE: I think I said the objects.

SIR JOHN PAKINGTON: I am glad to hear that important correction from my right hon. Friend, but I think I have heard other hon. Gentlemen say that they were willing to adopt the principle of the Revised Code. I am prepared to contend that the Revised Code raises no principle. There is a great principle now under discussion, that of assisting the education of the working classes of this country by grants voted by this House, to be distributed among the schools which should prove themselves worthy of assistance; and that principle has been in action from the moment at which the Privy Council system came into operation. I contend that the question before us is not one of principle, but is essentially one of detail—namely, what is the best mode of carrying out that intention of the House of Commons? Perhaps, the right hon. Gentleman will tell me that the principle at stake is the principle of paying by results; but, I contend that that principle, also, has been in operation ever since the commencement of the system, and that the only question is how you are to ascertain those results. We have never paid money to any schools except upon the assurance of the Inspectors that the results were satisfactory. The details of the Revised Code are most objectionable. My reason for dissenting from the conclusions of the right hon. Gentleman, while I do not dissent from his premises, is that, although I am sensible of the defects of the existing system, I am not prepared to abandon or impair that system until I see another in its place which shall be equally effective and equally good. At this late hour I will not enter into the various questions involved in the Revised Code. I will refer only to that portion which relates to the payment on the examination of the children. My view of that important provision is that it will destroy many of our schools, will endanger the beneficial results which we have been obtaining from the Privy Council system, and will aggravate rather than diminish its principle defect, that it does not reach the poor and neglected districts. Archdeacon Hone, of Worcester, than whose views upon this subject no man's were more sound or more matured, and than whom no one was more likely to come to a just conclusion, had published a letter in which he said —

> "In the first place, all who are acquainted with the Revised Code are aware that school managers will now be required to incur additional pecuniary responsibility. In the case of the schools of Hales Owen (his own parish), the sums to be provided will be in 1862, £125; in 1863, £142, and in 1864, £155. To these sums must be added for certificated teachers £45, making the total liability for each of the three years, £170, £187, and £190. Is it wonderful that we should object to find ourselves in so hazardous a predicament?"

He also speaks at length of the effects of the system of payments upon examination, and the causes that might interfere with it, and sums up its results by stating that it would produce such uncertainty that in the morning the managers might expect a grant of £100, and in the evening it might be uncertain whether it would be £50, or £100. It is impossible for me to state objections of this nature from a person more enlightened, and I want to know what reply the right hon. Gentleman has to give to them. My hon. Friend the Member for Lincolnshire (Mr. Banks Stanhope) stated the other night that in his school there were not more than 50 per cent of the children of the labouring classes who gave one hundred attendances in the year. If that be the case in a school situated like that of my hon. Friend, with the residence of a large landholder near, what would it be in a remote rural district, or in crowded suburbs of our towns, where there may be no proprietor who takes an interest in the education of the poor? How, let me ask, will you persuade the managers of those schools to undertake the risk which the Archdeacon shows that the Revised Code involves? And who are those managers? Why, Sir, in the immense majority of cases they are the clergy of this country. Their conduct has been beyond all praise in this matter; and I think it a most unwise and ungenerous return now to tell them—as you are practically telling them—that they must either lose their schools or incur risks which we know it will be impossible for them to avoid. The report of Mr. Fraser has been referred to to-night. The substance of that report is that in a large district which was inquired into by the Assistant Commissioners the average subscriptions of the clergy to the schools are at the rate of 10 guineas per annum, while those of the landowners are at the rate of 5 guineas, and those of the occupiers of land much lower. The burden, in short, fell upon the clergy. There is a report of another Assistant Commissioner which is still stronger, because in that report the payment of the different classes is tabulated, and in one case the clergyman pays £100 a year, whereas the owners and occupiers of land pay not one shilling; and, indeed, in every case the burden of the clergy is greater than that which is borne by any other class. Is it fair, then, or wise to expose those admirable men to the choice of incurring unknown risks? But you do more; you expose them to the certainty of increased payments—how much increased we cannot say, but we know that the average reduction of the grants to those schools will not be less than two-fifths. There is no doubt that the schools in many of the most favoured districts, where no help is really required, will be very well off—they who have much will get much. But in the same ratio the poorer districts will get less. I utterly protest against a plan the result of which will be to undermine the best portion of the present system, and to close the schools in those districts where the clergymen feel that in justice to themselves and their families they cannot undertake additional risks. The right hon. Gentleman quoted a passage from the report on this subject, in which Mr. Watkins, speaking of his whole district, says, "Not one half the children have been at school for a year." How are such children to come up to the requirements of the Revised Code? It is impossible.

Then take the case of a child perfectly able to earn the grant. That child may be at the school for the first eight or nine months of the year, he may then go away, and may not be present on the day of examination. Will the right hon. Gentleman tell me how the managers are to be reimbursed for the teaching of that child? Take the case of a child who comes into the school shortly before the examination; how are the managers to receive payment in respect of him? Is not this plan a direct inducement to the managers of our poorest and humbler schools to neglect the education of the very children that require the most care? I challenge the right hon. Gentleman to disprove this view of the case. I say the dullest children require the most care, and they are those who will fail on the day of examination. I have already stated my opinion that this plan, if persevered in, will have the effect of increasing the evil, which is now felt under the Privy Council system, of not reaching the poor and destitute. And what is the right hon. Gentleman's answer to that? It is that he is going to propose a lower class of teachers. I have no doubt his intention is to reach the humbler classes; but I maintain that the fourth-class certificate will not meet the case of our low-class schools and those in remote parts of the country. And here I cannot altogether agree with my right hon. Friend the Member for the University of Dublin (Mr. Whiteside) as to this portion of the plan. I quite approve it. But will it meet the case? I maintain that it will not. I will take the case of a school in a very remote district, and I want to know how it is to commence its career if it is to be tried by the examination of the children? I maintain that there is no chance for such a school, and that therefore the right hon. Gentleman's plan, notwithstanding the proposal of fourth-class certificates, will aggravate the existing evils instead of remedying them. It is now too late an hour to touch on the other portions of the subject to which I should, at an earlier period, have liked to have alluded; but there is one point on which I cannot refrain from expressing my deep regret. I allude to the withdrawal of all assistance from one class of schools, and that class the one which most required it, the most pitiable and destitute of all—I mean the withdrawal of assistance from the ragged and industrial schools. That subject was inquired into by a Committee last year, and I suppose the right hon. Gentleman will vindicate his plan by reference to the Report of that Committee. I will only pause to say I dissent entirely from that withdrawal. I had hoped the State would not withhold the help from these schools, which needed it more than any others; and I can only add, I regarded that part of the Government plan with the deepest feeling of regret. I did hope, now that an opportunity of revising their system was presented, they would not have neglected those schools. I cannot help expressing my surprise that the noble Duke who was at the head of the Commission, and who so ably discharged the duties which devolved upon him, should as a Member of the Cabinet have consented, as I presume he has, to the introduction of a system which really and practically ignores and repudiates the laborious results of that Commission of which he was the Chairman. I had hoped, from the extraordinary advantages which the Government possessed—having the report of the Commission in their hands, and the Chairman one of their own body—for very different results. We have heard of the unwillingness of hon. Gentlemen to give any party character to these deliberations. If there be any man in this House who has a right to say that he is free from party bias on this subject, I think I am that man. I have on more than one occasion risked my connection with the party with which I act, and with which I have acted during my whole public life, because I refuse to abandon my convictions on this subject. When the Resolutions of Lord John Russell were before the House in 1846, I stood almost alone in giving him my support. I did give him my support, because I believed the principles on which his Resolutions were based were sound. I retain the same opinion still. In the same spirit, had I been able now to concur in the Revised Code, no party consideration should have deterred me from giving it my support; but I am unable to do so, for I regard it as unworthy of the abilities of the right hon. Gentleman and of the character of the Government. I regard it, too, in reference to the report of the Royal Commissioners, as altogether absurd; and I feel it my duty, as the proposal stands before us, to meet it with my decided opposition.

MR. LOWE: The right hon. Gentleman who has just spoken (Sir J. Pakington) undertook to show two things—First, why he could not support the proposition of the Government, and second, why he would support the proposition of the right hon Member for Cambridge University. Now, I appeal to the judgment of the House, whether the right hon. Gentleman has redeemed the principal part of that promise. He has shown the House abundant reasons indeed, in his own view, why he could not support the plan of the Government. He accuses me of a want of courage; and, to say the truth, I have heard so much in the contrary sense that I feel quite relieved by the charge. But I must say, that had I taken the advice of the right hon. Gentleman, I should indeed have been courageous. For what does he advise me to do? He says, in the first place, that Government ought to override and entirely disregard the opinion of the able Committee that sat last Session, and which was presided over by the hon. Baronet the Member for Stamford (Sir S. Northcote) which reported against Government aid to industrial schools. That was the first step, for not taking which, contrary to my own opinion, I am accused of a want of courage. There is another matter, which the right hon. Gentleman deeply regrets. He wishes we had taken the great opportunity afforded by the Report of the Royal Commissioners, and had come down with two twin measures to the House—one, to throw the great weight and burden of national education on the county rates; and the other to confiscate some thousands of local charities and apply their revenues to the purpose of education. That is the great opportunity which the right hon. Gentleman thinks I have lost, and no doubt, with his views on politics, he regrets that the Government did not embarrass themselves by taking the course he points out. The right hon. Gentleman, however, omitted to show that the right hon. Member for Cambridge University was less guilty in these matters than we are. I have not observed that that right hon. Member has displayed, in addition to discretion, that eminent courage in which the right hon. Baronet thinks the Government deficient. I see nothing in the Resolutions proposed by the right hon. Member for Cambridge University about education being put on the county rates; or about decentralizing education, or about seizing charities; nor one single word about industrial schools. Therefore, why the right hon. Gentleman, in distributing his favours, should have entirely neglected me for the right hon. Member for Cambridge University, I am at a loss to understand. I appeal to the fairness and candour of the House to judge whether I have not a right to complain of the right hon. Gentleman's disregard of the *spretæ injuria formæ*. I hope the right hon. Gentleman will excuse me if I do not follow him in detail into the questions he has raised. At this time of night I could not think of troubling the House with anything which will more legitimately arise when we go into Committee. About the 27th or 28th of February we came to an agreement to resolve into Committee without opposition; and it seems to me, as there is no disputed Motion now before the House, that I should not be justified in taking up time in going over matters which we may have to discuss in Committee, and so doing what briefless barristers are sometimes accused of—

> "Arguing with force
> A motion of course,"

which they might have handed in without comment.

The right hon. Member for North Staffordshire (Mr. Adderley), to the excellence of whose speech I beg to bear my testimony, started two difficulties with respect to the plan of the Government. The first was with respect to procuring the attendance of the children for the purpose of examination. I cannot go into details, but will state one fact for the right hon. Member's consideration. A return shows that the number of children present at inspection was 7 per cent above the average attendance, and therefore, in spite of bad weather and illness, I do not think it will be difficult to obtain the attendance of the children at examinations. As to the second difficulty—that of conducting the examinations—I may state that it is the conviction of everybody of experience in my own office that there will be no practical difficulty in examining the children. Mr. Cook, the oldest, most experienced, and ablest of our Inspectors, has been represented as saying that he could examine a school of 150 scholars in an hour and a half; but what he says is, that it would take him four hours to examine a school, two hours and a half being devoted to inspection, and one hour and a half to the examination of the children. This space of time, however, would not enable him to take down the results of the examination; but give him six hours and he would examine a school on the Government plan. No doubt Mr. Cook is a man of great ability, and it would not be fair to take him as a sample of the average of men; but still that is a sound practical opinion, showing the feasibility of the Government plan. I may say the same thing of Mr. Norris, who states that there is no practical difficulty in the task. I have letters by the dozen—not like those of the right hon. Member for Cambridge University, all on one side, but many on both sides—from people who have tried the experiment with the assistance of Inspectors, and they have never stated that any practical difficulty was found in the examination. That is the answer I have to give to the two questions raised by the right hon. Member for North Staffordshire. There were many most interesting topics in his speech, which I earnestly recommend to the perusal of those hon. Members who were not so fortunate as to hear it.

I now come to a less agreeable subject—the personal charges made against myself by the right hon. and learned Member for Dublin University (Mr. Whiteside). The first charge was that, in the speech I made last year, I appealed to a tribunal which I am not ready to submit to. I said in the speech I made in July last—

> "In fact, the question as to what system of education is to prevail will be regulated by the opinion of those whose hands maintain it. So long as it is the opinion of those who contribute to the maintenance of the schools that the present system is the right and the best one, so long will the present system continue."

So much the right hon. and learned Gentleman read, and asked how could I, in the face of that, destroy the present system of the Privy Council? But why did he not read a little further? He would then have read these words—

> "As I am anxious, in addressing the House, to economize time, I will merely now say that it is not the intention of the Government to infringe on the organic principles of the present system—namely, its denominational character, its foundation on a broad religious basis, its teaching religion, and the practice of giving grants from the Central Office in aid of local subscriptions, the propriety of those grants to be ascertained by inspection. I do not require to wait until next Session to make this declaration." [3 *Hansard*, clxiv., 725.]

If the right hon. and learned Gentleman had read that passage, it would have been seen that the system of the Privy Council, of which I spoke as one to be kept up as long as the subscribers to the schools wished it to be kept up, was the system I described in the latter words—the system which is the assumed basis of the change we propose. There is not one of those circumstances which the Revised Code seeks to alter, and the unfairness of the manner in which the passage was quoted from my speech is manifest from the fact that the same speech contains twice over a statement of the very change we propose. The right hon. and learned Gentleman also quoted from a speech I made on the 13th of February last. The passage quoted was this—

> "Supposing that we gave half the grant upon the report of the Inspector (which would be the same as giving it absolutely, because they would be sure to get that), &c." [3 *Hansard*, clxv. 215.]

The right hon. and learned Gentleman said that in those words I cast a wilful imputation on the character of the Inspectors. I will quote the authority of a gentleman, equal, in my opinion, to the authority of the right hon. and learned Gentleman—I allude to the right hon. Member for North Staffordshire. He says that any such test as a general inspection of schools is invalid, and that he knows of no instance in which an Inspector reported completely against a school. I am offering no opinion on the point at this moment myself; but I cannot help thinking that the statement made by the right hon. Gentleman the Member for North Staffordshire is a full answer to the charge of disrespect of the Inspectors which has been brought against me. Nobody supposes that that right hon. Gentleman would say anything unfair, and I should like to know why a contrary interpetation should be put on the words to a similar effect which have fallen from me. In speaking as I did I had in my mind the practical experience of my own office, and meant no disrespect whatever to the gentleman to whom I referred.

Again, I am told that one great objection to the Revised Code is that it will make the grants uncertain, that it will render it impossible for the managers of schools to know what sums they are to receive from the Government. On what, I should like to know, is that statement founded? On the fact, it would seem, that under the Revised Code they will depend upon examination, whereas now they depend upon inspection. But how can the uncertainty arise unless the present system of inspection led to one uniform result, while examination will be a discriminating process? But am I the only man in this House who holds the opinion on this point which I have already expressed, and am I, because I hold that opinion, to be regarded as being chargeable, not only with intellectual blindness, but also with moral obliquity?

I now come to the last charge which has been made by the right hon. and learned Gentleman against me. He read a passage from my speech in reference to the prosperity which I said was enjoyed by the schoolmasters, and to my statement that it might therefore be imagined they would be contented. He then quoted these words—"British schoolmasters share the grievance of insufficient salary, but they are free from priestly tyranny." Why, I quoted that improper and insolent statement solely for the purpose of showing that discontent prevailed among the schoolmasters; yet the right hon. Gentleman uses the passage to found on it a charge that I had myself applied that language to the conduct of the clergy of the established Church in their capacity of managers of schools. I trust, however, that even if I were more obtuse than the right hon. Gentleman seems to think, the House would give me credit for being cognizant of the heavy sacrifices which the clergy have made with respect to these schools, and for not being so absurd as to state that, because they exercised a proper and necessary surveillance over them, they were guilty of "priestly tyranny." But the right hon. Gentleman, not satisfied with seeking to identify me with this passage, which I quoted from another, turns round, and assuming that I differ from that passage, charges me with making an unjustifiable attack upon the schoolmasters. Now, I really should have thought that the right hon. and learned Gentleman, coming into this House to make a speech on a subject of so much importance, and having read so many books with respect to it, could have found among the diversified and interesting topics with which it abounds, something better to urge than those comments to which I have alluded, and which have the ring of some miserable squabble in Ireland rather than of anything connected with the great question of English education. I should have thought he might have dwelt on that great question in its financial aspect, and as it bore upon the interests of the poor, without treating us to this wretched harangue about "priestly tyranny." I fear, however, the right hon. Gentleman has taken more pains to make himself acquainted with the "elegant extracts" which he has made from my speech than with the details of the measure under discussion. He talks of the Commissioners instituting a prize scheme; but if he will not take the trouble to inform himself of the details of the question, it is impossible for me to meet arguments arising from information so inaccurate. The essence of the whole plan of the Commission is a scheme founded on examination; and I beg to refer to a passage which will, I think, convince him on that point, in which the Commissioners say they think inspection and instruction as at present carried on must tend to aggravate each other, until the difficulty of the case is removed by means of examination. Yet the right hon. and learned gentleman so put the matter for the purposes of his fluctuating argument as to make it appear they were against examination.

Passing, however, from his speech—which I do with the greatest pleasure—I have to express my acknowledgments for the considerate manner, so far as I personally am concerned, with which this subject has been, generally speaking, discussed within these walls. It contrasts favourably with the language which has been used elsewhere, and I can assure the House I am not going again to trespass upon its indulgence by arguments with respect to the question of efficiency as involved in the subject under our notice. I think it, however, right to apologize to the House for having on a former occasion been led into error in stating that three-fourths of the children attending the schools were not properly educated. The argument I advanced was based on a conclusion drawn in the first instance by Mr. Norris, one of the Inspectors, from a passage in the Report of the Commissioners, in which they state that three-fourths of the children are withdrawn from the schools before they reach the first class. That argument, it was shown perfectly clearly by a gentleman named Birks, was founded on insufficient information, inasmuch as there is no means of determining the number. Now, I have a word more to say about Mr. Birks's pamphlet. I turned to the summary of its contents, not wishing to wade through all the arguments which he advanced. But instead of a summary I found something like a parabola. I was immediately reminded of Armstrong guns and other deadly weapons of the same character, of which I had enough about my own head without going in search of them. The question at issue was introduced in a parabolic curve, but that curve turned out to be hyperbolic. The Commissioners stated that they found three-fourths of the children left school without going into the first class, that they considered those who did not enter the first class were not properly educated, and therefore inferred that three-fourths were not so educated. Mr. Birks points out that it is erroneous to suppose that all the removals from school were final, and that those children who once left went away from it altogether. In that Mr. Birks was right. But then he proceeds to prove by a system of mathematics and metaphysics blended together in very uncertain quantities that at least half the children pass through the first class. I am not going to trouble the House by entering at length into his demonstration of this proposition. I may, however, observe that he assumes two things, the one being that all removals from the first class were final; the second that, with some few exceptions, no removal from a lower class was final. Now, it may happen that a child is removed from the first class because his parents think that he has got all the benefit of that class and may go to another. Mr. Birks, therefore, notwithstanding his cabalistic ingenuity, has not arrived at correct conclusions, unless these two propositions of his may be said to be so constructed that they neutralize one another. I will now venture to cite a passage from the Report of the Commissioners, because the question is important and the authority high. Mr. Cook was asked this question—

> "You speak of reading, writing, and a certain portion of arithmetic as the essential things, combined with a good knowledge of Scripture; and you consider that in those essential points the schools in your district are very good?"

His answer is—

> "The good schools; many are very bad; a great number fall very short of a satisfactory standard, as is shown by our reports. I should also say that I scarcely should visit a school without pointing out that some one of those three subjects requires greater attention. In some schools the reading is bad comparatively; in some the penmanship is indifferent, and the spelling not so good; and in others the arithmetic; but those three points in reality I consider the tests of a good school, and I attach more value to them because they are points which really can be ascertained positively."

The conclusions of the Commissioners are, first, that the existing system of education is too ambitious and requires to be lowered; and, secondly, that it is above the capacity of the schools as at present organized to meet. I have the greatest respect for the honesty, impartiality, and ability of the Commissioners. Moreover, they had ample means of knowledge, and their statements are confirmed by those who, like the hon. Member for Bradford (Mr. W. E. Foster), admit that the state of education is unsatisfactory, though they differ in some respects from the views I have advocated. We are in the habit of saying that education in England is very good. The right hon. Gentleman the Member for Cambridge University told us that we have one in seven receiving instruction, and that we stand highest in all Europe, Prussia excepted, with respect to attendance. That is a fine thing, no doubt, but education does not consist in children attending school. It consists, rather, in what they learn at school. Upon that point, unfortunately, until we have got some system of examination, we can obtain no precise information; but whatever evidence we have is directly in the teeth of the prevailing impression. In the Staffordshire Militia, consisting of 846 rank and file, only 316 could read well, 281 very imperfectly, and 250 not at all. Compare that with the state of a regiment in South Holland, which is considered the worst-educated of the Dutch provinces, and where the attendance at school is inferior to ours. In a regiment in South Holland, consisting of 7,000 conscripts, 6,000 could read and write perfectly. Let us take another test. In the Birmingham House of Correction it was found that out of 407 persons attending day schools from a *minimum* of two to a *maximum* of five years of age 70 were unable to read correctly, 178 were unable to write, and 352 were ignorant of the compound rules of arithmetic; 25 could read well, 12 could write, and 9 knew the compound rules of arithmetic. Of 288 who attended day schools from a *minimum* of five to a *maximum* of ten years of age, 28 were unable to read, 66 to write, and 179 were ignorant of the compound rules of arithmetic; 151 could read well, 35 could write well, and 14 knew the compound rules. These figures are not satisfactory. They show that we must not measure our progress in education by the number of children attending school, but should pay more attention than we have hitherto done to the results actually attained in our schools.

A few words as to the question of expense. The right hon. Baronet the Member for Droitwich admits that the schools are costly, though he strenuously resists all our attempts to cut off superfluities. The right hon. Gentleman the Member for Cambridge University also says it is time we should look into the expense of our schools. Let the House remember what our system is. We do not educate the children. We merely aid voluntary efforts. We do not pay half the expense of the education, if you include the fees paid by charitable persons as well as the school pence. But what are the results? Why, we educate somewhere about 1,000,000 children, and the Estimate which it will be my duty to submit to the House amounts to £825,000, the number of schools being 9,000. In France they educate the children altogether. They have 50,000 schools, attended by 3,500,000 children, and the amount expended upon education is £1,700,000, the Government defraying the whole expense. We cannot expect to have things so cheap in England as they are in France, but I am instituting a comparison, not between two perfect systems of education, but between a system which does not pay half the expense of the education and a system which pays the whole. Take Ireland. In that country we pay £285,000 to educate twice as many children, or 10*s.* a head. The sum is less than we pay in aid of education here, for we give 11*s.* 6*d.* a head. Take Scotland. In that country, as the Lord Advocate told us the other night, we are able to make a munificent offer, giving £1 a head for every £1 raised by local taxation, and yet we save money by the process. I therefore think I have a right to say that our system is at present neither efficient nor cheap. I am challenged to state what the amount of the Estimate will be. How can I possibly tell what trouble will be given in preparing the children for examination? The thing will depend not as now upon inspection, but upon the results of examination. It will depend upon the amount of diligence which may be brought to bear upon the education of the children. How can I measure that diligence? I can only repeat what I have said before, that if the system will not be cheap, it will be efficient; and if it will not be efficient, it will be cheap. But the right hon. Gentleman the Member for Cambridge University says I appear to be doubtful whether it will be either one or the other. If we adopt his system, I have no doubt at all. Every one of his Resolutions proposes a relaxation of rules which are meant to secure efficiency, and every one of them would lead to an increase of expense. The relaxation would destroy efficiency, and the increase of expense would do away with cheapness.

One word as to why I have pressed the question of examination upon the House. I am afraid that many hon. Gentlemen do not sufficiently consider what is the real nature of a school. A school is not a thing which has one definite ascertainable object. The work of a school is never done. It is infinite. A school aims at a *maximum.* The problem is not to educate so many children, but to educate the greatest number possible. A school, like a church, is militant, continually fighting with innumerable foes—ignorance, vice, and crime—which encompass it on every side. It may be compared to a luminous circle surrounded by a black belt. The light spot represents the children who are receiving instruction; the dark belt the children who learn nothing. The effort of the school is always to enlarge that luminous circle, but its energies, though strained to the utmost, are often unable to make any impression upon the black mass around. Its work is never done; it is always beginning, never ending. Every child born into the world recruits the powers of ignorance, and you require all the inducements and stimulants that can possibly be applied in order to continue, with any hope of even partial success, what must be called a perpetual warfare. That is why I want an examination. I want an examination because I wish to bring to bear upon the managers, to whom we desire to give complete power over the schools, all the pressure I can.

We have been told of cases of hardship. The right hon. and learned Member for Dublin University (Mr. Whiteside) has spoken of St. Ann's, Soho, which he seems to think is in immediate proximity to this House. Our neighbours in Soho are in a bad way; they are migratory and poor, and the right hon. and learned Gentleman asks me what I will do with such a locality as that. What would he have me to do? Does he wish that I should have ten or twenty rules applicable to different parishes? Does he want the time of the Education Department to be spent in adjudicating as to which parish or which group of parishes should be placed under one rule, and which under another? Is he anxious that I should be empowered to say, perhaps to a particular friend, a relation, or an acquaintance, "I shall put you into a group where you will get a large grant?" Does he wish to make the whole education grant so much private patronage in the hands of an irresponsible Minister? If he does not wish that, what does he want? What I say is, that if we are to administer the education fund honestly and fairly, we must have one rule applicable to the whole country. That, no doubt, implies much occasional hardship. It implies much money given to rich places which do not want it, and less to poor districts which do want it. But do not lay that fault at my door. It is the fault of the system—a system which refuses to the State the initiative, in which case we could apportion our grants to the necessities of the country, parcelling it out into districts, or we could establish a rate and frame a local machinery to administer it. Either of these plans might be adopted under a different system; but it is vain to hope that cases of hardship here and there can be prevented by a central office, which, unless it is to be a den of corruption and iniquity, must adhere unswervingly to one fixed rule, applicable to the whole of England. The fault is not in the Revised Code. It lies deeper. It is inherent in the system which Parliament and the Commissioners have deliberately adopted, which I have not felt at liberty to call in question, but which I have believed it to be my duty to carry out loyally and honestly. I go further. I say you must have some test or standard. Well, if so, what standard shall I adopt? Shall I have two standards, admitting of all sorts of jobbery, and dishonesty of administration, and which would soon shatter the whole system to pieces; or shall I have one standard, and make that a loose one, leaving everything to the discretion of the Inspectors? If we adopted such a standard, the result would be that we should drag down every school to the condition of the lowest. What then remains except to adopt a plan which is described as narrow, pedantic, visionary, but which has, at any rate, these advantages, that it is clear, definite, decisive, capable of being realized and judged of by men of ordinary capacity and no great skill. I deplore the cases of hardship which are brought forward; for them there is no remedy. It is in vain to complain of me, in regard to these cases of hardship, and you must go deeper and further.

There is another point which I am anxious to point out to the House, and which has never been brought clearly before it. The right hon. Gentleman the Member for Cambridge University has said that we do not test the most important results of a good system of education—meaning religion and morality. I wish the House to understand the precise importance of the Code in this respect. We make our grant upon every attendance above 100, the notion being that the child who attends gets the benefits of the school, whatever they may be, whereas the child who does not attend fails to obtain them. Well, what conditions do we annex to the grant? All the old conditions that are in force now, and we add to it that of examination. The conditions already existing are—that there should be suitable school buildings, that the discipline should be good, that there should be an absence of gross faults, that the master should be a certificated teacher, that the religious teaching shall be certified, either by the Inspector or the managers, as the case may be, to be satisfactory; and we now propose to add that the children shall pass an examination in reading, writing, and arithmetic. How do we enforce these conditions? In three ways. Some are conditions precedent, others are enforced by the total withdrawal of the grant if they are not complied with. Unless an Inspector is satisfied that the more important conditions are observed, the school is not even examined in respect of reading, writing, or arithmetic. Above all things religion is absolutely essential, and not a penny will be granted for any proficiency, in other respects unless the Inspectors or managers are satisfied with the religious teaching of the school. This is a rule that is inflexibly insisted on. The condition of the premises, the discipline of the school, all the things that the Inspector's eye judges of, are required to be certified by him; and if he is not satisfied, we either withdraw the grant altogether, or, if the offence is a minor one, we have the power of withholding a part of the grant. As the right hon. Gentleman (Mr. Adderley) puts it, the grants now approach very nearly to certainty, because the Inspector shrinks from enforcing the punishment. We hope to make the punishment more efficient by making it milder, but we leave severe penalties in force for minor breaches of the conditions, ranging from one-tenth to one-half of the grant. And yet, with this penalty of withdrawing the grant altogether where religious teaching is not given, we are told that in this Revised Code we neglect religion altogether, that we abolish inspection, and substitute a catechetical examination. [Mr. HENLEY: Hear, hear.] The right hon. Gentleman the Member for Oxfordshire appears to be of this opinion; but will he not measure the relative importance attached to these conditions by the amount of penalty assigned for the breach of them? The heaviest penalty imposed is for the want of relilious teaching, and the lightest for the neglect to teach reading, writing, and arithmetic. What perversity it is, then, to represent us as sacrificing religion and morality for the sake of teaching reading, writing, and arithmetic.

The noble Lord the Member for Stamford (Lord R. Cecil) is haunted by terrors of an inferior class of Inspectors. He need have no fear in this respect. We propose to retain all the duties they now discharge, and we arm them with additional powers. It is necessary for the due performance of the duties of Inspectors that they should be men of the same rank and station as the managers with whom they will have to associate. What the noble Lord has got in his mind, probably, is that an inferior class of men may be necessary to assist the Inspectors. That is, I think, very possible. While we shall still require the practised eye and the accomplished mind of the Inspector, the duty of examining the children in the elementary branches of learning may be delegated to another class of persons. In the smaller schools the Inspectors may be able to perform this duty; but where the schools are very large some additional assistance will probably be wanted. Dr. Temple, in his excellent letter which has been published during the last few days, says it may be desirable to associate with the Inspectors persons to undertake the labour of examination who are less expensive to the public, but there is no intention of altering the position of the Inspectors. In regard to cases of hardship, I will only say that it is no good for the House to spend its time in the attempt to set right individual cases of this kind. You must first settle the basis on which you will proceed. Will you attempt to relieve indigence, poverty, and want with the grant, or will you pay for efficiency? Is the grant to be eleemosynary in its character, or a payment for services faithfully rendered? Let hon. Gentlemen only tell us how we can unite the two, and I for one shall be grateful for the suggestion. If you cannot unite the two, and if you make your election, I cannot doubt that you will give your money for efficiency, and not for want. The true way to educate the people is to bring them up to your standard, and not to lower your standard to them. If you attempt to blend the two, you will have an image the feet of which are of iron and clay, and which will be rolled in the dust and the head damaged. Some hon. Members are alarmed at the imminent danger of the destruction of the pupil-teacher system. The pupil-teacher is something more than a paid monitor. He is bound for five years, and therefore the master gets the benefit of an apprenticeship. But what is the tenure by which the pupil-teacher holds his engagement? I am sorry to say that this tenure is utterly precarious. The pupil-teacher executes an indenture with the master of the school; but that document is of no legal validity although the Government has to pay the money, and the pupil-teacher is sometimes visited by the managers with arbitrary dismissal. Only this week a schoolmaster applied to the Committee of Privy Council for permission to take work in the evening. The application was refused, on the ground of his duty to his pupil-teachers. The managers thereupon dismissed their pupil-teachers in order to leave the master free to do what he had desired. They will not do it again, I hope, after the notice that I took of it, but I mention this instance to show how precarious is the condition of the pupil-teachers under the present system. We propose that in future the pupil-teachers shall not be engaged by the master, because, he having ceased to be the servant of the Privy Council, we have no power to interfere. We propose that the pupil-teachers' engagements shall be for five years, with power on one side or the other to terminate it on six months' notice, on a certain payment. The position of the pupil-teacher will then be very much improved. Instead of being turned away at the arbitrary will of the managers we give the pupil-teacher a legal agreement—that is, something on which he may rely. The noble Lord the Member for Stamford made an attack on me the other night for interfering with the pupil-teacher's position by making it more precarious. In answer to a statement as to the position of these teachers, I observed that their indentures were not stamped; but in making that remark I did not for a moment mean to imply that the Government or any gentleman placed in authority would for a moment be guilty of the baseness of taking an advantage of a legal quibble of that kind. I dare say I explained myself imperfectly; but, so far from endeavouring to take any advantage of such a circumstance, in order to render the position of the pupil-teachers less secure, one part of our proposition is, that after this Revised Code comes into operation the Government will see them paid if the managers do not pay them. That being the case, I should have thought my right hon. Friend the Member for the University of Cambridge would have refrained the other night from making that remark which he addressed to the House in so theatrical a manner, when he exclaimed, "We are told that their indentures are not stamped," and then turned round to receive that cheer which, of course, was given to him. I think that, knowing as he did, what our propositions are in respect of those pupil-teachers, it was hardly worthy of the right hon. Gentleman's high position for him to gain a cheer by such an accusation as that. We all agree that the pupil-teacher system is an excellent one; but some of those Gentlemen who speak so highly of it say, that if the Government cease to pay the whole of the pupil-teachers' salaries, it will cease to live. "It is a good system; it is living and flourishing, but without Government support it will immediately perish." That is what these Gentlemen say; and the dilemma in which they have placed themselves is irresistible. If the system be good, it would continue to live, even if the Government did not support it. If it is bad, it is not worth supporting.

I am aware that there are many other points that are well worthy of notice, and if I do not refer to them more particularly, I hope hon. Gentlemen will attribute my not doing so to the lateness of the hour, and not suppose that I had not considered and prepared myself to meet all the various objections which have been urged in the course of this debate. In conclusion, I shall merely say that this debate has been to me, on the whole, exceedingly gratifying. I have heard, certainly, a general expression to this effect—that the present system cannot go on. There are some exceptions to the general agreement in another proposition. I might, perhaps, name my hon. Friend the Member for Hertfordshire (Mr. Puller), and the right hon. Gentleman the Member for Droitwich (Sir John Pakington), as exceptions; but, with these distinguished exceptions, I am happy to believe that every hon. Gentleman has expressed his concurrence, I suppose I must not say in "the principle" of the Revised Code, but in these two propositions—namely, the simplification of all the grants into one grant, and an examination of the children in reading, writing, and arithmetic. I think it has been conceded that these measures would be desirable. There is a point on which there has been a remarkable coincidence among several of the hon. Members who have spoken in the debate, and I shall refer to it, though it tells somewhat against me. A wish seems to have come from all quarters that something should be done to introduce into the grant a greater security than exists at present. The Government felt that the existing system of national education required some alteration, and it appeared to them that in the simplification of the grants and the introduction of personal examination the remedies lay; but we are quite ready to have these propositions discussed in Committee. And I would ask the House not to suppose that we are not prepared to enter in a conciliatory spirit into a discussion of any propositions that may be put forward when we come to deal with the subject in detail. Our desire is to make the system a satisfactory one so far as it is in our power to do so, and I hope that hon. Gentlemen of all parties will give us their assistance in carrying out that object. What we have to consider is not the interests of schools, or managers, or masters, or teachers, but the education of the working poor of this country.

MR. WALPOLE: In the very clever reply which my right hon. Friend has addressed to the House he has been conclusive on some points; but he has not been conclusive on three which I consider most important, and which I shall press when we go into Committee. First, the right hon. Gentleman thinks that the Revised Code will make no difference in the religious and moral training given in the schools. Under the present system a good moral and religious influence and discipline is brought to bear in those schools. I consider that a most important function of those schools. There is a positive reward now given for moral and religious proficiency; but this reward cannot be given under the Revised Code. The second point is with regard to the test of the knowledge acquired in the three elementary subjects. I pressed strongly on the House that the test is not, in fact, a test of the knowledge that has been acquired by the children attending the school, but a test of the acquisition of knowledge by children found in the school on a certain day. With respect to the third point, I do not think that I acted in the theatrical manner attributed to me by my right hon. Friend when I alluded to his observation on the indentures of the pupil-teachers not being stamped. My right hon. Friend is generally very guarded, but that observation, which my right hon. Friend may have made inadvertently, created a painful impression in the mind of the country. My right hon. Friend has alluded this evening to a case in which a pupil-teacher had been dismissed, as he thought, not very properly. [Mr. Lowe: Most improperly.] Well, ought not the Government to have seen that the indentures of those pupil-teachers were such as to give them security? These three points have not been answered, and I shall certainly press them in Committee.

Question put, and *agreed to.*

Matter *considered* in Committee.

House *resumed.* Committee report Progress; to sit again *to-morrow.*

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Friday, March 28, 1862.

Minutes.]—*Sat First in Parliament.*—The Earl of Mount Edgcumbe, after the Death of his Father.

Public Bills.—1^a Register of Voters; Industrial Schools Acts (1861) Amendment; Protection of Inventions and Designs (1862); Australian Colonies Government Act Amendment.

2^a Mutiny.

3^a India Stocks Transfer; Lunacy Regulation; Sir John Soane's Museum.

CASE OF JAMES WATSON AND OTHERS.

QUESTION.

Viscount DUNGANNON rose to call attention to the case of James Watson, Joseph Watson, and Joseph Tomlinson, lately convicted at the York assizes for unlawfully and maliciously placing gunpowder in a nailmaker's shop at Thorpe, near Rotherham, with the intent to damage and destroy the same; and to inquire if a report of the trial has been received by Her Majesty's Secretary of State for the Home Department; and whether, under the very peculiar nature of the case, he is disposed to recommend them as fit and proper objects to obtain the Queen's pardon? The noble Viscount stated the particulars of the recent trial of these persons at York. A very strong case of *alibi* was made out for the prisoners; and when the evidence for the defence had been concluded, Mr. Justice Mellor, the learned Judge who tried the case, asked the counsel for the prosecution whether he intended to proceed any further. The learned counsel, Mr. Maule, replied that he was in the hands of the Judge. The Jury said that they wished the case to go on. Mr. Justice Mellor summed up the case very strongly in favour of the prisoners; but, notwithstanding, the men were convicted and were sentenced to penal servitude for fourteen years. Very great dissatisfaction at the verdict was expressed in the neighbourhood of the alleged offence. He did not know why it was the jury had arrived at the conclusion that the prisoners were guilty. If, in consequence of the prevalence of such offences, they had felt bound to convict some person or persons, he thought their selection was an unfortunate one.

Earl GRANVILLE said, that the learned Judge who had tried the case had intimated to the Home Secretary that the newspaper report was not strictly accurate. Up to that time no petition on behalf of those men had been received by the Secretary of State.

House adjourned at half-past Five o'clock,
to Monday next, a quarter
before Five o'clock.

HOUSE OF COMMONS,

Friday, March 28, 1862.

Minutes.]—New Writ Issued.—For Preston, *v.* Richard Assheton Cross, esq., Chiltern Hundreds.

Public Bills.—1^o Summary Jurisdiction (Ireland).

3^o Marine Mutiny.

ELECTRIC TELEGRAPH COMPANIES.

QUESTION.

Viscount ENFIELD said, he wished to ask the Chairman of Ways and Means, Whether his attention has been called to the extraordinary powers which are sought, and have been sanctioned by Private Bill Committees to Electric Telegraph Companies and others to lay down telegraphs and erect posts and wires along roads, streets, and footpaths in various parts of the country; and whether he will call the attention of the House to the case on the introduction of the United Kingdom Electric Company Bill into this House, should such a Bill pass the other House of Parliament. He asked this question because he thought Electric Telegraph Companies' Bills ought to be dealt with rather as public measures than Private Bills, in the same way that the Tramways Bill was dealt with last year.

Mr. MASSEY said, with regard to the particular Bill to which his noble Friend had referred, it was now before the other House; in the event of its coming down to this House, if it contained anything objectionable it would be his duty to call attention to it. With regard to the more general question, he must say that extraordinary powers, similar to those now granted to Electric Telegraph Companies were to be found in various Private Bills so far back as 1846. He, however, must agree with his noble Friend that those powers were of an unusual kind, and ought to be watched with very great vigilance. The power to deal upon short notice with streets, highways, and thoroughfares—to take up the roads and lay down posts and wires along places of public resort—was a power which ought not to be lightly granted by that House; and yet Parliament had thought proper in several instances to grant it. With regard to any future attempt that might be made by private speculators to obtain such powers, he agreed so far with his noble Friend as to think that it might be proper for Parliament to consider whether it would not be necessary, by means of Standing Orders or by legislation, to impose some restrictions upon persons seeking to deal with roads and thoroughfares in that way.

THE NEW FOREIGN OFFICE.

QUESTION.

Mr. BAILLIE COCHRANE said, he wished to ask the First Commissioner of Works, What sum remains in hand, at the present date, of the £60,000 already Voted for the New Foreign Office; and whether the additional Vote of £15,000 will be expended within the present year? He wished also to know, whether it is the intention of the Government to pull down the State Paper Office, which was built only thirty years ago?

Mr. COWPER replied, that the sum expended was £3,900, and he thought there was every probability that the additional Vote to which the hon. Member alluded would be required before the Estimate of next year, 1862-3, became available. The State Paper Office would be pulled down, as the House was informed last year.

CLAIMS UPON PARAGUAY.

QUESTION.

Mr. LIDDELL said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether any, and, if so, what steps have been taken by Her Majesty's Government to obtain redress at the hands of the Government of Paraguay for the owners of the steamer *Little Polly*, which was run down, on the 11th of July, 1858, in the river La Plata, by a Paraguayan War Steamer; and whether Her Majesty's Government are prepared, by a show of force or otherwise, to obtain from the Government of Paraguay redress and compensation for this and other losses sustained by British subjects in that country.

Mr. LAYARD replied, that owing to various circumstances, the diplomatic relations between the Government of Paraguay and the Government of this country were suspended, and, consequently, no direct communication on the subject of this vessel had taken place; but late last year Her Majesty's Government were informed that the Government of Paraguay were disposed to submit the matter to arbitration. In January last, Her Majesty's Government intimated that in that case they would not be disinclined to concur in a reference to arbitration; but they had as yet heard nothing in reply to that intimation. As it was a "running-down case," something, no doubt, was to be said on both sides; and Her Majesty's Government did not, consequently, intend to exact reparation by force, before a full and careful inquiry had been made.

SUPPLY.

Order for Committee read.

Motion made and question proposed, "That Mr. Speaker do now leave the Chair."

PORTSMOUTH HARBOUR.—QUESTION.

Sir JAMES ELPHINSTONE said, he rose to ask the Secretary to the Admiralty, what were the returns at the Royal Dockyard, Portsmouth, of the height of water on the Bar of the Harbour Channel each tide on the 17th, 18th, 19th, and 20th of this month, March 1862; also the draft of water of Her Majesty's ship *Warrior*, and how many days in each month she can enter or leave that harbour. He asked the question because doubts had been thrown on the possibility of a ship of the heaviest draught of water getting in or out of Portsmouth Harbour on more than four or five days in the month. Two years ago, the water then being only 13 ft. 6 in. deep on the bar, the Government put a dredging vessel to work on the spot, and the result was that the water on the shoal of the bar was increased to the depth of 16 feet at low water in spring tides. Consequently, ships of the heaviest draught could gain access to the harbour on most days of the year; but the Government, having gained this advantage, had suspended their operations, in order to see whether any change in the depth of the water would take place. He could not but think this suspension unnecessary. In 1693 it appeared, according to the chart of Grenville Collins, that the water on the bar had a depth of 18 feet. In 1724 the depth was found to have decreased by 2 feet, in consequence of certain obstructions in the mouth of the harbour, which had altered the current; so that in thirty-one years there had been an annual decrease of water on the shoal of about three-quarters of an inch. From that time to when the dredging commenced (a period of 124 years) the bar had shoaled 30 inches, or at the rate of an inch in four years. Therefore he strongly recommended the Admiralty to proceed again with the dredging until the shoal was reduced to the depth in 1693, namely, 18 feet. There were other means of deepening the water besides those which had been adopted. In the time of Charles II. certain lagoons and backwaters on the Gosport side were granted to a family of the name of Warneford; and Sir J. Rennie reported in 1808, that the value of scour was so great that the right to these waters ought to be purchased. Without, however, detaining the House further, he might say that he had referred to the authorities of Portsmouth as to the actual depth of water on the bar at the last spring tides. According to the tide table there ought to have been 28 feet; but, in fact, on the 17th of March the morning tide rose to 29 ft. 7 in., and the evening tide to 29 ft. 6 in. On the 18th March the morning tide rose to 29 ft. 8 in., and the evening tide to 29 ft. 6 in.; and on the 19th, the morning tide rose to

29 ft. 11 in., and the evening tide to 29 ft. 6 in. He had also referred to a gentleman at Portsmouth of considerable reputation as an engineer, and he had informed him that there were only four days during the month of February in which the *Warrior* could not go in and out of the harbour; and up to the 24th of March there were in that month only three days in which she could not get in and out. There were not, therefore, more than sixty days in the year during which the *Warrior* could not obtain access to the harbour.

Lord CLARENCE PAGET said, he wished his hon. Friend had deferred putting his questions until the next month, when he should be able to give him more definite information with respect to Portsmouth Harbour than he was at present able to afford. With regard to the first question he might observe, that his hon. Friend had correctly stated the depth of water in that harbour on the 17th, 18th, and 19th, of the current month. On the morning of the 20th, it was 29 ft. 3½ in.; in the afternoon 28 ft. 9½ in. With regard to the second question, the draught of water of Her Majesty's ship *Warrior* was 26½ ft., and she was able to enter Portsmouth Harbour sixteen days during the month of February, and up to the 21st inst., fifteen days during the present month, having a clear foot of water under her bottom, which was certainly the least margin which could, under the most favourable circumstances, be considered prudent. The last soundings on Portsmouth bar had been taken in the month of April, 1861.

COMMERCIAL TREATY WITH BELGIUM.

QUESTION.

Mr. W. E. FORSTER said, he would beg to ask the First Lord of the Treasury, If he can inform the House why the negotiation of a Commercial Treaty with Belgium, for the purpose of securing that Belgium shall no longer impose differential duties on British goods, has been suspended? He observed that the answer which had been given to the question he put the other night by the hon. Member the Under Secretary for Foreign Affairs, had created so much disappointment in commercial circles, and especially amongst the manufacturers of the north of England, that it was most desirable to obtain some information as to the causes which had led to the suspension of the negotiation. For many years this country had been placed by Belgium in a worse position, in respect to commercial relations, than any other nation of importance. It was true that many years ago this country entered into a commercial treaty with Belgium, containing a favoured nation clause, but this clause was nullified by the provision that it was only to come into effect if there was no special treaty with other countries. Now, the fact was that the Belgian Government had made special treaties with almost every other country but England, thereby putting us in a most disadvantageous position. In point of fact, he might state that she had made special treaties with sixteen different countries, including Russia, Naples, the United States, and several smaller States. A treaty which was concluded last year between Belgium and France placed us in a still worse position, France having had an advantage over us before, obtained a still greater now; and in consequence of this representations had been made on several occasions to the noble Lord at the head of the Foreign Office, who, in his reply, had always stated that he was in communication with the Belgian Government, and he had no doubt that a treaty would shortly be concluded. He wished to be informed whether the Belgian Government had attached any condition to the granting of a treaty which should include a most favoured nation clause in our favour. He did not for a moment propose that any attempt should be made to force free trade notions upon Belgium, for that country had a perfect right to uphold a system of protection if she pleased. He considered it, however, ungrateful of Belgium to place England, who had done so much to secure independence for her, in a worse position than other countries. A persistence in such a course of conduct could not but be viewed with regret, and could not fail to give great dissatisfaction here. He hoped, therefore, that the hon. Gentleman would be able to give some explanation of the causes which had led to the suspension of the negotiations for a treaty.

MR. HEYGATE said, that the commercial community were under the greatest obligation to the hon. Gentleman for bringing that subject forward; for it was not merely a question of free trade, but one affecting the material interests of the country. He could quite confirm the statement of his hon. Friend relative to the answers which chambers of commerce had received from Government as to the probability of a speedy and favourable termination to the negotiations. He thought that the Government of this country ought to make an energetic appeal to the Belgian Government upon the subject.

MR. SOMERSET BEAUMONT said, that he considered it his duty, as representing a large manufacturing town, to express how very strongly all the manufacturers in the North of England felt upon this subject. A distinct hope had been held out to the country last session by the noble Lord at the head of the Government, and by the noble Earl the Secretary for Foreign Affairs, that the negotiations between this country and Belgium for a commercial treaty would be brought to a successful termination. It was now stated that these negotiations had been suspended. He sincerely hoped that the hon. Gentleman the Under Secretary for Foreign Affairs would be able to allay the feeling of disappointment which now existed.

COLONEL WILSON PATTEN said, that he could confirm the statements of the hon. Gentleman as to the dissatisfaction which existed on this subject throughout the manufacturing districts of the country. He hoped the Government would not cease to press this matter upon the attention of the Belgian Government.

MR. LAYARD said, that Her Majesty's Government were fully alive to the great importance of the subject. He was not surprised that the hon. Member for Bradford (Mr. W. E. Forster) should have put his question, and that he and other hon. Members representing manufacturing districts were much disappointed at the answer with respect to the Belgian Treaty which he had felt it his duty to give the other evening. It was quite true that last Session Her Majesty's Ministers were, he might say, under the conviction that the Belgian Government were about to enter into a commercial treaty with this country, which was to contain the most favoured nation clause, and to place England upon the same footing as France and other nations with which Belgium had concluded treaties of commerce. The Belgian Government stated as a reason for not concluding the Treaty last year, that the Belgian Chambers had risen before it was possible to submit it to their approval. To the surprise of Her Majesty's Government, the Government of Belgium in the autumn of last year declared for the first time their unwillingness to enter into a treaty of commerce with this country without a special condition—the capitalization of the Scheldt dues—being attached thereto. The House was aware that after the separation of Holland and Belgium, the former country claimed the right—which was conceded to her by the Powers of Europe—of raising duties on foreign vessels navigating the Scheldt. It was stipulated that those duties should amount to a florin and a half per ton. The Belgian Government, fearing that such a restriction on shipping would greatly interfere with the trade of Antwerp, proposed to the Government of the Netherlands to pay the duty levied on foreign vessels themselves, and up to the present time that duty had been paid by them to an agent of the Netherlands Government at Antwerp. The consequence was, that all foreign shipping was exempt from the Scheldt dues. When the Belgian Government entered last year into a treaty of commerce with France, they also concluded one of navigation, and by an article of that treaty French vessels were exempted from the payment of the Scheldt dues so long as those dues were not paid by Belgian vessels. In the autumn the Belgian Government intimated, that if Her Majesty's Government were not willing to capitalize the Scheldt dues, they could not give them a treaty of commerce. Upon principle Her Majesty's Government declined to buy, as it were, a treaty of commerce with Belgium, because the capitalization of the Scheldt dues involved the payment of a large sum of money on the part of this country, our vessels forming the larger portion of the shipping in the Scheldt. Her Majesty's Government were willing, without reference to the Treaty, to take the question of the capitalization of the Scheldt dues into consideration; but they refused to bind themselves to any particular basis for the capitalization of those dues, and, in fact, declined to give any pledge on the subject. There were many important considerations involved in the question. The fact that the Scheldt dues were paid by the Belgian Government had greatly increased the commerce in that river, and Her Majesty's Government could not undertake to capitalize those dues without first ascertaining, after the most careful consideration, what part of them would be actually paid by British vessels if they were actually levied upon such vessels. Hitherto their payment by Belgium had been of great advantage to her, and had greatly increased the trade of Antwerp. We could not pay for that which had been more advantageous to Belgium than to this country. They, therefore, had declined to accept the proposition of the Belgian Government; but, at the same time, they had intimated their willingness, if a treaty of commerce should be entered into with this country—and no one could doubt that we were entitled to such a treaty—to take the question of the capitalization of the Scheldt dues into consideration. When he replied to a question of the hon. Member for Bradford the other night, he was compelled to state, what was then the fact, that negotiations had been "suspended." He trusted he might now use a milder word. There had been a pause in the negotiations, but Her Majesty's Government entertained the hope that the Belgian Government would reconsider its determination, and would not act so ungraciously towards this country—which had been of essential service to Belgium—as to refuse to her what she had granted, not only to France, Russia, and other great Powers, but also to Turkey, Morocco, and even to Naples. Under these circumstances, he trusted the negotiations would be speedily resumed.

Motion *agreed to.*

House in Committee.

SUPPLY.

Supply *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

EDUCATION—THE REVISED CODE OF REGULATIONS—DISTRIBUTION OF PARLIAMENTARY GRANTS.

Order for Committee read.

House in Committee.

Mr. LOWE: Sir, I have to solicit the indulgence of the House for a minute or two, in order to make a short statement on behalf of the Government. The Government have, since the House met last, taken into consideration the debate with which the House has been occupied during the earlier part of the week, and they have come to the conclusion that they ought, as far as is consistent with their duty to the public purse and the public service, to meet the views so generally expressed by hon. Members of all parties in the course of the recent discussion. I shall not trouble the House with any lengthened preliminary remarks. It is our wish, as I stated last night, to bring this controversy to a settlement—not a settlement which shall give a triumph to the advocates of any particular opinion, but one which shall be satisfactory to the country, and conducive to the great interests involved in the question of education. I have, therefore, Sir, to state to the House that the Government, having taken into consideration the opinion expressed by so many hon. Gentlemen that it is desirable some portion of the grant should rest on a footing of greater security than they think is afforded by the individual examination of children, are ready to consent to a relaxation of that proposition. They are ready to agree that a substantial portion of the grant should be given on the general report of the Inspector; and, with a view to carry out that purpose, they are willing to assent to the Motion, notice of which has been given by the noble Lord the Member for Middlesex (Viscount Enfield), with a slight Amendment relative to the payment of the grant, making it depend upon the report of the Inspector instead of upon the average attendance of scholars. In order to remove an apprehension, which I do not think is well founded, but which might be entertained in some quarters, that it was intended to make the grant independent of the general report of the Inspector, which deals with religious instruction as well as other matters, I have also to state that Her Majesty's Government think it right, after the opinions which have been expressed, to couple the concession I have mentioned with another, and I would beg the House to consider the two together, and not to isolate the one from the other, because the one has an important bearing on the other. We found during the recess, and we have heard in the recent debate, a great number of opinions expressed adverse to the principle adopted by the Privy Council Committee, of grouping by age; and, without entering into the question of the abstract merits of that proposition, I have to announce that the Government are quite ready to concede that point also, and to give up the principle of grouping children by age. They will endeavour to adopt other measures, the best of which the circumstances may admit, for securing the object in view, and meanwhile I trust the House will accept this concession also in the spirit in which it is made. For the satisfaction of those hon Gentlemen who may think that in giving up the principle of grouping by age we do not concede enough, I may state that the alteration I have announced involves on the part of the public a very considerable pecuniary sacrifice; and, taken in connection with the other change I have mentioned, makes a large concession to principles which have been much insisted on in this House. I have, likewise, to state that there is a third concession which the Government are willing to make. The subject of it is dealt with in the eighth Resolution proposed by the right hon. Gentleman the Member for Cambridge University (Mr. Walpole). That Resolution relates to arrangements connected with the transition state between the abolition of the present system of annual grants and the full establishment of the new scheme of capitation grants. I have to inform the House that the Government are prepared to reconsider the manner in which the pupil-teachers who are now engaged have been provided for, and they are willing to propose, instead of the scheme contained in the Resolutions, a plan which, while it shall provide for holding pupil-teachers harmless from the change, so that they may not be prejudiced in their pecuniary interests, shall at the same time leave to the managers of schools any surplus that may accrue to them after payment of the pupil-teachers. What I mean is, that if the grant is not sufficient to pay the pupil-teachers, the Government will make it good; and if there should be a surplus, that surplus shall be the property of the managers. I have also to state, as indeed, has been already intimated by my right hon. Friend the Home Secretary, that the Government are willing to accept the 10th and 11th Resolutions, which require all modifications or material alterations of the Code to be submitted to Parliament before they are carried into execution. I can only, in conclusion, express the hope that the House will receive the concessions I have announced in the spirit in which they are made. We have done our best to obviate the objections which hon. Gentlemen honestly and sincerely entertain to some portions of the Revised Code; and I can assure the House that the conclusion to which we have come has not been arrived at without the sacrifice, in some cases, of individual convictions. I hope and trust we shall get credit for an honest endeavour to meet the views of the House, and for a desire to bring the controversy which has occupied us so recently to a satisfactory settlement.

MR. WALPOLE: Sir, I must congratulate the Committee on the frank and generous manner in which the Government have endeavoured to obviate the objections which have been raised to certain portions of the Revised Code; and I should ill discharge my duty, and should be doing scant justice to my own feelings, were I not to endeavour to the utmost of my power to meet them in the spirit in which their concessions have been made. The concessions offered to the House are concessions in respect of principles for which I have long and stoutly contended. The right hon. Gentleman has alluded to a sacrifice of individual convictions, but I sincerely hope that when these concessions are carried into effect, he will find that almost all the main objects which he has in view will be attained. I do not intend to trouble the Committee with any lengthened observations on the particular points to which the right hon. Gentleman has adverted: perhaps, however, I may be permitted to say with regard to the first concession—namely, that a portion of the grant is hereafter to depend upon the report of the Inspector, and not upon the average attendance of scholars—that I think the change now proposed by the Government is preferable to the one embodied in the Resolution of which the noble Lord the Member for Middlesex has given notice. I am persuaded, moreover, that the abandonment of the principle of grouping children by age will be productive of great benefit to the community. Upon the question of the pupil-teachers I certainly felt very strongly, and I am glad, both for their sakes and for the credit of this House, to hear that justice will be done. I think the Government have acted wisely in agreeing to accept the Resolutions, the object of which, as admitted by the right hon. Baronet the Secretary of State for the Home Department the other night, is to maintain the authority of Parliament. There is only one other observation I wish to make. I quite agree with the right hon. Gentleman that on a matter of so much importance it is well that, to use the right hon. Gentleman's own words, there should be no party triumph either one way or another, and that we should all unite in doing that which we really think best for the public service. I only hope that the Government will not think that I make an unreasonable proposition when I suggest that, instead of going on with the Committee now, the House and the country should have a little time to consider whether they will accept the propositions which have just been submitted on the part of the Government. I believe the course I now venture to suggest will eventually very much conduce to the satisfactory settlement of the question.

VISCOUNT ENFIELD said, he was sure every one must have heard with pleasure the very conciliatory speech of the right hon. Gentleman the Vice President of the Committee of Council on Education, and the House would do well to agree to the proposal made by the right hon. Gentleman the Member for Cambridge University (Mr. Walpole), in order that the propositions of the Government might go forth to the public and be fairly considered by the country. As the right hon. Gentleman (Mr. Lowe) had alluded to an Amendment which he had ventured to place on the table yesterday evening, he might be allowed to say, that if it met with the approval of the Committee of Council on Education, and received the general support of the House, he should wish that whatever credit was due to it should be ascribed to the proper quarter. He had no right to allude to a debate that had taken place elsewhere; but if he might put the case hypothetically, he should say, that if a right rev. prelate for whom he entertained deep respect, and who had been himself no mean worker in the cause of education, had suggested a mode by which conflicting interests might be reconciled, it was to that quarter that the credit of his Amendment should be given. He felt thankful that so humble an individual as himself had been in any way instrumental in bringing about such an arrangement. From the tone and temper of the debate, to which he had listened throughout with the deepest interest, he anticipated the most admirable results; and he had only to add, that if his Amendment were accepted, he should have great pleasure in agreeing to the verbal alterations suggested by the right hon. Gentleman.

MR. DISRAELI: I apprehend, Sir, after the statement that has been made by Her Majesty's Government, that it is not very probable that the Committee, at least to-night, will be called upon to pronounce any opinion on the Amendment of the noble Lord. I think myself that the Government have acted with great wisdom and propriety in deferring as they have to the unmistakable opinion expressed by both sides of this House; and I think it unnecessary to assure them that when an Administration, dealing with a question of so much nicety and such vast interest, feel it their duty to withdraw a very important portion of their proposition, necessarily a very complicated one, which they have submitted to Parliament, there can be no other feeling throughout this House than a desire to give the Government credit for being actuated by the most honourable motives. Now, Sir, I think that the suggestion of my right hon. Friend the Member for the University is one that well deserves the attention of the House. This is not one of those questions of which a satisfactory solution can be certainly arranged by a mere consideration of the opinions and feelings of Members of this House. There is without the walls of this House, on whichever side arrayed, a great mass of public opinion, very much excited and very much interested in this question; and therefore, Sir, I think no one can for a moment doubt, whatever may be the opinion of the House on the general proposition of the Government, the propriety of acting with due caution, and avoiding any appearance of coming to a precipitate decision. After the speech of the right hon. Gentleman, the proposition we have had to-night from the Government must be considered a new one, and likely to lead to consequences very different from those which might have resulted from the scheme first before the House. It is impossible for us, the moment our attention is turned to the subject, to conceive all the results to which it may possibly lead; but those who are deeply interested in this question in every part of the country, after a month has passed during which their attention has been necessarily absorbed in the consideration of the former proposition of the Government and its amendments, have a right to an opportunity of calm and full consideration of what must really be looked upon as a new project; and therefore I trust that the suggestion of my right hon. Friend will be acceded to by the Government, and ample and sufficient time be given, not only to the House, but to the country, to consider this modified proposal. I will take only one point—not that I am anxious to enter into any controversy upon the question to-night, but to show to the Committee the great importance of not coming to a precipitate conclusion which might occasion much disappointment and disquietude in the country—I mean the concession of the Government as to the principle of certainty; every hon. Member must feel that the satisfactory nature of that proposition depends a great deal on the amount at which the contribution is fixed, and the degree of certainty which consequently will accrue from that amount. As the Government have not made a formal proposition, I do not want to entrap them into any public or premature declaration as to that amount, but the Government must feel that upon this point the satisfactory nature of the proposition must greatly depend. There are other topics upon which I will not touch at present; the fourth Resolution of my right hon. Friend involves very important considerations; but, after the discussion which has taken place—after the great, I may say the salutary concessions which have been made, satisfactory, I believe, to the country, and honourable, I am sure, to the Government—I think that ample time ought to be given for its consideration—not a few days only, for there is no haste, now that we are so far agreed to decide mere questions of detail, but which nevertheless are of immense interest and importance in the estimation of the country. If, therefore, Her Majesty's Government do not object, it would, perhaps, be better not to come to any final conclusion as to the terms upon which the system of popular education in this country must permanently rest until after the Easter recess.

Sir GEORGE GREY: Sir, the Government must feel gratified at the manner in which their proposition has been received, and they can have no wish to press the Committee for a hasty decision; but I fear that the proposal I am about to make will scarcely meet the views expressed by the right hon. Gentleman who has just sat down. I do not think it desirable to keep up the agitation which exists on this question longer than may be absolutely necessary; and if the right hon. Gentleman the Member for the University of Cambridge will accede to it, I beg to propose that the chairman now report progress, and ask leave to sit again on Monday week. I think it is important that the question should not be indefinitely postponed, but that, if possible, it should be settled before Easter, as the country ought not to be left in uncertainty about it. Let the matter now stand for Monday week, subject to any arrangement that may be made between the right hon. Gentleman and the Government.

Mr. PACKE observed, that Monday

week would be a very inconvenient day to many hon. Members, as it was the commencement of quarter sessions.

MR. HENLEY said, he was about to make the same observation. Monday week would certainly not be convenient to many Members of the House. He must also say the subject to be considered was highly technical in its nature. The House had now for the first time heard the announcement that there was to be a change in the scheme of the Government; but the value of the concessions which had been made would very much depend on the language in which they were presented to the House; therefore, until hon. Members had the reprint of the measure before them, it would be very difficult to say how long a time ought fairly to be given. He quite agreed with the right hon. Baronet that it was desirable not to keep the matter longer under discussion than was absolutely necessary. But obviously the proposed change would most deeply affect two classes immediately interested — masters and pupil-teachers—as regarded the incidence, or rather the application, of the fund that might arise from the examination or capitation grant; and it would be very desirable that masters should have an opportunity of seeing how far that would affect the concession previously made to them in the Revised Code, because it did not at present exactly appear who was to have priority in this matter. It was very material, at all events, that the parties most interested should have the opportunity of seeing what their fate was likely to be. He quite agreed with his right hon. Friend (Mr. Walpole) that the language shadowed out as likely to be used with regard to the capitation paid on the inspector's reports would be satisfactory. The right hon. Gentleman had consented to relieve them from their difficulty in that respect. In his own justification he could only say, that if he were himself one of the "weak brethren" upon whom the right hon. Gentleman had deigned to have compassion, many of the religious bodies throughout the country laboured under the same misfortune. He thought the Government deserved great credit for the course they had adopted in dealing with this most difficult subject. It had long been evident that some change must be made in the existing system, and it would have been almost a sin for any hon. Member to have made the present a party question. The whole country had a deep interest in the issue of the present question, and generations yet unborn would in all probability be affected by the decision to which the House might come. He sincerely hoped that the result would be satisfactory to all parties.

MR. W. E. FORSTER said, he wished to express the very great pleasure with which he had heard the statement of the right hon. Gentleman the Vice President of the Committee of Council, and also the hope it afforded him that the issue of the discussion in which the House had been engaged would be the real and permanent improvement of the system of popular education. The alteration suggested by the right hon. Gentleman in the Motion of which the noble Lord the Member for Middlesex (Viscount Enfield) had given notice was, in his opinion, an amendment upon that Motion; and if the right hon. Gentleman brought forward a measure founded on the principles he had shadowed forth, three important objects would be thereby secured — first, that a part of the grant would be paid on the report of the Inspectors, without which the managers could scarcely support the schools; and by securing payment to the masters, the managers would see that the work of the school was really done. The next point was that the concession made would give a part of the grant for individual examination, which would also be a great improvement; and lastly, these alterations would create a greater stimulus in the cause of education. If the right hon. Gentleman had any doubt as to whether, under the modified kind of examination that he had consented to propose, sufficient stimulus would be applied to elementary instruction, let him consult some of the most practical managers of schools on that head, and his misgivings would probably be set at rest. If the right hon. Gentleman carried out a scheme according to these principles, he would at some little, perhaps at no slight, sacrifice of his individual convictions, held with very great earnestness, and supported with very great courage, succeed in producing a great reform without injuring, or running the chance of destroying, a most important system.

MR. NEWDEGATE said, he desired, on the part of his constituents, to express his deep satisfaction at the announcement of the right hon. Gentleman the Vice President of the Committee of Council. At the same time he desired to direct the right hon. Gentleman's attention to one particular point, as to which a misunderstanding still existed. He alluded to the question as to whether credit was to be given to proficiency on religious subjects in the examinations to which reference had been made. He trusted that Her Majesty's Government, in any document they might lay on the table, would take care so to frame the language of it that the grave apprehensions which prevailed, he believed, amongst persons of all religious denominations, might be removed. He begged particularly to call the attention of the right hon. Gentleman to the fact, that in the documents before the House the construction of Articles 40 and 47 was so obscure, that although the attention of the most learned persons had been directed to their elucidation, they had been unable up to the last moment to come to a proper understanding as to their precise meaning. He trusted that the right hon. Gentleman would take care to frame the documents relating to this point in such a manner as to remove, as far as possible, all doubts upon the question.

MR. DISRAELI said, that great anxiety existed to know on what day the Government would proceed with the further consideration of this question. His right hon. friend the Member for Oxfordshire (Mr. Henley) had reminded the Committee that Quarter Sessions would take place on the day that had been proposed by the right hon. Baronet the Secretary of State for the Home Department; and it would be very hard if hon. Members, merely because they were absent performing unpaid services to the country, were thereby deprived of the opportunity of expressing their opinions and giving their votes in Parliament on a subject of such general interest as that of popular education. Then, again, the Thursday following would be the day before the House was to rise for the recess, and would scarcely be a fit occasion for the consideration of such an important question. He trusted, therefore, that the Government would entertain his suggestion for taking the discussion on an early day after Easter.

SIR GEORGE GREY said, that her Majesty's Government would fix Monday next for the discussion of the question, with an understanding that it was not to come on then. The noble Lord at the head of the Government would probably then be in his place, and would state the day to which the further consideration of the matter should be adjourned; the Government would then communicate with the right hon. Gentleman opposite (Mr. Walpole) as to the day upon which they would positively fix.

MR. WALPOLE said, he understood that the Government merely named Monday next for the consideration of the question in order that the noble Lord at the head of the Government might be in his place, and be afforded the opportunity of stating his opinion as to the day on which the discussion ought to take place. The Government would then communicate with his (Mr. Walpole's) side of the House as to the precise day determined upon.

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

House adjourned at a quarter
before Six o'clock, till
Monday next.

HOUSE OF LORDS,

Monday, March 31, 1862.

MINUTES.]—PUBLIC BILLS.—1ª Marine Mutiny Whipping.

2ª Australian Colonies Government Act Amendment.

3ª Charitable Uses Act (1861) Amendment.

RIVER SHANNON.—PETITION.

MOTION FOR RETURNS.

THE MARQUESS OF CLANRICARDE *presented* a petition from the Grand Jury of the County of Galway, for better Regulation of the Waters of the River Shannon. The petitioners stated that a sum of £40,000 had been levied on the county of Galway for the improvement of the navigation of the river, and the drainage of the land adjoining, but that the plans by which those objects were to be effected had not been properly carried out. They, therefore, prayed for a Committee of inquiry into the subject. He begged to give notice that it was his intention to move for the appointment of a Select Committee on the first Monday after the Easter recess—namely, on the 5th of May. Meanwhile, he would move for the following Returns:—

"Copy of a Memorial upon that Subject, transmitted to the Treasury in the month of January last by The Lord Lieutenant of Ireland; and of the Reply of the Treasury thereto: And also, "Return showing the Amount of Money paid over by the Shannon Commissioners to the Board of Works in Ireland, after they had made their final Report in 1850, and the Mode in which that Money, or any Part of it, has been applied; together with a Return of the Annual Income derived from and Expenditure incurred by the Shannon Navigation, in each Year up to the present since 1850."

Petition to lie on the table.

Returns ordered to be laid before the House.

AUSTRALIAN COLONIES GOVERNMENT ACT AMENDMENT BILL.

SECOND READING.

Order for Second Reading read.

THE DUKE OF NEWCASTLE said, that this Bill had been introduced for the purpose of rectifying a mistake which might otherwise be attended with considerable inconvenience. By the Act of 13 & 14 *Vict.* "for the better Government of Her Majesty's Australian Colonies," each of the Australian colonies was empowered to substitute for a Legislative Council two bodies, consisting of a Council and a House of Representatives; but in order that any Bill passed in any of those Colonies for the purpose of effecting such a change should be valid, it was required that it should be reserved for the signification of Her Majesty's pleasure thereon, and that a copy of it should be laid before both Houses of Parliament for a space of at least thirty days before Her Majesty's pleasure thereupon should be signified. Acts for this purpose have been passed in each of the Australian Colonies; but in the case of the Bill for constituting the new Legislature of South Australia that condition had not been complied with, for the measure had not been sent over to this country, in consequence of an oversight on the part of the Governor of that Colony. A contest had thus arisen whether all the subsequent Acts passed by that Legislature were not invalid; and it was in order to remove that doubt that he brought forward the present measure. The Bill was made of general application to the Australian Colonies, although it was meant specially to meet the case of South Australia; because doubts had arisen whether there might not exist informalities of the same nature in respect of other Acts. He trusted that under those circumstances their Lordships would allow it to be passed as speedily as possible.

Moved, that the Bill be now read 2ª.

LORD LYVEDEN said, that this Bill had been so suddenly introduced that he was not prepared to say whether he could give it his assent or not. In 1850, when the Bill for the better Government of the Australian Colonies was before Parliament, he was in favour of giving the Colonies as extensive powers of self-government as possible. That opinion had certainly been much shaken by what he had read of the management of Australian affairs by their Councils. If this mistake had arisen from the simple mistake or negligence of the Governor of the Colony, it was no great matter; but if this want of compliance with the requirements of the Act indicated that the Colonial Assembly desired to effect these changes without the sanction of the Imperial Government, he thought it would sanction an awkward precedent if they were to pass this Bill. He hoped, therefore, if the noble Duke found more instances of error than the one he had just mentioned, that he would at least represent them to Parliament, in order that their Lordships might see to what extent the Colonies had transgressed the provisions of the Imperial Legislature.

EARL STANHOPE said, he imagined it was the duty of the Legislature in each Colony, and not of the Governor, to send home these acts for the approval of Her Majesty and Parliament. He thought an Act which would be one of simple negligence on the part of the Governor assumed a very different character when it became one of the Legislature of the Colony, and he should therefore like to know, whether the Governor or the Legislature of South Australia were answerable for not sending home the Act.

THE DUKE OF NEWCASTLE explained, that it was not the duty of the Legislature, but of the Governor, to transmit these acts to the Home Government. The mistake was one entirely on the part of the Governor, who had given his assent without being in the least aware that it was his duty first to send the measure home—he had overlooked the provision of the 13 & 14 *Vict.* Their Lordships might blame the Governor for his negligence, but he thought there could be no hesitation in passing an Act to remedy his mistake.

Motion *agreed to*.

Bill read 2ª, and *committed* to a Committee of the Whole House *To-morrow*.

House adjourned at half-past Five o'clock, till To-morrow, half-past Five o'clock.

HOUSE OF COMMONS.

Monday, March 31, 1862.

Minutes.—Public Bills.—1° Sir John Soane's Museum.

2° Merchant Shipping Acts, &c. Amendment; Writs of Habeas Corpus into Her Majesty's Possessions Abroad.

3° Copyright (Works of Art).

THE PEGU PRIZE MONEY.—QUESTION.

Captain JERVIS said, he would beg to ask the Secretary of State for India, Why the Pegu prize money, arising from the sale of prize property captured in Pegu in 1852 and 1853, and ordered to be distributed by Order in Council of the 12th day of September, 1860, has not yet been so, and when it will be?

Sir CHARLES WOOD said, he was afraid he could not say when the money in question would be distributed. The Royal Warrant authorizing the distribution had been passed in September, 1861, and sent out to India. In order to prevent delay as far as possible in the matter, notice had been issued by the Prize Committee at Calcutta to the effect that no application for any portion of the money could be received after the 31st of December last. It was not until that date, therefore, that the number of applicants was known. It required, he might add, some time to compare the prize rolls; but when that was done, the distribution would take place at once.

PERSECUTION IN SPAIN.—QUESTION.

Mr. BLAKE said, he would beg to ask the First Lord of the Treasury, Whether he will lay on the table of the House the Papers relating to the Negotiations between Her Majesty's Government and the Government of the Queen of Spain, respecting the alleged persecution of Protestants?

Viscount PALMERSTON: Sir, I am afraid I cannot give the Papers which the hon. Gentleman asks for, and for the best of all reasons, that I do not think any such Papers really exist. There has been no official correspondence or negotiation between the English and Spanish Governments on the subject. The British Minister has from time to time had unofficial conversations with the Spanish Ministers with reference to the matter; but I am sure my hon. Friend and the House will understand that reports of these unofficial conversations are not matters proper to be laid before the public. I can only repeat what I have said before, that Her Majesty's Minister at Madrid has been instructed to take advantage of every favourable opportunity—without giving offence to the Spanish Government—to express the interest which the British nation feels in regard to those unfortunate people who have been condemned to severe punishment on account of their religious opinions.

TRAINING OF THE MILITIA.

RESOLUTION.

Order for Committee (Supply) read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Sir JAMES FERGUSSON said, he rose pursuant to notice to move the following Resolution:—

> "That in the opinion of this House it was not desirable that the annual training of the Militia should be of less duration than the *minimum* period recommended by the Royal Commission."

The question involved in the Resolution was an important one, and the circumstances under which he brought it forward he thought justified him in doing so. The Militia Estimates were in this respect different from the other Estimates for the service of the Crown, that they were annually submitted for preparation to a Committee of that House; and though they could not be altered or amended, the fact that they were submitted sufficiently proved that the militia were a Parliamentary force. In asking the House, therefore, to interfere he was asking them to do no more than was consistent with their authority and responsibility. For the first time for several years the Government intended to diminish the time granted for training the militia. Since the Royal Commission, appointed to consider that and other questions relating to the militia, had reported to the House, the time for annual training had been reduced to a period of one month. During the last year it was agreed that that period might be modified so as to give a preliminary training to recruits, and that arrangement had been attended with very beneficial results; but twenty-seven or twenty-eight days was taken as the starting point. That year, however, a circular had been addressed by the Horse Guards to the Lords-Lieutenant of counties requesting them to fix one uniform period of twenty-one days, and fourteen days for preliminary training for recruits—a change which, he contended, affected injuriously the efficiency of the regiments, and was opposed to the report of the Royal Commission which considered the whole question in 1859, and which had collected a mass of evidence of the most valuable description. Now, of the necessity which existed for maintaining the efficiency of the militia he need say nothing, inasmuch as it was an object in the expediency of accomplishing which all statesmen seemed to concur. The militia force, having lain dormant for several years, had been revived in 1852, when public attention began to be called to the inadequate condition of the public defences, and the policy of having a body of men at home to protect the country in case of emergency. The Bill for its revival in 1852 was introduced by Lord John Russell, and the fact that a new force, the Volunteers, had arisen, called together by the most patriotic and praiseworthy motives, in no degree rendered the militia less necessary. It was important for them, therefore, to consider the state of what the late Lord Herbert had designated as "our army of reserve," and of what was pre-eminently a constitutional force. The late Duke of Wellington had referred in the most laudatory terms to the services of the militia during the last French war, and remarked on the readiness with which he was able to transfer them into the regular regiments of the line; and in introducing the militia Bill into the House of Lords, the noble and gallant Duke had prophesied that 50,000 or 80,000 men levied for the militia would in a short time attain a state of discipline worthy of their predecessors. To show the important advantages which such a force was calculated to render, he need only point to the case of Switzerland; which, secure in the courage of her people, was making a bold stand against the supposed designs of a neighbouring and powerful empire, depending for her defence on a militia organized in a manner not very unlike our own. Now, between a militia kept up efficiently and one which was not the greatest distinction prevailed, and therefore the difference between three weeks' and four weeks' training was of great importance. During the continuance of the Crimean war the value of the militia had been tested, and owing to their embodiment, opportunities had been given for sending many regular regiments abroad. Such was the admirable state of discipline to which the militia had attained that a very distinguished officer, speaking of the state of discipline of the troops in the camp at Aldershot, pronounced that a certain militia regiment was the best regiment in the camp. In 1860 the late Lord Herbert made a speech in that House on the subject of the militia, which, as far as its number were concerned, had then fallen into a most unsatisfactory state, owing to the regiments having been embodied and disembodied in an arbitrary and uncertain manner. Lord Herbert mentioned that in that year there were 40,000 men in training, but he added that there were 30,000 absentees, a state of things not only unsatisfactory but alarming. The changes which Lord Herbert carried out in order to secure the efficiency of the militia had been attended by the best results, and at the present moment the militia was in a condition immeasurably better than in 1860. No return of the number of militiamen trained last year had yet been published; but, as a specimen of the great improvement which had recently taken place, he might cite the case of the regiment which he had the honour to command. In that regiment in 1860 there were 600 men in training, and 130 absentees; in 1861 there were no absentees; and in 1862 the regiment was full, and there were thirty candidates on the list waiting for vacancies to be enrolled. The regiment was a credit to the county to which it belonged, and it gave no trouble to the town in which it was billeted. But what he wanted to show was that, according to the concurrent opinion of the Royal Commissioners, and of all the witnesses who were called before them, the efficiency of the militia depended upon the length of its training. The Commissioners stated that the number of days for training in each corps should never be less than 28. Some of the witnesses, officers of great experience, thought that even in 28 days proper musketry instruction could not be given. General Hay, at the head of the Hythe musketry establishment, was of opinion that 28 days for recruits, and 28 days for the whole regiment, would be sufficient. For artillery regiments a longer period appeared to be necessary. All the witnesses concurred in stating that the difference between 21 and 27 days was all important. The recommendation of the Commissioners was that a *minimum* period of 28 days should be allowed for recruits in their first year, with 28 days additional for the whole regiment, making a total per annum of 56 days, or 168 in all. Last year the period was reduced to 126, 134, or 135 days. This year 21 days were to be allowed for the whole regiment, and 14 for recruits, making a total of 105 days instead of 168, as recommended by the Commissioners. The proposed reduction would operate most injuriously upon such regiments as happened to have few recruits. He believed the question was one of expense. The War Office had a larger number of regiments to train this year than they had last; but was it right, or prudent, or economical that, because they had more regiments to train, they should render the whole force less efficient in order not to exceed the Vote of last Session? It would be far better to reduce the number of rank and file, for a regiment composed of 700 well-trained men would be in all respects more efficient than one consisting of 800 ill-trained men. Out of a period of 21 days there were only 15 really available for training men fresh from the loom and the plough. The only difference in the expense of 21 and 28 days' training was 8*s*. 6*d*., and for that they were sacrificing efficiency. In a letter written by an officer who took a lively interest in the subject, but whose name he would not mention, the writer stated that 28 days was the shortest possible period that should be given for training men for the ranks of the militia. Instead of spending our hundreds of thousands upon fortifications at the other side of the Atlantic, which many persons considered a worse than useless expenditure, he thought it would be much better if the Government would spend money in the more advantageous direction of making the militia, which was the cheapest force in the kingdom, more efficient for the purposes for which it was established. He ventured to think that the course taken by the War Office was not consistent with a desire to maintain the efficiency of that force, nor with the principles of real economy. He should, therefore, move the Resolution of which he had given notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is not desirable that the annual training of the Militia should be of less duration than the *minimum* period recommended by the Royal Commission,"

—instead thereof.

LORD BURGHLEY said, he rose to second the Motion. His hon. and gallant Friend had entered so fully into his reasons for asking the House to resolve that the militia should have a further period for training, that he (Lord Burghley) should not consider it necessary to trouble the House with any lengthened observations. Having, however, since the organization of the militia in 1852, been intimately connected with that force, he trusted that the House would allow him to say a few words in support of the Motion of his hon. and gallant Friend. He could assure the House, speaking from experience, that twenty-one days were not sufficient to instruct the militiaman in all that it was necessary for him to know in order to make him an efficient soldier. The modern improvements in firearms rendered it more necessary than ever that a longer time should be devoted to the instruction of the militiamen in the use of their rifles. It was no longer of such advantage to teach the soldier how to load and fire as quickly as possible; but it was all-important that he should be instructed upon certain principles, without the thorough knowledge of which the rifle placed in his hands would be a comparatively useless weapon. The period allowed by the Government for musketry instruction was six days. That time was wholly insufficient. He held in his hand a letter from an officer who, from his having passed a long time at Hythe, was of course competent to express an opinion on that subject, and this gentleman stated that the period allowed by the Government for musketry drill was quite inadequate to impart the instruction that was absolutely necessary, and without which, the militia, as a force, would be comparatively useless in times of emergency. Sixteen days, at least, should be devoted to teaching the soldier the use of his rifle. Owing to the improvements in modern gunnery, it was especially necessary that the militia should be instructed in light infantry movements. He believed that the great majority of the force was only partially instructed in light infantry drill, and that the remainder possessed no knowledge whatever of those movements. He therefore thought that the twenty-eight days asked for by his hon. Friend—a period which was strongly recommended in the report of the Royal Commission—was not an hour too much to devote to the training of the militia. In order to show the House that he was not exaggerating the insufficiency of the time granted by the Government to the training of the force, he would remind hon. Members of the number of days which must necessarily be deducted from even the limited period allowed by the War Office for the purposes of drill. After making allowance for the days of assembly and dismissal, and three Sundays, six days were required for musketry inspection, and two days for giving out the stores, and two days for putting the clothing back. Altogether fourteen days were to be deducted from the twenty-one allowed, which left only seven days for the instruction of the militiaman in manual and platoon exercise and drill. He knew that the hon. Member for Lambeth (Mr. W. Williams) and some other hon. Members who concurred with him, considered that the militia force was not so much required now, in consequence of the organization of the Volunteer force, which the hon. Member and his friends thought was not only a cheaper force, but one able to perform all the duties of the militia. Far be it from him to depreciate the merits of the Volunteer force. On the contrary, he believed it to be a most useful force, and that it ought to be encouraged by the Government. He must, however, be excused for saying that it was impossible for the Volunteers to fulfil to any extent the duties which were expected from the militia force. The Volunteer force, for example, could never be made a nursery for the line. In times of war it was well known that the militia was often called upon to fill up the vacancies in the ranks of the line. The great majority of the Volunteers, from their social position, would be wholly unable to do this, or to perform the ordinary duties of soldiers. Suppose a sudden call is made upon the Government to send out 10,000 or 20,000 men to serve abroad, or to recruit the ranks of our regular army. Surely it could not be supposed that the Volunteer force would respond to such a sudden demand? The militia force had, however, acted upon such a sudden emergency over and over again, in the campaigns of the Duke of Wellington, and more recently in the Russian war and Indian mutiny. He therefore trusted that the House and the Government would not deny to that valuable and constitutional force the means of rendering itself thoroughly efficient. The invasion of this country was not a contingency dependent, as in former days, upon fine weather or a fair wind. In these days of steam power invasion might be a question of a very few hours. It was then of the utmost importance that the militia should have ample time given them for being thoroughly instructed in all those duties it was necessary for them to learn before they could be marched against the enemy. The state of Europe was such as to warn the Government against the folly of being parsimonious in regard to their military forces. France was armed to the teeth; Sardinia was in a most disturbed and unsettled state; Austria appeared to be only waiting for false steps on the part of Hungary or her other dependencies, to pour her legions into the disaffected provinces. Greece was still in the throes of an active revolution. The Poles were only kept quiet by the presence of a strong military force in their country. Looking to all those circumstances, he thought the Government would be acting most unwisely if they did not use every means in their power to secure the thorough efficiency of every branch of the country's defence—Navy, Army, Militia, and Volunteers. He begged to second the Motion of his hon. Friend.

Sir GEORGE LEWIS: The hon. and gallant Gentleman the Member for Ayrshire, at the commencement of his speech, proved with elaboration certain points which I think he was entitled to assume without so much expenditure of argument. In the first place, he proved that the militia was an ancient constitutional force; that it was to be considered as an army of reserve; and that it was highly valuable to the country in the event of danger from invasion. The hon. and gallant Member then proceeded to establish this proposition, that four weeks of drill would render a regiment more efficient than three weeks, and that it was not expedient that a military force should be insufficiently exercised. I should have been quite prepared to concede as much as that to the hon. and gallant Member without any formal proof. But, as he truly remarked on proceeding to deal more closely with the subject, this is substantially a question of expenditure, and the House must choose between submitting to the privation of a certain amount of military efficiency or incurring a considerable increase of expenditure. Now, the Government had to choose the best and safest means which they could under the existing circumstances; and I think, when I state the facts to the House, it will be of opinion that it is better to acquiesce in the proposal which we shall submit in the course of the session in Committee on the Militia Estimates. In 1860 the number of regiments trained was 123, and the Estimate voted by the House was £520,129. Last year the total number of regiments was also 123, and the Estimate £637,000. The reason of that increase was that in the first of those two years the number of days' training was 27 simply, while in the second year there were three classes of regiments, having different periods of training, coupled with different periods of preliminary drill. In the present year we have 160 regiments, instead of 123, to estimate; and the arrangement which the Government have thought it advisable to propose is that there should be 21 days' training, instead of 27, and that we should allow 14 days for preliminary drill. The expense for that period of training and that period of drill is £697,000, as compared with £637,000 last year, being an increase of £60,000. Now, if the number of days' training was 28 with seven days' preliminary drill, on the present number of regiments the expense would be £749,500. What I think the hon. and gallant Member proposes is that there should be 28 days' training, with 14 days' preliminary drill.

Sir JAMES FERGUSSON observed, that he should be quite satisfied if the same option were allowed to commanding officers of regiments with respect to the different periods of training and drill, as was given them last year.

Sir GEORGE LEWIS: At all events, I may state that the cost of 28 days' training and 14 days' preliminary drill would be £757,000, the cost of 28 days' training and seven days' preliminary drill would be £749,000, while the cost of 21 days' training and seven days' preliminary drill (or less than we propose) would be £689,000. The question for the House to consider is, whether the proposal of the Government is adequate to the requirements of the country. It appeared to us, looking to the state of foreign affairs, to the existence of a large body of Volunteers, and the strength of the regular army, that 21 days' training for the militia, with 14 days' preliminary drill for recruits, would be sufficient. The hon. Gentleman says it would be far preferable to reduce the strength of the militia regiments from 800 to 700 men, and increase the number of days' training. That, no doubt, is an opinion which anybody may fairly entertain. But I am strongly inclined to think, that if the Government had proposed to reduce the strength of the regiments in order to increase the period of training, there would have been more hon. Members in favour of the course we actually have adopted than in favour of a diminution in the numerical force of the militia. Because it is easy in future years to increase the number of days' training; but when the strength of the regiments is once diminished, it is not so easy to augment it again. Therefore, although the arguments of the hon. Gentleman, founded exclusively on efficiency, are unanswerable, there being no doubt that you will have a more efficient militia if you train it a greater number of days, yet the Government had to take into account not only what amount of efficiency might abstractedly be desirable, but what amount would be sufficient for the wants of the country, and could be obtained consistently with a proper economy. Taking, then, each of those elements into consideration, I trust the House will not be disposed to support the Motion of the hon. Member, but will agree with me in voting for the order of the day.

Colonel DICKSON said, he thought it was clear that twenty-four days' training were not enough to make the men efficient. His object in rising was to suggest what he believed to be the best course the Government could adopt under the circumstances—namely, that of reducing the number of the regiments and increasing the number of days' training. The right hon. Baronet seemed to anticipate that there would be an outcry against reducing the regiments, and that a difficulty would be felt in afterwards obtaining recruits. But if he consulted officers of experience, as to the number of men brought on parade for drill, he would find that nearly two-thirds of the present complement of the regiments would be sufficient, and that there would be no real difficulty, if the men were required, in bringing them up again to the full standard. By following that plan the Government would save the recruiting money and would prevent desertion. The commanding officers, too, would have a greater control over the men, who would form an efficient nucleus, because they would belong to their own respective neighbourhoods.

Viscount ENFIELD said, he thought that the right hon. Gentleman at the head of the War Office would do well if he followed the suggestions offered by the hon. and gallant Member for Ayrshire—namely, of giving the commanding officers, the option of training their men either twenty-one or twenty-eight days, because circumstances varied in the different counties, as every gentleman knew who was connected with a regiment of militia. It would be impossible, he presumed, to make any alteration in the arrangements this year, but he ventured to call the attention of the Government to the point, and the right hon. Gentleman would on inquiry find that commanding officers would prefer having an option in the matter.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

IRON-PLATED SHIPS.—OBSERVATIONS.

SIR FREDERIC SMITH said, he rose to call the attention of the Secretary of State for War to the reports of an engagement between the American iron-clad frigate in the naval service of the Confederate States, called the *Merrimac*, and an iron vessel, called the *Monitor*," in the naval service of the Federal States, having a shot-proof roof; and to ask whether, in consequence of the results of that action, it will not be prudent to suspend the construction of some of the proposed forts at Spithead until the value of such iron-roofed vessels for the defence of our ports and roadsteads shall have been fully considered? Upon former occasions he had felt it his duty to protest against the construction of works upon Portsdown Hill, because he thought it would never be possible adequately to garrison all the forts. He thought so still. He had not voted with the hon. Member for Liskeard when he proposed to abandon all the forts at Spithead, because at the time he thought such measures of defence were necessary there; but recent events had induced him to alter his opinion, and, as the subject was one of vast importance to this country, he felt it to be his duty to invite the attention of the House to it. He would have brought forward the subject on Friday last but that he desired to do so in the presence of the noble Lord at the head of the Government, whom he congratulated upon his improvement in health and re-appearance in the House. The great question of iron-plated ships against wooden vessels had been brought to an issue, and, happily, without any action on our part. It appeared that a vessel, the *Merrimac*, which a few months back was a wooden ship, was sunk, was then raised, cut down to within three feet of the water, cased with iron two feet below the water-line, and the iron casing brought over the deck in the form of a roof, but not absolutely forming a ridge, an aperture being left on deck for ventilation. In order to break the blockade of the Chesapeake that vessel moved down to Hampton-roads, where she found several ships of war of the Federal States, constructed of wood, with considerable power, most of them well armed, but not all well manned. She engaged those vessels, destroyed one by running into her; was injured herself in so doing; she destroyed another by firing her, and kept the rest of the squadron at bay. That was a gallant exploit, and showed that the captain must have had great confidence in the iron casing of his vessel, which there was reason to believe was five inches thick. Private letters stated that the shot flew off from the iron covering of the *Merrimac* without having the least effect upon it, although one shell appeared to have entered the aperture on the roof-deck and killed the Captain and several men. So far that showed the success of covering vessels with iron decks; but it might be objected that such vessels could not navigate the sea in bad weather. That point, however, was soon settled, for on the following day to that upon which the *Merrimac* made her appearance, another iron vessel, of different construction, designed by Captain Ericsson, of the United States or Federal Navy, arrived in Hampton Roads. That vessel had come round from New York in half a gale of wind, and had proved herself a good and safe seaboat. The *Merrimac* and the new comer, the *Monitor*, soon went into action; both were well fought and well handled. That contest was of great importance, and appeared to him to settle the question of the best means of defending our ports and roadsteads at the least cost and in the most efficient manner. The money had been voted a year and a half ago to construct the forts at Spithead, but little progress had been made. He now rejoiced that so little progress had been made, because they were still in time to stop if they were in a wrong course, and to diminish in some degree the number of those costly forts. He had originally been an advocate for some of those forts, but he had now seen reason to entirely change his opinion. Let the House consider the question how those forts could be fought. They were to mount 380 guns, and would require 2,700 trained gunners, who would have to fire at moving objects with heavy guns. The right hon. Baronet would perhaps say that the forts were in course of construction, that contracts had been entered into, and that it was intended to place guns of enormous size upon those forts. He had heard that guns throwing 1,000 lb. shot were to be mounted; but he hoped that was not the fact, because if the service proportion of powder—one-third the weight of the shot—was to be used as the charge, it would be like springing a mine, and would be perilous to the men in the fort. What danger would there be of a foreign fleet anchoring in the Solent if they had a fleet of twenty or thirty Ericsson *Monitors* in Portsmouth harbour, which could be constructed at one-tenth the cost of the forts? The noble Lord, the Secretary to the Admiralty, would recollect the statement of an able officer, Captain Sullivan, that there would be no danger to an enemy's fleet in running past the forts by night, and but little by day; while even if they threw 1000 lb. shots, in all probability only a few would hit the ships. Apart from the question of constructing forts at Spithead, there was a proposition to erect powerful forts along the north shore of the Isle of Wight, to prevent an enemy from occupying positions on shore from which he could bombard Portsmouth Dockyard. Such forts would do no injury to vessels like the *Monitor*, which was almost even with the water's edge and strongly plated. In giving up the Spithead forts they should give up the works on the Isle of Wight. The passage of the Needles must be defended, and there were forts there already, and the landing-places must be guarded; but to occupy a few spots of ground in the Isle of Wight, in order to prevent an enemy from bombarding Portsmouth dockyard, was a pure waste of public money. The officers who fought the action in America to which he had referred regarded the question between wooden and iron vessels as settled for ever. The Navy Department at Washington had issued invitations for tenders for the construction of vessels of all descriptions, partly of wood and partly of iron. These were to be vessels of certain draught of water for harbour duty, vessels for river service, others for coast defence. The tenders were to be sent in by the end of March, and immediate steps would be taken to form a fleet of a most formidable character. Those vessels which were intended to defend harbours and the coast were to steam 15 knots, to carry 11 days' coal, and were to be armed with 11-inch guns. In England they had heard of an immense mortar; but nothing came of it, and the same result would probably follow in the case of that enormous gun, which, we are told, is to throw a shot of 1,000 lb. weight. He did not believe that the various parts of the metal could be amalgamated so as to render it proof against the large quantity of powder which would be necessary to propel from the gun so enormous a shot at a high velocity. Perhaps the first two or three trial guns might be wel constructed; but by-and-by less care would be taken with them, and some serious accident would then happen. Even with the Armstrong guns accidents occasionally happened, although there the amount of metal was comparatively small. With regard to the forts, if the Government had not gone too far, they could surely suspend their operations. He was told that two forts were in progress. Let this system of defence be confined to them, and, at all events, give up the forts in the Isle of Wight. The estimated cost was £1,000,000; but he believed the forts would cost a great deal more, and that they would be very lucky if they got out of it for less than £2,000,000. It would be better to stop the works and pay a penalty to the contractor, than to spend so much money so uselessly. The hon. and gallant Member for Wakefield (Sir John Hay), than whom no man was more competent to give an opinion on the subject, in a letter addressed to *The Times* upwards of three years ago, called public attention to the importance of building iron vessels. Mr. Laird also published a most admirable letter descriptive of a ship so constructed as to run into and sink an adversary. But even in America blunders were made, and it appeared that the stem of the *Merrimac* was too weak. No doubt, the noble Lord the Secretary to the Admiralty would bear that lesson in mind. There was time to give our ships now in course of construction much greater strength in this respect. The *Warrior* could not run into such a vessel as the *Merrimac* without receiving very serious injury; but if her present very handsome stem were removed, and a strong, useful stem substituted, she would be a much more serviceable vessel. It was quite clear that, in constructing the forts at Spithead, they were proceeding in a wrong direction. But it was not too late to draw back, and there could be no more opportune time for doing so than on the last day of the financial year. One point which the House should remember was the difficulty in getting 2,700 well-trained artillerymen to man the forts. Such a force could not be spared, even if the Volunteer movement continued, and was it right, then, to go on constructing forts which they would find it impossible to man? But there would be no difficulty in manning small vessels carrying two guns, which would be enough to keep at bay, if they did no more, vessels infinitely more formidable than the *Merrimac*. The action in question had changed his opinion with regard to the Spithead forts, and he was now fully impressed with the necessity of making the best use of the lesson which they had just been taught. The House would also remember that his lamented friend, Sir Richard Dundas, was of opinion that for the defence of the Solent it was better to rely on vessels than on forts, though the latter might be useful. That officer was a high authority, and had proved almost a prophet upon the question. Captain Coles had advocated the same thing, and the country was much indebted to him for his services. The question of sloping sides, which had been much canvassed, was one of detail. No doubt if, they could present to a shot a sloping and not a perpendicular side a much thinner metal covering would be sufficient to turn or resist that shot. In the *Merrimac* the amount of vertical surface placed opposite to the line of fire was only two, or at the most three, feet, and there was thus complete protection for the men working the guns, and plenty of air. How Captain Coles's cupolas would work was a matter of experiment, but there was a ship which, after being exposed all day to the fire of several powerful vessels and batteries, went off without injury from them; and after a five hours' engagement on the second day, exposed to the fire of guns much heavier than her own, it was a question whether a single shot penetrated her sides. If her sides were penetrated, they clearly must have been pierced by the fire of shot weighing 200 or 178 pounds; but, at all events, the *Monitor* sustained not a single crack in any of her plates. Although fighting almost muzzle to muzzle with the *Merrimac*, the *Monitor* was not damaged in the least; and if that were so, no one need fear that small iron-cased vessels in the Solent would suffer from the fire of larger vessels entering, because the vessels for harbour defence could carry both heavier guns and much more impenetrable armour plating than any sea-going vessel could do. Under those circumstances, it was hardly justifiable for the Government to proceed with the construction of works on the northern shore of the Isle of Wight, or with the whole of the forts originally proposed. The hon. and gallant Member concluded by asking the question of which he had given notice.

MR. LAIRD said, that he wished before the question was answered to make a few observations on the subject. He looked upon the action to which reference had been made as the turning point in the adoption of iron for all classes of vessels in Her Majesty's service. Objections had hitherto been made to small iron vessels of this kind, but the success of the *Monitor* had clearly proved that ships of a small class were able to resist large ones; and, moreover, though the *Monitor* had not been built as a sea-going craft, she had made the rough passage from New York to the James river in perfect safety. That one vessel had saved the credit of the Federal navy; for unless she had come up, the *Merrimac* might have destroyed all the wooden ships there almost at her leisure; and this engagement had now settled for ever the relative capabilities of wooden and iron ships in war. The Americans themselves were so satisfied with the result of their iron vessel that they were going to construct many others; and he saw by one journal that they had abandoned the idea of defending their harbours by means of forts. He had always argued, in respect to iron ships, that it was not a question whether they could make a ship impenetrable to shot, but what would be the effect of such a ship, properly built, coming into contact with wooden vessels. That question had been settled. Objections had been raised to going into that question; but when he looked back and saw the difficulties that had been raised to the adoption of any new principle, he could not wonder at the objections that had been made to going one step further than they had done, and constructing the whole navy of the country of iron. But, he believed, till they did so, they should not be able to reduce their naval expenditure. The adoption of iron as the material of construction would do away with the necessity of keeping large stocks of timber laid up in the dockyards. The Government would merely have to order the iron when they wanted it; if they chose to build ships by contract, they could do so; but they could reduce the establishments kept up at such great cost, and they would be able to know with certainty what the naval expenditure of the country would be. The objections to adopting iron that had lately been made in the House merged themselves into this—that they could not use iron to build a small class of vessels for foreign service, because they were liable to fouling. The only remedy for that, and the one that would be found the cheapest in the end, was to provide more dock accommodation for cleaning and repairing vessels on their foreign stations. The outlay for bringing ships and steamers home for repairs was very large. If an accident occurred to a vessel on the East or West India or the American stations, unless the means of repairing her were at hand, she had to be brought back to this country, and the expense of doing that was enormous. Sooner or later they would have to provide greater dock accommodation abroad. It was stated by Admiral Robinson, the Controller of the Navy, in his evidence last year, that with greater dock accommodation abroad one ship would do the work of two. The Government would save an enormous sum of money by adopting the principle thus laid down, and till they did adopt some such plan they could not keep their steam navy in an efficient state. He hoped the result of what had taken place in America would be to direct the attention of the Government more seriously to the matter, and induce it to pause before proceeding further with the construction of a small class of wooden vessels. They would be utterly useless and unable to cope with the vessels they might have to meet on foreign shores. He must repeat his conviction that till some such course was adopted they should not be able to reduce the present enormous naval expenditure.

Mr. GREGORY said, the event that had lately occurred in America appeared to him an entire revolution in the art of naval warfare. It was neither more nor less than that, and the newspapers of the Northern States had been congratulating themselves that, in consequence of what had occurred, the naval superiority of England was at an end. But he took the precisely contrary view. He thought that England, with its great wealth, its mechanical appliances, and ample supply of coal and iron, could not only provide for her own preservation, but the maintenance of the superiority on the sea she had hitherto enjoyed. Another source of consolation was that a great portion of the burden of taxation that had weighed upon their shoulders for a long time past, under the impression that it was necessary, would be dispensed with. He entirely agreed with the hon. and gallant Member opposite (Sir F. Smith) that money expended on fortresses would be money thrown away. Forts would only be buoys and indications by which an enemy might pass into the harbours. The description of the late battle given in *The Times* stated that the large heavy shot from the land forts fell off from the *Merrimac* like hail from a tin roof, and shot weighing 180 lb. were fired by the *Monitor* at the *Merrimac* when they were lying muzzle to muzzle. If that was the case, what could the proposed forts do? To be of any use, they must have guns powerful enough to crush such ships; and if they had guns of such enormous magnitude, the bursting of one of them would be like springing a mine within the walls. Jones's angular target of iron, 4½ inches thick, resisted, at a distance of two hundred yards, the Armstrong bolt-shot, weighing 110lb; whereas the Martello Tower at Eastbourne, with walls seven to nine feet thick, crumbled away before the fire of the same shots at 1,032 yards. What, then, had the Government to do but to accept the logic of facts, and accommodate themselves to the new state of things? He would read the advice given to the Government of England by Mr. Ericsson himself, in his letter to the American Naval Department, explaining his reasons for calling his iron vessel the *Monitor*. The letter, as it appeared in *The Times* of that morning, said—

> "The impregnable and aggressive character of this structure will admonish the leaders of the Southern rebellion that the batteries on the banks of their rivers will no longer present barriers to the entrance of the Union forces. The iron-clad intruder will thus prove a true '*Monitor*' to those leaders. But there are other leaders who will also be startled and admonished by the booming of the guns from the impregnable iron turret. Downing Street will hardly view with indifference this last Yankee notion—this '*Monitor*.' To the Lords of the Admiralty the new craft will be a '*Monitor*,' suggesting doubts as to the propriety of completing those four steel-clad ships at three and a half millions a-piece. On these and many

similar grounds I propose to name the new battery '*Monitor*.'"

He trusted most sincerely that the vessel would prove a "monitor" to the Lords of the Admiralty. What were the suggestions that presented themselves from that letter? It was clear that by these vessels the means of defence were superior to those of attack. Shot of 180lbs. weight had no effect on the *Monitor*. Against such ships forts might as well be armed with popguns and squirts as with the heaviest ordnance at present used. Forts might, perhaps, be made invulnerable by plating them with iron; but of what use would that be? Iron ships had only to pass the forts and work their will on the dockyards beyond them. What they required was iron-clad batteries, not fortresses—vessels that could go out and contend with such an attacking enemy on equal terms. Another suggestion from this battle was, that the whole character of naval war was changed. Formerly this country relied on the individual courage of its seamen. When they had once boarded an enemy's deck, it was thought the battle was over. They could not board now; it was a mere tradition of the past. Boarding the sloping side of such a ship as the *Merrimac* would be like scrambling up the roof of a house. And when an attempt was made to board the *Monitor* not a soul was to be seen. The bravest boarding party might now, by some new device, be met with a shower of hot water and steam. He was curious to see how much the affair of Hampton Roads had affected the chief question that had been agitated that Session in Parliament. It had solved the whole question of colonial fortifications. It was positively throwing money away to spend it on fortifications in the colonies. The best defences were these floating batteries, which might, like the *Monitor*, be constructed in ninety days, and only cost £60,000. No fortifications now constructing could beat them. But by building the same kind of vessels the colonies might defend themselves with less outlay. Neither Gibraltar nor Quebec were any longer impregnable. If the Spanish launches had been plated with iron when the Chevalier D'Arcon brought them before Gibraltar in 1782, Lord Heathfield's red-hot shot would have been of no avail, and the Spanish flag would have waved over that fortress. British superiority on the American lakes would be very much endangered by the new class of vessels. It had always been said, that though the Americans might overrun the border, yet in Quebec they would find a difficult nut to crack; but since the introduction of these destructive instruments of warfare the case was very different. If the *Warrior* had met the *Merrimac*, it was a matter of grave doubt whether the angular-sided vessel would not have overcome her vertical-sided antagonist; but if the *Warrior* and the *Monitor* had met, there was little doubt that the smaller vessel would have plunged her shot into the unprotected parts of the *Warrior*, and would, in fact, have overcome the pride of the British navy. Again, how useless would the fortifications of Alderney be before such vessels. What could be the use of spending money on fortifications when a battery could come from Cherbourg, sail right in, and knock every ship in the harbour into lucifer-matches without receiving the slightest damage? Cherbourg itself was the most notable example of the folly of building these fortifications. He hoped the Government would take that tremendous subject into their consideration. If, instead of going about like pottering old pointers, sniffing after the traditions of Blake and Benbow, they accommodated themselves to the facts which had met their eyes, and made proper use of this salutary lesson, they might be able to diminish their expenditure, and to provide an impregnable line of defence which all the Powers of Europe would not be able to break through.

SIR JOHN HAY said, that when the Defence Commission first gave in their Report, he was of opinion that the forts at Spithead, to which alone he should confine his observations, were absolutely necessary, but he had now changed his views, and he was confident that it should be better for the public good if the money were spent in the construction of vessels of the new description for the defence of the port, because these vessels could be made as strong as forts, and a movable fort must be much more valuable than a stationary fortification. Under these circumstances, he agreed in that particular with the gallant Member for Chatham; but there were some special circumstances to which he had alluded which required some slight explanation. He did not quite agree with the hon. and gallant Gentleman in all the inferences which he had drawn from the late action and from the experiments which had been made in reference to the construction of iron fortifications and ships; nor could he quite agree with the hon. Member for Birkenhead (Mr. Laird) in his proposal that the smaller class of ships in the navy should be constructed solely of iron. It was absolutely necessary that the light description of vessels should be built of wood, because they could not carry plates thick enough for their protection, and the destruction which would take place on the thin iron plates of vessels of that size would be much more formidable than the destruction produced on wooden ships of the same size. But all vessels which were to fight in war must not only be of considerable size, but of size sufficient to carry plates of considerable thickness, so as to protect them from the fire of the enemy. There was no doubt that modern artillery had arrived at such perfection that it was positive madness to send people out to fight in wooden vessels. If two vessels met armed with the modern ordnance, not one but both must be destroyed, and no result would flow from such an engagement. As far as he knew, it was not possible to construct ships solely of iron. It was absolutely necessary to have something behind the iron to prevent the vibration destroying the ship. As far as experiments had gone, it was certain that when the plates were very rigid, the attachments or bolts which fastened one to the other were certain to break by the concussion; and it was therefore necessary to construct ships of wood and iron combined, which so far was fortunate, because the best use they could make of their wooden three-deckers was to cut them down to their lower-deck beams, plate them with iron, and cover them with as many of Captain Coles' cupola shields as they would carry. One of these ships so cut down and plated, and provided with six or eight of Coles' shields, would destroy eight or ten line-of-battle ships as they now existed. So far it was of value that they had ascertained that there was a positive advantage in having the wood to support the iron, because they could avail themselves of the great number of ships they possessed, which might be converted into useful engines of war. He approved largely of the suggestion of the hon. Member for Birkenhead, that the dock power and accommodation at our different naval stations should be increased, and the money which was to be spent on building the forts at Spithead might be much more usefully employed at Bermuda, Malta, and elsewhere in building docks to receive our iron navy. With reference to the necessity for sloping the sides of iron ships, it was certain that it was quite unnecessary to do so. There was nothing to be gained by sloping the sides of a ship, because by so doing there must be a larger plate to cover the same vertical area. There was no doubt that the iron was better disposed in greater thickness upright than if the same weight were rolled out to cover the same vertical area. It had been tried over and over again. The thicker a good iron plate was, the better it was for defence against the effect of projectiles; and a shipbuilder need not be trammelled by any desire to alter the form of his ship by a false idea of obtaining sloping sides, when he would get the same thing by building his ship in the best form to perform her duty and plating her vertically.

MR. R. W. DUFF said, the proposition was to substitute vessels for forts, so as to have a fleet in every port. It was not his province to defend the Admiralty, but he hoped they would proceed with the construction of the forts. Forts were better than ships, and particularly at Portsmouth, as there was not a sufficient depth of water for vessels carrying very heavy guns to manœuvre about Spithead. This country was foremost in inventions, but the Admiralty seemed always the last to take advantage of those inventions. He attributed it to there being no competent Board to decide what inventions should be adopted and what should not. The Admiralty had allowed themselves to be outstripped by the French, who had constructed *La Gloire* before the *Warrior* was in commission, and by the Americans, who had built the *Monitor*, although the Admiralty were aware of Captain Coles' invention.

LORD ADOLPHUS VANE TEMPEST said, that as he had seen the *Merrimac*, a few words from him would not be without interest. There was some misapprehension with regard to her. Although she was a most powerful vessel, she was not calculated for anything but smooth water. Owing to the weight of the plates put upon her, she was immersed to that extent that there was nothing above water but the deck for her gun ports. The sides were carried up at an angle of 45°, and at the top was an open bar roofing, through which the ventilation was obtained, the consequence of which was that shipping a sea would certainly sink her. With regard to the *Monitor*, he thought she was more powerful, because she had made a voyage in rough weather from New York to Fort Monroe; but it was no disparagement to the gallantry of the officers and crew of the *Merrimac* to say that she was only fit for river purposes, and that the anticipation of her being able to cross the Atlantic was not well founded. The hon. and gallant Member for Chatham was, in his opinion, entitled to the gratitude of the House for having brought forward that important question, and he submitted that the time was come when the Government should reconsider the matter, and pause in the construction of costly land fortresses, which practical men were of opinion would not be so efficacious as these new iron vessels in defending our coasts and harbours.

SIR GEORGE LEWIS: Sir, two questions have been raised during this debate. One has been raised by the hon. and gallant Member for Chatham, of which he gave notice—namely, whether the recent action on the coast of America has given the Government any reason why they should stop the forts in course of construction near Portsmouth. Another, but a much wider question, has been raised by my hon. Friend the Member for Galway—whether, in consequence of that engagement, we should not entirely alter the whole character and structure of our navy, and abandon wooden ships in order to build nothing but iron ships. It has been suggested that the revolutionizing our naval defences will lead to a great economy of the public money. I must venture to express my opinion that, from all the experience which we have had of revolutionizing our armaments, a new system of defence is likely to lead, not to a diminution, but to a great increase of public expenditure; and that, in fact, nothing is so expensive as a systematic change of armaments on a great scale. I do not say that it may not be necessary, in consequence of the experience of the recent engagement, to make a vast change in our naval defences. I am not expressing any opinion upon that subject and its necessity; but I warn the House against entertaining any expectation that that change can be made otherwise than by a corresponding large sacrifice of public money. I think it will be more convenient to the House not to enter into that large discussion at the present moment. It is, in fact, a question mainly affecting the Naval Estimates. If the House be of opinion that this revolution is to be effected, I apprehend it will probably be the duty of my noble friend sitting near me (Lord C. Paget) to propose a Supplementary Estimate of some £10,000,000 or £15,000,000. That will be the practical result of the naval revolution which has been sketched. I abstain entirely from entering upon that part of the question. I merely wish to advert to the question of which the hon. and gallant Member for Chatham gave notice. The question which he submitted to the House is identical with one which was brought under the notice of the Defence Commission by Lord Herbert on the 18th of February, 1861, and upon which that Commission made a careful report. The question referred to them was, "the possible substitution of iron-cased ships in certain localities for such of the permanent defences as can be constructed only at large cost, and cannot in all probability be completed for a long time." That suggestion had particular reference to Portsmouth and the Isle of Wight. The Defence Commission, composed of professional military men—Engineers—reported their opinion in the following manner:—

> "1. We adhere with the utmost confidence to the opinion we formerly expressed as to the necessity for the forts for the protection of Spithead, more especially as regards the two outer works on No-Man's Land and Horse Sand, which give protection to the anchorage as a harbour of refuge for an inferior force of our own fleet, and for merchant vessels, which the 'Spit' and 'Intermediate' forts cannot afford, owing to the depth of water near them being insufficient for anchoring purposes. These two outer defences also command the space more effectually which might be occupied for the purpose of bombardment, and would take in reverse any ships which had succeeded in forcing the passage. The work on the Starbridge is, in our opinion, only second in importance to the two just mentioned. It completes the circle of defences which will afford a concentrated fire on the anchorage, provides a second line against an enemy attempting the passage of the Solent, and gives shelter to floating defences which might have been obliged to retire before a superior force either from the outer entrance to Spithead, or from the defence of the passage of the Needles."

There are some further remarks—

> "2. We consider the mixed scheme of defence by forts and auxiliary iron-cased vessels to be the only practicable mode of effecting the object in view. 3. We are of opinion that no time should be lost in commencing the forts, and in constructing as many iron-cased vessels as are essentially necessary for the above purpose."

The Report of the Defence Commission amounted substantially to this:—That the best plan for the defence of Portsmouth is a combined system of forts and iron-cased ships. They did not rely on one or the other, but on a combination of both. The question is how much that system ought to be modified in consequence of the experience derived from subsequent events. The hon. Member for Galway (Mr. Gregory) seems to think that the recent action points to a revolution in the art of naval warfare. I do not myself presume to speak with authority on the question. I merely judge from the reports which I receive from those who have professionally and technically studied the subject. The information which I have lately obtained leads me to the conclusion that, in the opinion of the most experienced persons, the engagement in question throws little light upon the qualities of iron-clad vessels. I will state what I myself saw with my own eyes. A model of the side of the *Warrior* was set up at Shoeburyness, and made the subject of experiments in order to test its resistance to very heavy ordnance at a very moderate distance. The result was, that scarcely any effect was produced on the plates. In that instance we had as complete a proof of the qualities of iron-clad vessels as was afforded in the recent action. There is no doubt that the *Merrimac* is not a sea-going vessel. The *Monitor*, perhaps, might go some distance out to sea. Of course, we must not assume that an attack on our coast, if ever it take place, will be made simply by wooden vessels, over which our iron vessels might have an easy victory. We must expect to see iron opposed to iron. The question becomes whether, by the improvement of artillery, forts might not be enabled to maintain the same advantage over floating batteries which they have hitherto possessed. It is an axiom, I apprehend, in naval warfare that all floating batteries are inferior to those on land. I am assured that the effect of the recent experiments with iron-cased vessels will only be to stimulate the inventive powers of our engineers in the effort to produce some ordnance which will be forcible enough to smash the sides of the iron-clad ships, and I hope they will not be long in achieving that result. That is the problem which the military engineer has to solve, and he may consider it a triumph in his art if he contrives a gun which those ships which are now invulnerable to artillery will not be able to resist. There is nothing unreasonable in the ambition which encourages him in that aim. We have grounds, then, for holding that a complete revolution in the art of war will not be effected, but that in a few years the disproportion which is now said to exist in point of strength between floating and fixed batteries will disappear. I observe that the hon. Member for Birkenhead (Mr. Laird), at a meeting over which he presided lately, read a letter from a correspondent in New York, who said—

> "The success of the Rodman gun has induced our Government to try experiments on a scale still larger, and they are about constructing guns of 20-inch bore, throwing shot of 1,000lb, which, it is thought, will crush in the side of any iron-plated ship, no matter what the thickness of the plates."

That shows that the belief in the progress of artillery is not confined to this country. I am fully aware of the importance of this question, and of the necessity for our adopting those expedients which are suggested by recent experience. We must, however, beware of taking a precipitate step. The Government ought to be guided by scientific advice, given on mature consideration, and ought not to rush into a series of costly changes. The subject will receive the careful attention of the Government, but I cannot hold out any hope that the construction of forts for which contracts have been entered into, and which are already in progress, will be abandoned.

MR. BRIGHT: Sir, I think the speech of the right hon. Gentleman will not be deemed very satisfactory by the House. He was modest enough to say that he did not hold himself to be an authority on a question of this kind, but I must say the facts he quoted did not appear to be much to the point. The report of the Defence Commission was written more than a year ago, and cannot, therefore, refer to an event which happened about a fortnight since. The right hon. Gentleman has, therefore, said really nothing to the proposition of the hon. Member for Chatham. I agree with the right hon. Gentleman in his comments on the remarks of the hon. Member for Galway. On the occurrence of a single event such as the recent action, however important—and the man must be particularly stupid who does not see its importance—it would, I think, be very unfortunate if the Government at once adopted the scheme of naval reconstruction which is very much favoured by the right hon Member for Droitwich. Nothing could be more costly or calamitous to the country than that we should have such sweeping measures carried out by aspiring Lords of the Admiralty every half-dozen years. The question which has been raised is very simple, and the Government ought not to be allowed to escape from it without a definite statement to the House. The question is, whether the batteries which we are about to erect at a vast cost in the neighbourhood of Portsmouth harbour are capable of resisting the entrance of iron-plated vessels, such as the *Monitor.* The old questions, whether there is any danger of invasion, whether any fortifications are required, and whether we can get them manned, are not discussed now. They remain just where we left them; but, as far as I can learn from their conversation, those who voted for the fortifications two years ago are generally very much ashamed of that vote. What we have to consider is whether, heedless of the proofs which are being given of what iron-plated ships can do, we are to go on spending on fortifications—I am afraid to say how much, and, indeed, the ultimate cost was never very clearly set before the House. I agree with the right hon Gentleman that nothing is to be assumed as absolutely concluded by what has taken place in the James river, but the probability is that something has been concluded. I do not require to be a great naval authority to pronounce it a very serious event, and I think the House may fairly call upon the Government at any rate to suspend these works, which are costing many hundred thousand pounds in the locality I have mentioned, and which will involve an outlay of millions if we include all the fortifications which we were invited to sanction two years ago. Some hon. Members have an idea that money is to be dug out somewhere, and that nobody is any the poorer when it is paid out of the Exchequer for such things; but the fact is that somebody works for it, somebody sweats for it, somebody receives less of the comforts of life for its expenditure, somebody pays it to the taxgatherer, often grudgingly, and suffers for the loss of it. Even the most determined spendthrift in the House must see that the necessity of spending that money at all has, at least, been rendered doubtful by recent events. Surely we may call on the Chancellor of the Exchequer, who sometimes upbraids the House for its profligate expenditure, to support the proposition of the hon. and gallant Member for Chatham in the discussions in the Cabinet. I understand that the revenue returns, concerning which we are to hear something on Thursday, will present an appearance more favourable than, or rather not so unfavourable as many persons had expected; but I can assure the House that, judging from the state of things in the North of England, there is a very high probability that during the next six months or during the next year there will be a very considerable falling off in the revenue, and very great suffering among the working classes—infinitely more, a thousand-fold more suffering, than we know anything of, because it is borne so silently and heroically. But the less the people complain, if they are in distress and from no fault of their own, the more carefully ought the Government and this House to watch that not a single farthing of the money which is extracted from them is expended on works which have been shown by one of the greatest authorities in the country, the hon. and gallant Member for Chatham, to be unnecessary. I think we are fairly entitled to ask the Government not to commit themselves to anything further in this respect, and to abstain from involving the country in further expenditure. We may be sure that before long we shall receive from the other side of the Atlantic the reports of scientific men, and more complete information with regard to this matter. Without going into the question of the great revolution which I agree with the hon. Member for Galway is inevitable, but which is not, perhaps, so far proved as to justify a great change of policy, we may call upon the Government to suspend proceedings, and thus save to the country at least a million of the outlay to which we committed ourselves so hastily.

CAPTAIN JERVIS said, he was glad that the question had been raised. He had always pressed upon the Government that the greatest caution ought to be observed in following out the principle of iron shipbuilding. Two years ago opinions were very much divided upon the question whether the forts at Spithead should be built or not; and two different reports were made, one by the commission upon which Sir Richard Dundas sat, and the other by the defence Committee. The question was, what was the use of solid fortifications built in the water when they could have equally solid fortifications in the shape of iron vessels, which could be moved where they were wanted? Of course, if the defence were required on a spot where it must be on land, there was no choice; but, otherwise, there was no comparison between the advantages of the two kinds of defence. Two years ago the hon. and gallant Member for Chatham (Sir F. Smith) voted in favour of having these Spithead forts, and the hon. Member for Wakefield (Sir J. Hay) spoke in favour of them; but experience had now shown that there was a mistake upon that matter. He therefore hoped that the right hon. Gentleman the Secretary for War would reconsider the statement which he had just made, and would take time to see whether the altered circumstances which had just occurred should not modify his views.

MR. BERNAL OSBORNE: Sir, I was in hopes, after the numerous and distinguished instances of conversion to a conviction of the non-necessity of these forts which we have heard to-night, that we should have heard also of that of Her Majesty's Government. I have been very much disappointed at the speech of the right hon. Gentleman the Secretary of State for War because, if we are to collect anything from that speech, it must be that Her Majesty's Government are about to rush into this enormous expenditure in spite of the great lesson they have received from the events which had occurred in Hampton Roads. I think that my hon. Friend the Member for Birmingham (Mr. Bright) has been unnecessarily hard upon the right hon. baronet the Member for Droitwich, (Sir John Pakington) because there can be no doubt that the right hon. Gentleman was the first to draw the attention of the country to the defective state of our navy, and he ought not to be taunted with what was in fact a great merit on his part. It has been said that the Admiralty are opposed to all change, but I would remind hon. Members that it was the Admiralty of that day that proposed these very floating batteries. It was my late lamented Friend Admiral Sir Richard Dundas, then First Sea Lord, who brought forward this very scheme, and proposed to convert twenty useless line-of-battle ships into floating batteries to defend Portsmouth and other harbours. He proposed to do that—and would have done it—at a cost not exceeding £840,000, instead of erecting enormous forts which will cost considerably more than a million and a half. That proposal was negatived by the Engineers, who thought there was nothing like stone and mortar for building; and therefore I do not think that the Admiralty are open to the insinuation that they set themselves against this improvement. From the speech made by the right hon. Gentleman the Secretary of State for War, we seem to be going blindly on, throwing these millions of money into Spithead, without knowing exactly either what is to be the cost of the forts, or what is to be their use when they are built. The right hon. Baronet has spoken rather slightingly of this great and bloody experiment which has been made in Hampton Roads. But what is the evidence of the doctor who was on board the *Congress*? It is most conclusive. He says that as soon as the *Merrimac*, or, as I believe she is now called, the *Virginia*, got within range—

> "We opened fire on her. We might as well have fired at a moving iceberg. The shot glanced off her iron sheathing like hailstones off a tin roof. . . . Nearly all the guns were dismounted, the bulkheads blown to pieces, rammers and handspikes shivered, the powder boys all killed."

If that is not evidence, with what evidence will the right hon. Gentleman be content? Whether it be evidence or not, I think that the House is justified in calling upon Her Majesty's Government to suspend—at least to suspend—these extensive operations, which are likely not only to be most expensive but most unnecessary. I do not think that justice has been done to Captain Cowper Coles. His plan was brought forward last year, and on that occasion I think that it was very much discouraged by the noble Lord the Secretary of the Admiralty. [Lord CLARENCE PAGET: No, no.] At any rate, no ship has been built on that plan.

LORD CLARENCE PAGET: There is a ship now building on that plan.

MR. BERNAL OSBORNE: I am very glad to hear it. What does Captain Coles offer? He says that he will for a small sum of money convert line-of-battle ships which are lying idle into shield ships, which may form a coast patrol to defend your harbours. I am glad that this discussion has taken place, but I think that it will be totally useless if we—not only the converts, but the thirty-nine articles, of whom I happen to be one, who originally voted against this outlay—if the House does not insist upon Her Majesty's Government not spending another shilling upon these forts until we are in a position to know that they will be able to hold their own against the monsters of the deep which are now being constructed.

SIR JOHN PAKINGTON: Sir, the question which was raised very ably and clearly, and with a very kindly spirit, by my hon. and gallant Friend the Member for Chatham is a question of extreme importance, but it is not an Admiralty question. The question is whether the Government is determined, without any pause whatever. to proceed with the construction of the forts at Spithead. I do not consider it possible to regard the tidings which we have received of this extraordinary action fought in America otherwise than as novel and most important. I entirely agree, however, with the right hon. Gentleman the Secretary of State for War, that it would not be wise for us, in the transition state in which we now are, to be carried away or suffer our policy to be affected by every report that may come across the Atlantic; but, on the other hand, it is impossible to deny that the circumstances of the action in James river have been most remarkable. It is also impossible to deny that those circumstances are closely connected with the opinion which has been throughout expressed by that high authority Captain Coles, that the erection of the forts would not be the best mode of defending Spithead. Surely some additional light has been thrown on that question; and I cannot but express my regret at the language we have heard from the Secretary of State for War, and from which I gather that Her Majesty's Government are disposed to attach no weight at all to this occurrence but to persevere at all hazards, without any delay, and without any further consideration or reflection, to spend this large sum of money upon the construction of these forts. The question is a very difficult one; but the impression made upon my mind by the intelligence from America is such that, considering the great expense involved and the doubtful policy of constructing these forts, I wish the Government had intimated more clearly than the right hon. Gentleman has done that they were disposed to consider anxiously what is the real tendency of that intelligence before they determine to persevere with these works.

LORD CLARENCE PAGET: Sir, I must say that I think my right hon. Friend the Member for Droitwich (Sir John Pakington) has rather misled the House as to what was said by my right hon. Friend, the Secretary of State for War. What he said, as I understood him, was—and with that I entirely concur—that important as is the event which has recently occurred on the other side of the Atlantic, it shows nothing so decided as to the merits of iron-cased vessels of which we were previously ignorant as to oblige the Government suddenly to set aside a plan which has been adopted after the maturest and gravest deliberation. Important as this action has been, what, I ask the House, has really been taught us by it? We have known for some time that vessels cased with armour of a certain thickness would resist the projectiles which are known in the present day; though how long that impenetrability will last, in view of the daily improvements of guns and projectiles, is a doubtful matter. We have been going through very careful experiments at Shoeburyness, and we know that iron-cased ships are very much superior to wooden ones. What has been the result? Why, that we have ceased to build large wooden ships and have taken to building iron-cased ones. What other things do we learn from this action? That an iron-cased ship can what is termed "give the stem" to a wooden ship, and cut her down; but it did not require this action to prove that. We have known that for a long time, and have constructed all our iron-cased ships with a view—the hon. and gallant Member for Chatham shakes his head, but I assure him that every iron-cased ship, beginning with the child of my right hon. Friend the Member for Droitwich, the *Warrior*, has been so constructed, by strengthening the stem and the bows and other arrangements, as to enable her, if necessary, to run down her enemy. So that when we are told that the Americans have taken the lead in building vessels strong enough to run down others, my answer is, that that is in fact what we have been doing for the last three years. Some hon. Gentlemen would lead the House to believe that the Government ought immediately to bring in a supplementary Estimate. ["No! No!"] What is the proposal of the hon. Member for Birkenhead? He tells us that, putting aside our wooden vessels, we ought to construct a great mass of iron ships, and build docks in all parts of the world for them. Are we to build docks all along the American coasts, at all the new settlements, at the Feejee Islands, and other outlandish quarters where we have vessels of war stationed? [MR. LAIRD: I said distinctly, at our foreign stations in different parts of the world.] The suggestion is needless, for at most of our principal colonial stations there are already docks belonging either to private merchants or to the Government. Because we have heard of the extraordinary success of iron ships on this occasion, are we to reconstruct the whole navy of England

and to give up building small wooden vessels for distant service? I maintain that, at all events, the time has not yet come to do so.

With regard to Spithead, naval men naturally prefer ships to forts; but in war time merchant ships running up and down Channel will continually seek refuge in any emergency in that very best of Channel harbours; and I want to know whether you are to keep a large fleet of iron-cased ships locked up between the Isle of Wight and Portsmouth, simply with a view of guarding the merchant navy? I can quite believe that you will require iron ships as adjuncts to the forts, but I maintain that nothing which has taken place across the Atlantic in any way alters the position of the question. Let it be remembered that, as regards ships, there must be a limit—I do not say we have arrived at it yet—to the size of the gun and the thickness of the plate which they can carry. But in a fort there is no limit. If we can construct a gun to carry shot of 1,000lb. weight we can mount it on a fort; if we can make iron plates, aye, of five times the present thickness, they can be put on a fort. But I question whether any very great increase either in the armour plating or in the weight of the guns can be safely carried by sea-going ships. Without, therefore, entering into the question how far it may hereafter be the duty of Government to modify the plan for the defence of the port of Spithead, there can be no doubt that forts must ever be stronger than ships. Some hon. Gentlemen have quoted my friend, the late Sir Richard Dundas, as an authority against these forts. It is true, seeing the great progress which France had made in iron-cased ships, Sir Richard Dundas recommended that we should devote our earliest energies to the construction of more iron-cased ships; but that Sir Richard Dundas always considered these forts absolutely necessary for the protection of Spithead, and that he was an advocate for their erection, I can assure the House and the country. I have been told that the Admiralty have done nothing towards preparing vessels of the class of the *Monitor*. The hon. Gentleman the Member for Liskeard (Mr. Osborne) gave the House to understand that the Admiralty had not taken up Captain Coles's proposal, and that I personally was very much opposed to it. If he takes the trouble to ask Captain Coles, he will ascertain that I was one of the earliest advocates of that system. I believe, moreover, that the system is capable of very large development. But I would wish the House to remember that Captain Coles's cupola ship—like the *Monitor*—is not a sea-going vessel. We do not profess that she would be able to cross the Atlantic, though she would be a very superior vessel to the *Monitor*, because she carries her guns nine feet out of the water. She would, no doubt, be a very valuable and very efficient vessel for our Channel defences. But when we are told that the Americans have built this *Monitor* to beat us, and that if she came across we have nothing like her, I will ask, have hon. Gentlemen read the account of her voyage from New York, when, upon the statement of her own engineer, she was at times completely under water, and the green seas went down the funnel? That does not look as if she was fitted to go across the Atlantic and to keep the sea; though I believe her to be remarkably well adapted for the particular service for which she was designed. I have no doubt that the grave attention of her Majesty's Government will be given to the question whether we ought not to have vessels of that class for the defence of our coast. But I protest against its being said that either the Admiralty or the Government is not taking every possible means for the security of the country.

MR. BENTINCK said, it appeared to him, with all due deference to the House, that there had been a good deal of exaggeration in the opinions which had been expressed on that question. He did not think, with the hon. Member for Galway (Mr. Gregory), that the action which had taken place on the other side of the Atlantic was likely to be a source of economy; nor did he agree with the right hon. Gentleman who had spoken, that his noble and gallant Friend (Lord C. Paget) would be called upon to bring in a supplemental Estimate. He believed that the question lay in a nutshell. The House always voted liberally, and in his opinion wisely—the money required for the defence of the country, and the question was simply this—What was the best way of laying it out? He was bound to say that he had heard with great regret the statements made by the Secretary at War and by the noble Lord the Secretary to the Admiralty. He gathered from those answers that it was the intention of the Government to continue as before the operation of building the forts; and the noble Lord asked them what they had learned lately to induce them to alter their mode of proceeding. The noble Lord implied, if he did not assert, that there was nothing in the recent action which ought either to make them pause in their present operations or to lead them to consider the question whether their whole system of defence might not be revolutionized. He thought that that answer was the result of a total misconception of our position. Within the last month they had had what they had never had before—a practical proof of the value of iron sheathing for ships, and of the comparative value of vessels and forts when in collision. They had found that so far from there being no reason to alter their views and opinions, this had occurred, that whereas ships had hitherto always got the worst of it in engagement with forts, ships could now compete with forts and come off unhurt. If they had not learned anything from that, when would they find anything from which they could learn? It was providential that we should without loss be able to find the comparative value of iron and wooden vessels; and were we to go on following the course which might have been right before, but must now be considered doubtful? Instead of saying that we had not learnt anything from the late contest, we ought to look on it as a providential occurrence in which, without cost or loss of life, this country enjoyed an opportunity of testing the value of iron-sheathed-ships. There was one part of the question which had not been touched upon except slightly by his noble and gallant Friend (Lord C. Paget), and that was as to the condition of merchant vessels at Spithead. Let the House suppose, in case of war between this country and France, that a large fleet of merchantmen was lying at Spithead for shelter from the enemy's squadron; the forts at Spithead would be no protection to those vessels whatever. Two or three of the enemy's iron ships could run into Spithead and capture or sink the merchant vessels there without receiving any injury. Were the forts there to blaze away indiscriminately, striking alike friends and foes? He defied any man to prove that the forts at Spithead would be of any good for the protection of he ships; they would only be available to fire a flying shot at the vessels endeavouring to run the channel. By the accounts of the last action in the American waters heavy batteries were firing away all day at an iron-plated ship, and did it no material damage. What possible damage, then, was it likely would be done to two or three of these iron-plated ships running through the channel into Spithead at night and in thick weather? It was, in the first place, a million to one against the vessels being hit, for it would be a flying shot; and once having passed the forts they could not be fired upon without the certainty of injuring the merchant vessels which it was the object of the forts to protect. That was a most important question, and he ventured to express a hope that the Government would at least admit that the time had come when the question of the mode of defending Spithead and other ports ought to be reconsidered. He contended that they had learned enough from the experience of the last month to show them, that if the whole question had not been entirely revolutionized, it had been so completely altered in all its bearings, that to persist in acting on the old system would be to do precisely that which had been condemned by the right hon. Baronet on the Treasury bench. For it would be to deal hastily with the subject, for nothing could be more hasty or inconvenient than that they should, in the teeth of recent information, continue a system commenced before that experience was acquired. All that was desired was that the Government should pause in carrying out a system which might have been good last year, but which had now fallen into disrepute by increased experience. They asked for further time for consideration, in order that money for the defence of the country might not be spent on works which in a short time might prove quite useless.

MR. CONINGHAM said, he could not but express his regret that the Government had decided against the reconsideration of the system of fortification. He had ventured on a former occasion to express an opinion that the system of constructing iron men-of-war was still in its infancy, and he believed that vessels would some day be built which would be able to send a shot through the *Warrior* just as if she were a bandbox. He was one of the first to recognise the importance of the Lancaster gun; and when he saw them he expressed an opinion which he still entertained, that they would bring about a complete revolution in the science of warfare, and that ships would be constructed to carry guns of the heaviest calibre. Already there were schemes on foot to build men-of-war to carry sufficient coal to enable them to steam round the world, and which could deliver a bow broadside from guns of the heaviest calibre. It was simply a matter of scientific calculation to ascertain, having the thickness of iron plate given, what sized shot could, under various circumstances, penetrate that plate, and he believed that as certainly as a rifle bullet would go through a deal board, so could shot penetrate the sides of the *Warrior*. Probably, it might be found necessary to construct vessels with plates twice the thickness of those on the *Warrior*, in which case the size of the ship must be proportionately increased. Again, efforts were on foot to apply steam to the working of guns. He, therefore, strongly deprecated any expenditure on a large system of land fortifications; and he should likewise deprecate an expenditure on colossal vessels, which he believed to be a mistake, for it was likely that a vessel having greater speed than the *Warrior* might engage her with success. Choosing her own ground for the purpose, she, having invulnerable bows, might keep them always directed towards the *Warrior*, and might sink her without receiving any material damage. He thought the Admiralty had always been very slow learners of these scientific truths, and with that protest he ventured to hope that the Government would pause in the system which they were pursuing.

THE TURKISH LOAN.

OBSERVATIONS.

Mr. **HUBBARD** said, he rose to call the attention of the House to the participation of Her Majesty's Government in the proposals for an Ottoman Loan. The subject was first brought to his notice by the receipt of a circular from a highly respectable firm of stockbrokers. The letter was as follows:—

> "We beg to call your attention to the prospectus of the New Turkish Loan, which will appear in to-morrow's newspapers. You will observe, as a special feature, that it is under the direct cognizance and favour of the British Government. The low price of the new issue, when compared with the present market value of the previous loans, the great advantages offered by the sinking fund for the redemption of the loan at par, and the securities which have been taken for the fulfilment of all its conditions, leave no doubt of the complete success of the operation. Being duly authorized to make up a list of subscribers, we shall be glad to know, as early as convenient, if we may have the pleasure of including your name in it. The amount of deposit to be lodged with each application is 5 per cent."

The prospectus of the loan certainly warranted the terms employed in that letter. It commenced by stating that a special commissioner had been appointed by Her Majesty's Government, at the request of the Sultan, to assist in the due application of the proceeds of the loan to the consolidation of the floating debt and extinction of the depreciated paper money. It was intimated that a copy of a letter written by Earl Russell was annexed, and to that letter especially he desired to call attention. The letter was as follows:—

> "Foreign Office, March 15.
>
> "Sir,—When I had the pleasure of receiving you and Mr. G. G. Glyn at the Foreign Office a week ago, I informed you, that if the Sultan's commissioners or agents in this country should be successful in obtaining a loan, Her Majesty's Government, anxious for the well-being and prosperity of Turkey, would be ready to send one or two gentlemen in whom they had confidence to assist the Sultan's Ministers in the due application of the proceeds of the loan to the extinction of the paper money and the funding of the floating debt. I stated that Her Majesty's Government would take an interest in this operation from their feelings of friendship towards Turkey. I said the contractors of the loan might see in such a mission a further security against the misapplication of the present loan, and the loss of credit which would ensue. I am happy to inform you that Lord Hobart has consented to proceed to Constantinople for six months for the purpose I have indicated.
>
> "I am, Sir,
> "Your most obedient humble servant,
> "Russell."
>
> "H. A. Bruce, Esq., M.P."

It was to that letter that he wished to call the attention of the House. He took no objection to any assistance which Her Majesty's Government might give to the Ottoman Government or any other foreign power in the way of advice in regard to financial matters, either directly themselves, or through any individual; but what he submitted to the House was, that the letter of Earl Russell went infinitely beyond that limit. That letter took a ground which was unusual in subjects of this kind. There was moreover an apparent discrepancy between the prospectus and the letter of Earl Russell, because the former stated that the appointment was at the request of the Sultan, and he did not find that Earl Russell acknowledged having received such a request. The first question, therefore, which he wished to ask was, whether that was a voluntary act on the part of Her Majesty's Government, or was it done at the direct request of the Sultan? The fact of Her Majesty's Government having sent a commissioner would seem to imply, that he proceeded in their employ;

and, if so, he should also like to know whether this country would have to pay the cost of the mission to Constantinople. It was not, however, so much on the fact of that mission being sent out as upon the subject-matter with which it was connected that he wished to lay stress. It was said the object of the mission was to see that the proceeds of the loan were applied to the extinction of the paper money and the funding of the floating debt, and those operations would, as Earl Russell naturally remarked in his letter, give the contractors of the loan much confidence in the undertaking. To that extent Earl Russell was perfectly justified, and the brokers who had the negotiation of the loan were also, he thought, justified in anticipating the success of a scheme which had been launched under such high auspices as that of the noble Lord the Secretary for Foreign Affairs. The result, at all events, was in conformity with such anticipations, for it was stated, that whereas £5,000,000 was the real amount required, £25,000,000 had been offered by the British public. Now, that fact furnished a clear proof of the action of Government interference in the matter, but he entertained very serious misgivings as to the policy of that interference; because, if the loan had been a success mainly on account of the part which the Government took with respect to it, he should like to know what would be the consequences of any ulterior disappointment in its case. He would assume that the chief object for which Lord Hobart was to go out to Constantinople was to insure the complete success of the loan, so far as he was concerned, and that he returned to this country having fulfilled his mission so far as having the money, which might be supposed to be under his control, applied to the extinction of the paper money. That being so, what were to be the subsequent proceedings of the Government of the Sultan, whose want of knowledge and intelligence in such transactions no doubt the mission was meant to supply? Admitting that the present Ministers of the Porte were men of integrity, and that the Sultan himself was well affected, yet they might vanish from the stage before the loan reached its conclusion, and in the event of any obstacle to the future completion of the contract between British capitalists and Turkey, would not the subscribers to it say to Her Majesty's Government, "We contributed to this loan owing to the encouragement which you gave us; we ask you now to interfere to obtain for us the fulfilment of our expectations"? Thus, under the circumstances, a prospective and possibly undeniable claim on the Government was established.

But there was another practical difficulty connected with the subject to which he wished to draw attention. The proceeds of the loan were to be applied, it seemed, to the extinction of the paper money. Now, the debt of Turkey, according to a statement made in an official paper, of which a translation appeared in the newspapers in England, was as follows:—External debt, £15,000,000; floating, £9,000,000, and somewhat more; the amount of the paper money being £9,000,000. What amount, he would ask, was applied to the extinction of the debt? The amount subscribed for was £8,000,000 at 68; but from that 2 per cent must be deducted as commission to the negotiators, and 6 per cent as the year's interest; so that only 60 per cent at the utmost would be applicable to any financial purpose in Turkey. Was the money to be devoted in the first instance to the extinction of paper money, or to the satisfaction of those pressing claims which had been hanging over the Turkish Government for some time past? Hon. Members were, of course, aware that the Bank of France had a large claim against it on account of the dishonoured drafts of Mirès, and he believed the Ottoman Bank in London had also some claim. That being the case, he should like to know whether those two corporations were to be satisfied out of the amount subscribed before the residue was applicable to the extinction of the paper money? But let him suppose that the whole sum stood over for the purpose, it would be found that £8,000,000 subscribed at 60 per cent made only £4,800,000, while the paper money which it was meant to extinguish amounted to £9,000,000; so that after the most careful scrutiny of the matter, he was unable to satisfy himself as to how the object in view was, under these circumstances, to be accomplished. Now, the noble Lord at the head of the Government would, he was sure, put the best complexion on the matter, and be able to solve, if possible, the practical difficulties, and might say something in extenuation of the course which had been pursued; but he (Mr. Hubbard) would venture to say that no amount of extenuation would justify the Government in having interfered in the proceedings with regard to that loan. Whether they looked at it as forming a precedent for future operations, or whether they looked at it in its individual character, it was equally objectionable. If foreign powers were to apply to the Government of this country, and ask Secretaries of State to give them letters to be inserted in circulars for loans, it was a course which he conceived was highly objectionable, as a positive interference with the appropriation of the national capital; but the system was still more objectionable and dangerous in its prospective operation, for it was likely to lead to embarrassments with foreign powers, such as had occurred with reference to Mexico, to which place this country had had to send a fleet to enforce the payment of the claims of British subjects, although the Government had been in no degree concerned in the transactions from which those claims originated. As a matter of precedent, then, it would be seen that the course which had been followed must, probably, lead to interference with the foreign relations of the country. On the other hand, if it were to be regarded as an individual case, if they were to be told that Her Majesty's Government considered it an isolated and solitary instance, in which it acted from feelings of friendship to the Turkish Government, he should like to know what were the claims of Turkey to that special friendship and interference. When, at the close of the last war, Government took the responsibility of guaranteeing a loan for her, it was raised at 4 per cent interest. The present loan yielded a return of 11½ per cent, so that, 4 per cent being interest, 7½ per cent represented the risk which the capitalist ran; and he must say that the noble Lord the Secretary for Foreign Affairs had displayed infinitely more nerve in recommending such a transaction to the British public than he would have done even if he had taken the command at a moment's notice of the Channel fleet. In conclusion, he had simply to say that he had brought the subject forward from no wish to embarrass the Government, but because of the danger which he thought was likely to flow from the adoption of the policy to which he had adverted. He begged leave to move for the correspondence which had taken place on the subject.

MR. SPEAKER: The House having already decided that the words "the Speaker do now leave the Chair" should stand part of the Question, the hon. Member cannot make his Motion.

MR. FREELAND said, he wished to say a few words on a subject very closely connected with the question before the House. He would not allude to the proposed second mission of Lord Hobart further than to say that it was a mission which he thought that the House would approve of, and which, under the circumstances, her Majesty's Government could hardly refuse when called on to embark in. He should be very much surprised if, in the answer which they would receive, the House were told that that mission would involve all the serious consequences which his hon Friend opposite appeared to anticipate from it. It would be found, he thought, to have a much narrower and simpler object. The matter to which he wished particularly to refer was the former mission of Lord Hobart and Mr. Foster, and he wished, respectfully but earnestly, to press on the consideration of the Government the great importance of applying at the earliest possible day to the Turkish Government, through M. Musurus, for their consent to lay upon the table of that House a copy of the report of Lord Hobart and Mr. Foster on the finances of Turkey. They had lately had placed before them some rather sanguine statements as regarded the state of Turkish finance; but having given great attention to the whole subject, he must say that he thought those statements were too highly coloured. Coincident with the announcement of the new loan, they had had transmitted to them from Constantinople an able document in the shape of a budget from Fuad Pasha, anticipating a surplus of £844,463. In connection with that budget, he wished to notice one item—namely, the increase on customs duties under the new treaties of commerce of £914,200, a sum larger than the whole of the anticipated surplus. Among the new treaties was the treaty recently concluded between Turkey and this country. By that instrument the export duties were reduced from 12 to 8 per cent, and they were to diminish 1 per cent every year, until they reached 1 per cent, at which point they were to remain stationary. The import duties were raised from 5 to 8 per cent. It was possible that the revenue arising from the diminished export duties might eventually reach its present amount, but time must be allowed for that, while it was rather sanguine to expect that the produce of the import entries would be largely increased at once by means of a treaty which raised those duties from 5 to 8 per cent. At all events, many of the calculations of the Turkish financiers must be somewhat problematical, and he was afraid that if they should turn out to be unfounded our Government might be blamed for having withheld information which the public ought to possess. He trusted, therefore, that they would lose no time in laying the report of Lord Hobart and Mr. Foster on the table of the House.

Sir ROBERT CLIFTON said, he could not but express his regret that the hon. Member for Buckingham (Mr. Hubbard) should have brought forward his Motion at the present time. Great reforms had recently been carried out in Turkey, and the waste which formerly prevailed in Turkish finance had almost entirely disappeared. The present Sultan had devoted a large sum out of his privy purse to the payment of arrears due to the Turkish army, and it was to be remembered, that if the foreign debt of Turkey had been greatly increased of late years, that increase was mainly due to the recent war with Russia. It was much more difficult for the Sultan to introduce reforms among his people than it was in this country. Every year panics were made by large houses to force the market for bourse transactions. He trusted that both France and England would always be ready to maintain the independence and integrity of Turkey, which, as long as she retained possession of the Dardanelles, might be regarded as the key of Europe.

Viscount PALMERSTON: Sir, I can hardly accept for my noble Friend at the head of the Foreign Office the compliment paid to him by the hon. Member for Buckingham, that he has shown great intrepidity by the part he has taken in the present transaction. My noble Friend acted, I think, simply upon the commonest dictates of prudence and statesmanship in a matter which deeply concerned the interests of a friendly Power, and a Power, moreover, the maintenance of which is a point of very great and deep importance to England. The way in which the transaction took place may be briefly stated. The Turkish Government represented that it was essential an attempt should be made to arrange their finances. It is well known that, at their request, we sent two very able men—Lord Hobart and Mr. Foster—to make a minute investigation into everything connected with the finances of the Ottoman Empire. Those gentlemen made a report of the greatest possible value. They were furnished with every information which they could wish or desire to obtain. They had access to all the public departments and all the documents necessary for giving them full information as to the state of the Turkish finances. One portion of the arrangement suggested was, that the paper money, which was in excess, should be called in, part being exchanged for money, and part exchanged for engagements of another kind, terminable in point of time and bearing interest. The Turkish Government made several attempts to procure a loan, which they represented to be absolutely necessary for that purpose. They applied to capitalists of other countries, but they failed to obtain the amount they required, except upon terms which were thought too burdensome and too onerous for the interests of Turkey. They then applied to this country, and they were informed they might obtain here upon very different conditions the sum they wanted. But they represented that it would give them great facilities for obtaining upon tolerable terms the amount which they required if Her Majesty's Government would consent, not to assume any responsibility or enter into any engagement as to the payment of the interest, but simply to commission some competent person to go to Constantinople, and in conjunction with the Turkish Government, to see that the money raised by the proposed loan should be applied to the purpose for which it was ostensibly asked—namely, the exchange of the paper money and the liquidation of some part of the floating debt. If Her Majesty's Government had refused to comply with a request so simple, so easily granted, and involving so little responsibility, I must say they would have been justly chargeable by the Turkish Government with indifference, if not something more, towards the prosperity of Turkey. I will simply state that the British Government take upon themselves no responsibility whatever with regard to the payment of the interest of the loan, and all that the functions of Lord Hobart (who has kindly undertaken the duty on the part of Her Majesty's Government) will extend to is simply to see that the money raised is applied solely to the purpose for which it is raised. Now, that purpose is one to which we cannot be indifferent. The money it is hoped will lay the foundation for putting the finances of the Turkish Empire in a sound and healthy state. It is well known that for a long time past, from various circumstances, the finances of Turkey have been in the greatest possible confusion and disorder; troops have been for months without pay, public servants have received no salaries, engagements of all sorts have been contracted which there were no means of satisfying; and the evil grew to such a degree that the Turkish Government became most anxious to have matters placed on a better footing; and Her Majesty's Government felt that until that was done there was no solid and safe foundation for the permanent interests and the security of the Turkish Empire. We have been told that the gentleman was sick. Well, he was, and we were asked to supply a remedy and put him on a better regimen. I trust we have done so. I have hopes that in a time not very distant we may find that he has become more robust than many of his neighbours who have hitherto boasted of the strength of their constitution and the vigour of their health. Fortunately, Turkey has a Sovereign who possesses, in an eminent degree, qualities calculated to enable him to regenerate that Empire. He is a man of great vigor of mind, of determined patriotism, of the most frugal and even parsimonious personal habits, indefatigable in industry; from the habits of life formerly imposed upon him, not, perhaps, so well versed in the details of government as others, but most anxious to learn, most desirous always of arriving at the truth, and firm in setting his face against corruption, jobbing, favouritism, and all those abuses which of late years tended so much to the decay of the Turkish Empire. Well, Sir, this Sovereign is anxious for the assistance of the British Government, and we have afforded that assistance, in the first place by that commission to which I have alluded, and in the next place by this temporary aid of the commissioner to give security that the money raised will be applied to the wholesome purpose for which it was raised.

Now, Sir, the hon. Gentleman who made this Motion seems to think that we have no interest in the maintenance of the Turkish Empire, and that, even if we have, there is no hope that that Empire will be preserved. Why, Sir, as to the interest that we have in the maintenance of the Turkish Empire, as an element tending to preserve the balance of power in Europe, I think any person who looks to the history of modern times, and casts his eye over the map of Turkey, must see that we have a distinct interest, at all events, that other Powers shall not occupy that country. Well, in order that that should not happen, it is necessary that the Government which occupies that vast country should be strong and able to maintain its independence. Well, Sir, financial reform must be the basis of all national strength. Until the finances of Turkey are placed in a healthy condition no other assistance that could be afforded her would be of any real or permanent value. But is it true that Turkey is in that hopeless state that nothing will save her from that doom which has been denounced against her so often? We have heard that threatened men live long, and if that be so, certainly no State has a better chance of longevity than Turkey, because she has been so much threatened. Every one must see that the Turkish Empire comprises some of the most fruitful and favoured regions of the globe, with every variety of climate and soil, with mineral riches beyond calculation, and geographical and topographical advantages for commerce greater than almost any other country in the world. The inhabitants are of a mixed race, not at all deficient in intellect; labouring, it is true, under the disadvantage of conflicts of religious opinion between large portions of them; but we may hope that that spirit of enlightenment which has marked of late years the conduct of the Turkish Administration will under the present Sultan be pursued, and that those hatreds and religious differences which have in many cases led to conflicts may henceforward be gradually softened, and may ultimately disappear. It is true, as was stated by my hon. Friend who spoke last, that great reforms have been and are being carried out, and that the whole system of administration is in progress of improvement; but these things require time, and nobody has time to give them who is not able to pay his debts. Therefore, anything which enables the Sultan to pay his way and to redeem his Empire from that state of financial embarrassment in which, unfortunately, it was placed in former times will enable him to carry into effect those social, political, and religious improvements which I am persuaded he is anxious and determined to accomplish. The hon. Gentleman (Mr. Hubbard) has said that the Turkish Empire has cost us quantities of money and torrents of blood; but if you could establish Turkey on a solid basis and make her a highly prosperous country, as she is intended by nature to be, you would save for the future all that expenditure which in time past has been incurred. Nothing would more contribute to the permanent peace of Europe than the establishment of a strong, independent, and well-administered Government in Turkey. I hope we have a prospect that that end may be attained. Of course there are great difficulties in the way of correcting evils of long standing, in establishing order where confusion has hitherto to a great extent prevailed; but I am sure that this House and this country will feel that Her Majesty's Government in lending its aid in any way in which it properly can to the accomplishment of that object, especially when that aid is afforded without incurring any pecuniary responsibility, are doing their duty and are entitled in that respect to the approval of the country. As to the report of the Commission to which the hon. Gentleman (Mr. Freeland) called attention, that Report was made, not to the British, but to the Turkish Government, and it applies to a great number of intricate details connected with the Turkish Administration. Until we have the permission of the Turkish Government to present it, we could not take advantage of the knowledge we have obtained of matters which concern the internal administration of Turkey and which are not of general interest.

AUSTRIA AND TURKEY—THE SUTORINA.—QUESTION.

MR. STANSFELD said, he wished to put a question to the Under Secretary of State for Foreign Affairs with reference to the interests and independence of the Turkish Empire. It related to an act of armed intervention on the part of Austria which took place in the Sutorina on the 1st of last December. The Sutorina was a tongue of land which ran down from the Herzegovina to the Adriatic, and divided the Austrian territory of Ragusa from the Turkish dominions. He would describe the act of which he complained in the language of the official report as it appeared in the *Wiener Zeitung*, and as it was given in the Viennese correspondence of *The Times* of the 7th of December—

> "Not long since the civil and military governor in Dalmatia made known to the Imperial Government that the insurgents in the Herzegovina had, in two different parts of the Sutorina, constructed batteries which commanded the Imperial Royal military road across that Turkish strip of land (*enclave*), and also the waters of the Gulf of Cattaro. In virtue of a convention between Austria and the Porte no change can be made in the *status quo* in the Sutorina except by mutual consent. As the batteries in question interfered with the security of the communication between the territory of Ragusa and the district of Cattaro, the Imperial Royal Government was necessitated to summon Luka Vucalovitch, the leader of the insurgents, to remove them, and that within a given period. At the same time it stated that if the above-mentioned chief of the insurgents did not do what was required of him, the Imperial (Austrian) troops would not fail to take the matter in hand. As Luka Vucalovitch did not attend to the summons within the period fixed, which was at the end of the 30th of November, the commander of the Imperial Royal brigade lying at Ragusa received orders to destroy the two batteries, and, when he had done so, to return with the troops employed to the Austrian territory."

The correspondent of *The Times* added—

> "By a telegram of the 2nd inst. from Castelnuovo, a fortified town at no great distance from the present entrance to the war port of Cattaro, we learn that a body of Austrian troops under General Von Rodich entered the Sutorina yesterday, and 'without having fired a single shot,' demolished the two batteries which were between Svinje and Lucich."

He was not desirous of attaching too much importance to an isolated act, but considering the unsettled state of the border territories of Turkey and Austria, considering the policy of non-intervention, which was as much a matter of interest as of duty, and considering the treaty stipulations by which we were bound to prevent as far as possible any such interference as had taken place, he thought it would be admitted that such an act deserved the zealous regard of the Government of this country, and some steps ought to be taken to prevent it from being turned into a precedent. In stating so much, he did but echo the opinion and policy laid down as binding the great Powers of Europe by the Treaty of Paris; for, by the 7th Article, "Their Majesties engage each on his part to respect the independence and the territorial integrity of the Ottoman Empire, guarantee in common the strict observance of that engagement, and will in consequence consider any act tending to its violation as a question of general interest." The report to which he had alluded spoke of France and Russia having thought fit, in some way, to enter a protest against that act of aggression being construed into a precedent for the future; and he had therefore to ask, whether his hon. Friend was prepared to lay any papers on the table, or to give an assurance that the Government would act, if they had not already acted, in the manner in which France and Russia were supposed to have done.

MR. LAYARD said, that in order to explain the answer he had to give to his hon. Friend, he would remind the House of the exact position of the Sutorina. When the Republic of Ragusa was an independent State, she was surrounded by Venetian dominions; and not finding the Venetians very pleasant neighbours, and in order to cut off her territory from theirs, she gave to Turkey two strips of land, one to the north and the other to the south, running down from the Turkish province of the Herzegovina to the sea. In that way she completely isolated herself from the Venetians. When Austria came into possession of Dalmatia and Ragusa, the two strips of land remained in the possession of Turkey; and if some arrangement had not been come to between Turkey and Austria, all access by land to Ragusa, now forming part of the Austrian territory, would have been cut off, had the Turks chosen to prevent a passage through their territories. Accordingly, an engagement was entered into by Turkey with Austria—Turkey refusing to cede these two strips of land to Austria—that a road between Ragusa and the Austrian territory should be always kept open, and should not be interfered with in any manner whatever. Recently there had broken out in the Herzegovina an insurrection, which was still going on. One of the chiefs of the insurrection, Luka Vucalovitch, descended into the Sutorina, and erected a battery upon the strip of land. It was evident the battery was not intended for any defensive purpose against the Turks. The Turkish troops had not been there, and there was no ground for believing that they intended to attack the insurgents in that place; consequently the battery was raised for some purpose foreign to the insurrection. The Austrians, naturally anxious that the communications between the territory of Ragusa and the district of Cattaro should not be interfered with, gave notice to Luka Vucalovitch, the leader of the insurgents, that if the batteries were not removed within a certain time specified, the Imperial troops would take the matter in hand. They were not removed, and accordingly the Austrians, with the cognizance of the Turkish Government, entered the strip of land and destroyed the battery without resistance, no impediment being offered to the removal of the two small guns of which the battery consisted. The article quoted from the Treaty of Paris provided for the independence of the Turkish Empire, and guaranteed its territory against any violation by a foreign Power; but the act in question could not be considered a violation of its territory. It was no act of aggression. As soon as the object was accomplished, the Austrian troops were withdrawn, and the territory had remained in the possession of the Turks. As soon as the circumstances of the case were known, various Governments, including those of Russia and France, remonstrated with the Austrian Government. Full explanations were, however, given; and the Powers, including the British Government, being satisfied that the Turkish Government did not make the act of Austria the ground of any complaint, nor consider it any violation of its independence, they allowed the matter to drop. No one looked upon it as an absolute precedent which might authorize any other power, without the sanction of Turkey, entering its territory. It was an act arising out of extraordinary circumstances; but still he hoped that the necessity for such interference, which might be accepted as a precedent, might not occur again. There were no papers on the subject which he could present to the House.

UNEXPENDED BALANCES.

OBSERVATIONS.

MR. W. WILLIAMS said, he could not but complain of the confusion which was occasioned in the public accounts by the want of distinctness in the arrangement of the items. He also wished to call attention to the number of Votes in Book No. 1 of the Estimates, in which large sums remained over from former years. The whole of the twenty-three Votes in that book amounted to £695,000, while the items lying over from the votes of former years amounted to £769,000. He contended that all balances unappropriated on the 31st March should be paid into the Exchequer, and so accounted for, and a fresh vote taken for the same purpose when one was necessary.

MR. PEEL observed, that the Government were rather entitled to credit than censure for the existence of the balances to which the hon. Gentleman had referred. Most of those votes had not been passed till very late in the Session; the existence of the balances was, therefore, an indication that Government had not begun to expend the money under the Votes until they had been passed by the House. His right hon. Friend the Chancellor of the Exchequer had already stated that it was the intention in future to take the Votes for the Civil Service for the payments falling due within the year, and it was also intended that sums unexpended should be paid into the Exchequer.

Mr. CHILDERS said, he wished to ask whether the change which had just been announced would be effected by a Bill or by a simple order of the Treasury.

Mr. PEEL said, that it was not quite settled; but, if legislation was necessary, a Bill would be introduced.

Main Question put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

House in Committee.

Mr. Massey in the Chair.

(1.) £33,583, Royal Palaces,

Mr. W. EWART said, that it was his opinion that many of the works of art at present in Hampton Court Palace ought to be removed nearer London, where they would be more accessible to the artists of the country. He also thought that copies of them might be taken and distributed through the chief towns of the country. As they were circumstanced at present they were in considerable danger of being destroyed by fire.

Lord WILLIAM GRAHAM said, it appeared from the Vote that money had been paid for cleaning pictures at Hampton Court Palace. He wished to ask what pictures had been subjected to such treatment, and why a practice which had been given up at the National Gallery was still adopted at Hampton Court Palace?

Mr. AUGUSTUS SMITH said, he felt much disappointed that no general explanatory statement had been made by the Secretary of the Treasury in bringing forward the Civil Service Estimates. Such a statement was due both to the House and the country, and was all the more necessary as the Committee was now asked, for the first time, to consider a particular part of those Estimates without having the entire series before it. They were not even furnished with a general abstract of the whole of the accounts to guide them. Besides, many of the Votes in Class No. 1, which they were discussing, were connected with Votes in other classes, and particularly with those in Class 4; and without having the whole of the Estimates before them they could not judge accurately of the expenditure they were sanctioning. The utter want of method in the preparation of the Estimates rendered it almost impossible to tell what was the total sum required for each different establishment, some items being lumped together where they ought to be separated, and others, which ought to be brought together under one view, being scattered up and down through the whole group of Estimates. It was, therefore, most difficult to get at the entire amount of Expenditure under a particular head, or to institute a true comparison between one year and another. On the face of the Estimates there appeared to be a saving on the charge for Class 1, Public Works and Buildings, that charge being this year £700,000 in round numbers, as against £834,000 the last year. On examining the figures, however, more closely, it would seem that the amount this year would be at least £750,000 instead of £700,000; the former sum being the amount of expenditure sanctioned, while the latter only represents the money voted, the difference being made up by the Balances in hand to the credit of these various works. There was a sort of caprice, too, in the way in which the particulars of different Votes were stated. Very full details were given of certain small items, while, in regard to larger items, the Committee were expected to be content merely with the total sums. In short the Estimates were drawn up in the most confused, heterogeneous, and imperfect manner, and he must earnestly press upon the Government the adoption of a clearer, more intelligible, and more orderly arrangement.

Mr. PEEL said, that the Government had been anxious to lay all the Miscellaneous Estimates before the House at the earliest possible day, but accuracy was quite as important as despatch, and it was impossible that they should undergo the revision of the Treasury, and yet be produced at an earlier period. It had not been usual for the Financial Secretary to the Treasury to make a general statement upon the Civil Service Estimates corresponding to the statement of the Secretary of State for War or the Secretary to the Admiralty. The reason was that there was no connection between the different classes of Votes, nor did they hang together, like the Estimates of the army and navy. For the last year or two the practice had been to make certain reductions from the Votes in respect of the Estimates of the coming year, on account of balances remaining over from the previous year. The hon. Member was not without the means of making a comparison between the proposed expenditure of that and former years, and he would find the comparison favourable to the present year. The aggregate of Class 1 of the Estimates of last year, irrespective of the deductions of the surpluses of former grants, was £962,666. The detailed Estimate of the same class of the present year was only £750,215, showing a reduction of £212,451. There was a small deduction of surpluses this year amounting to £55,000. The deduction last year on account of balances was £128,000. The real decrease therefore, was £212,451 on Class 1, although apparently it amounted only to £139,451, in consequence of the Exchequer balance taken in diminution of the Votes for 1862-3 being so much less than for the year 1861-2.

COLONEL FRENCH: But are these real balances, such as can be made available for the service of the coming year?

MR. PEEL: They are sums that are called balances, and are the unexhausted remains of the Votes of last year. During the coming year the balances will be surrendered to the Exchequer.

MR. AUGUSTUS SMITH: Will that apply strictly to the next year?

MR. PEEL: Yes.

MR. ROGERS said, he wished to ask whether the cartoons in Hampton Court Palace were insured against fire?

MR. COWPER said, it had not been the practice to insure Government property, but every precaution was taken against fire. With regard to the question of the noble Lord (Lord W. Graham), a sum of £475 was taken for cleaning and varnishing the pictures and cartoons at Hampton Court. The cleaning would be executed under the direction of Mr. Redgrave, superintendent of the Royal pictures, by the most competent persons. The pictures at Hampton Court had not been touched for many years, and many were perishing for want of varnish, and were obscured by the dirt on the surface. The cleaning of these pictures was a delicate matter, and Mr. Redgrave would be responsible for the manner in which it was done. The great cartoons of Raphael were already under glass, and those of Andrea de Mantegna would soon be similarly protected. His hon. Friend (Mr. W. Ewart) had suggested that the cartoons of Raphael should be brought to London; but at present there was no edifice to contain them. When the enlargement of the National Gallery took place, there would be, he trusted, ample accommodation for the proper exhibition of the cartoons, and it would then be desirable that works of art which were without parallel should be rendered accessible and brought to the metropolis.

MR. CONINGHAM said, he wished to remind the right hon. Gentleman the First Commissioner of Works, that if he wanted space for the cartoons, he had only to turn the Royal Academy out of the National Gallery, and then he would find plenty of room. He was sorry to hear that picture-cleaning was recommencing in the public galleries. It was proved a few years ago that the pictures at the National Gallery had sustained great injury from the process of cleaning, and if the pictures at Hampton Court were exposed to similar treatment, they would be irreparably damaged. He had often thought that the health of the people would be improved if all allopathic doctors were abolished, and was similarly convinced that art would be greatly advantaged by the abolition of picture-cleaners.

SIR HENRY WILLOUGHBY said, he saw that the probable surplus of former grants under the Vote was estimated at £10,000. He wished to ask, whether that was the total of the surpluses of several years?

MR. COWPER said, that the balance in the Exchequer of the Vote for 1861-2 was £34,000. Of that sum £10,000 might be treated as a surplus, and would not be wanted. The House would not be asked to vote that amount again. The balance arose from the great economy of the department.

SIR HENRY WILLOUGHBY remarked, that if that were true, the Estimate seemed to have been an extravagant one.

SIR FRANCIS BARING said, that the balance arose from the change of system, consequent upon carrying into effect the recommendation thad had so long been made in regard to surpluses. The sums referred to were not proofs of extravagance, but were sums which had been voted before for services which had not yet been paid for.

SIR HENRY WILLOUGHBY said, he had expected an explanation from the Treasury bench, but the right hon. Gentleman who had just spoken had, no doubt, given the real explanation. They were not payments in the course of the year, and how could there be an economy?

MR. COWPER said, that by the exercise of economy the whole amount estimated had not been expended.

Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £89,510, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1863, for the Maintenance and Repair of Public Buildings; for providing the necessary supply of Water for the same; for Rents of Houses for the temporary accommodation of Public Departments, and Charges attendant thereon."

SIR MORTON PETO said, he wished to call attention to the large amount of rent paid by the Government for public offices. The sum had increased from £25,000 last year to £26,900 in that year. If the Committee would look through the list of public offices, they would find the Government rented buildings all over the West-end, which entailed a great deal of inconvenience upon those having business to transact with them. That sum of money represented the interest of £900,000, and he would ask the right hon. Gentleman (Mr. Cowper) whether he could not devise some better mode of expending the public money?

MR. CHILDERS said, he had to complain that the Government had separated from the War Office the fortification branch of that office, and had taken for it rooms which cost the country £1,312 a year. He thought that system led to very great extravagance, and he wished to know whether the offices would be retained permanently or not, or whether there would be a concentration of all the offices under the War Department?

MR. AUGUSTUS SMITH observed, that in the Civil Service Estimates were many charges which ought properly to appear in the Military Estimates. Chelsea Hospital, the Royal Military Asylum, and the Tower of London were instances; as also the items for coals and furniture for offices connected with the military branches.

MR. COWPER said, he could not admit that the arrangement of the Estimates was justly open to criticism. He did not think the expenses mentioned by the hon. Member (Mr. A. Smith) could fairly be included in the Army Estimates. The Fortification Branch had been placed in Victoria Street, because there was not room for it at Pall Mall, but the arrangement was expected to be but temporary. With respect to hiring houses for temporary purposes, that was more economical than purchasing expensive sites and erecting costly buildings; but in respect to some of the offices it would, perhaps, be better to have permanent buildings.

SIR STAFFORD NORTHCOTE said, he wished to ask whether, as they expected to have a good many foreigners in London during the year, it would not be possible to give the fountains in Trafalgar Square a better appearance than they then presented in spouting forth hot water, which emitted clouds of vapour, and prevented no beauty of the fountains from being seen.

MR. LOCKE said, he would also suggest that a better supply of water should be provided for the fountains. Those fountains had been a laughing-stock to foreigners, and during the time of the Exhibition it would be much better that they should not be allowed to play, unless they were to be more sportive than they had hitherto been. It was admitted on all hands that they were the most outrageous failures ever attempted in this country.

MR. COWPER said, he quite agreed that the fountains were in a condition that Englishmen might well be ashamed of. But he would venture to promise that in the month of May they would be such as every Englishman would be proud of. The House was good enough last year to vote a sum of money for increasing the supply of water for the fountains. Works for that purpose were in progress, and the new jets with which he proposed to fill the surface of the basins would produce a very ornamental effect. The water which supplied the fountains was, for economy's sake, water which had been used in the condensing part of the engine, and which was thereby raised to a very considerable heat. It was then sent out to cool as a fountain, and again returned to the condensing part of the engine.

MR. HUNT said, he wished to call attention to three items—£700 for the Stationery Office in Prince's Street, Westminster; £110 for the "late Stationery Office," Great Newport Street; and £205 for "late ditto" in Gate Street, Lincoln's Inn Fields. He wished to know whether the public was paying for those three offices?

Sir HENRY WILLOUGHBY said, he was anxious for some information with regard to what was called "the new State Paper Office." As he understood, what was really a new building, and had cost between £40,000 and £50,000, was going to be pulled down. He therefore wished to know what was to be the sum total of the change; what was to become of the records while a new building was being provided, and what would the entire cost be? What would the public get out of it for £120,000?

Mr. W. WILLIAMS observed, that some explanation was required in respect of the item of £1,094 for the Queen's Prison. He believed that all the persons who had occupied that prison had been sent about their business. What then was going to be done with the building? There was also an item of £900, rent of a house in St. James's Square for the Tithe and Copyhold Commissioners. The work of that Commission had been reduced to nothing, and yet there were three Commissioners. There was another item to which, in his opinion, there was so much objection that he should move its rejection. He begged to move the reduction of the vote by £680, the rent of a house for the Ecclesiastical Commission.

Mr. COWPER said, he deeply deplored the necessity of pulling down the State Paper Office. The fact was, however, that the site which had been obtained for he new Foreign Office and the new India Office could not be made available unless that step was taken. It was true that the existing State Paper Office had cost about £40,000; but in reality it was not at present worth more than half that sum, as a large portion of that expenditure had been incurred from a want of the knowledge of the use of concrete in laying the foundations of a building upon so treacherous a soil. The new India Office would be erected on the very spot occupied by the State Paper Office, and it would be impossible to make its elevation harmonize with the rest of the proposed new edifice. The "late Stationery Offices" to which the hon. Member (Mr. Hunt) had referred had been taken by the Government on lease, and could not be given up till the lease was expired, but they were let at the same sums as those set down in the Votes. In reference to the Tithe and Copyhold Commissioners, he had to observe that many additional duties had of late years been thrown upon them, and that at present they had a great deal of work to perform as Inclosure Commissioners. An objection had also been made to the payment of the sum for a house for the Ecclesiastical Commissioners. But the House of Commons had in previous years decided that those Commissioners performed duties of a public character which justified that expenditure; and it should also be borne in mind that only one quarter of the rent in that case was paid by the public.

Sir GEORGE GREY said, he believed that was the last time the Committee would be called upon to Vote any sum on account of the Queen's Prison. Since the passing of the new Bankruptcy Act a great reduction had taken place in the number of prisoners confined for debt, and arrangements were being made for the purpose of removing all the remaining prisoners in the Queen's Prison to Whitecross Street Prison. When those arrangements were completed, a Bill would be submitted to Parliament authorizing a sale of the Queen's Prison.

Sir HARRY VERNEY said, he wished to ask, where the public records would be removed to when the State Paper Office would be pulled down? At present a large portion of the public records were stowed away in houses in Chancery Lane, which were in a very dilapidated condition, and by no means such as any gentleman would choose for his private papers.

Sir MORTON PETO said, he would ask, whether the right hon. Gentleman really thought he was doing wisely in paying a rental of £27,000 a year, instead of concentrating these offices? It might, indeed, be better to continue to pay that rental, rather than erect new buildings in the style of the Foreign Office; but he believed that a building, modest in its elevation, but sufficiently commodious to accommodate the whole of these offices, might be constructed at a cost, in the shape of annual interest on outlay, of not more than half the sum now paid as rental.

Mr. SCLATER-BOOTH said, he wished to ask, whether the plan of extending the buildings of the Admiralty, by taking a portion of the houses in New Street, Spring Gardens, was to be carried into effect, or whether it might be considered that the notices served on the owners of these houses had been withdrawn?

Mr. Alderman SALOMONS said, he wanted to call attention to an item of £1,000 for the expense of a fire-engine station for the protection of the public buildings; and asked whether the Government intended to establish a fire brigade system of their own before the Report of the Committee which had been appointed on this subject?

Mr. BARROW said, he wished to know whether there was any prospect of the abolition of the Tithe and Inclosure Commission? He could see no necessity for its continuance.

Sir GEORGE GREY said, that further duties besides those of acting as Inclosure Commissioners were thrown upon the original Tithe Commission. They were employed in all cases in which public money was advanced, or when public Companies received Loans from Government under Acts of Parliament. A Bill would be submitted to Parliament in the course of the present Session for the renewal of the Commission, and then opportunity would be afforded for discussing its duties and the utility of continuing it.

Mr. VINCENT SCULLY said, he observed that the amount of the entire Vote was £103,942 8*s*., but he feared the result of the discussion would not lead even to the reduction of the Vote by the odd eight shillings. He should be glad if an hon. Member familiar with the subject would move the reduction of some item; but if he attempted to do so, the manner in which the Votes were asked caused him terror lest he should make an awkward mistake. For instance, the Vote for the supply of water to the fountains in Trafalgar Square was included in the sum of £3,000 asked for the supply of water to the Houses of Parliament and the public buildings. He feared, if he asked the reduction of that Vote, he would be the means of cutting off their own supply of water. There was one Vote which required explanation—it was the sum of £50 for rent of stables for the Chancellor of the Exchequer. These must be only the stables for a pony; and if he succeeded in knocking off that £50, it would pay, at least, for the gas spent during the last two hours of useless debate. He would, therefore, ask why any, and if any, why such a sum of money was Voted to accommodate the Chancellor of the Exchequer?

Mr. COWPER said, that stables had been attached to the Chancellor of the Exchequer's official residence in Downing Street; and as that building had been given up for public purposes, it became necessary to rent stables in Middle Scotland Yard. With respect to the houses in New Spring Gardens, he had to state that they would not be required at present, as the decision in reference to the scheme for the extension of the Admiralty had been postponed until the following year. The charge of £1,000 for fire-engines had been introduced before the Committee to inquire into the state of the measures adopted for the extinction of fires in the Metropolis had been appointed. The present arrangements made by the Fire Brigade with respect to the public buildings were not of a satisfactory character. At an interview he had held with the representatives of the Brigade, he had asked them whether they were prepared to establish a station nearer to Whitehall, the Houses of Parliament, and Buckingham Palace; but he was told that stations were formed where it was the interest of the Insurance Companies to place them with reference to insured property; that it was not their interest to place one near the Public Offices; but that they would do so if the public would defray the first expense and some portion of the annual cost. It was under these circumstances that the charge of £1,000 in the Estimates was incurred for the first cost of establishing a station in the neighbourhood of Whitehall. He had only to add that no permanent measure would be adopted upon that subject until the Committee, to which he referred, should have made their Report.

Mr. HADFIELD said, he should support the Amendment of the hon. Member for Lambeth, as he objected to finding offices for the Ecclesiastical Commissioners. He thought it desirable that the Commission should be abrogated; it would be an advantage to the Church if that were done.

Mr. A. MILLS said, that the Commission was created by Parliament, not by the Church; and as long as it continued to exist, Parliament must pay for it.

Motion made, and Question,

"That the Item of £680, for the Ecclesiastical Commission, be omitted from the proposed Vote,"

—put, and *negatived.*

Sir MORTON PETO said, he wished to repeat that it was his opinion that the Government should undertake to house all these Commissions in a general public building.

Mr. COWPER said, that the suggestion of the hon. Member should have his best attention. No doubt some sites of ground in the possession of the Government might properly be used for the erection of public offices now placed in hired buildings. The south side of Bridge Street, when the houses were pulled down, might be occupied by public offices.

MR. AUGUSTUS SMITH asked, if anything had been finally decided on with regard to the National Gallery; and if any plan had been adopted, would it be laid before the House for its sanction?

MR. COWPER said, the Gallery was at present sufficient for the purpose of the exhibition which there existed; but probably some other accommodation would soon be required. When a plan should be adopted, it would be laid before the House.

Original Question put, and *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £14,611, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1863, for the Supply and Repair of Furniture in the various Public Departments."

COLONEL DUNNE said, the cost of furniture for the army clothing depôt ought to appear in the Military Estimates. The depôt, he believed, was built by private parties, and hired by the War Department.

SIR GEORGE LEWIS explained, that the expense of the furniture for the public offices used formerly to be included in the general Vote for each department; but, in consequence of remarks made in that House it was thought desirable that all the furniture should be supplied by the Board of Works and appear in one separate list.

MR. AUGUSTUS SMITH said, he should move the omission from the Vote of the item £4,611 for furniture and fittings for the South Kensington Museum, the Museum of Geology, and the College of Chemistry, as he had a very strong suspicion that money had already been voted for these purposes in the Votes for the Science and Art Department.

MR. COWPER said, that that was a mistake. No money had been taken for furniture in the Votes for those departments. The Vote was to supply glass cases, presses, &c., for the exhibition of articles, chairs for visitors, and other similar articles necessary for such exhibitions.

MR. DILLWYN said, he thought that details ought to be given, as was the case with other departments. One department had so far condescended to particulars as to give in a claim for eighteen-pence.

MR. CONINGHAM said, he must condemn the whole system on which the Kensington Museum was conducted. The Government were diverting that institution from its legitimate object. It should be confined to the fine arts and archæology.

MR. CHILDERS said, he wished to point out that a Vote of £4,600 had been taken last year for fixtures and fittings in the Science and Art Department.

MR. COWPER replied, that the Vote under consideration had nothing to do with the Vote of last year. It was for different purposes.

Motion made, and Question,

"That the Item of £4,611, for the Supply and Repair of Fittings and Articles of Furniture for the Department of Science and Art, viz. Museum, South Kensington, Museum of Geology, and College of Chemistry, be omitted from the proposed Vote,"

—put, and *negatived.*

Original Question put, and *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £84,664, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1863, for Maintaining and Keeping in Repair the Royal Parks, Pleasure Grounds, &c., and other Charges connected therewith."

MR. W. EWART complained, that the public were unnecessarily restricted in the use of portions of Hyde Park by the present arrangements. They ought either to have the whole range of the park, or the animals of the deputy-rangers ought not to range beyond certain limits. He suggested that when a vacancy occurred in the office, the ground occupied by the premises of the deputy-ranger should be thrown open to the public.

MR. BLACKBURN observed, that some check ought to be put upon the amount expended on the parks about London. During the past nine or ten years the expense had greatly increased, and it now amounted to about £100,000 a year. It was impossible to reduce the item by moving to strike off any specific sum; but if the opinion of the Committee were expressed, the expense in future Estimates would probably be diminished.

SIR EDWARD GROGAN said, that if the hon. Gentleman—a Scotchman—had a just ground for complaint against the Vote when it included £1,780 for Holyrood Park, Irish Members must have a much stronger case, seeing that not one penny piece was allowed for the ornamentation of their country. A memorial influentially signed for the grant of money to ornament Phœnix Park, Dublin, had been presented, and in reply to a question which he had put he had received the stereotyped answer that it was under consideration. He did not object to the expenditure of money on the parks in London, but, in common justice, something ought to be done for Ireland.

Mr. COWPER said, the hon. Baronet was quite right to remind the hon. Member for Stirlingshire that Holyrood had its share; but the hon. Baronet, if he had read a little further, would have found that there was a Vote for the expenses of the Phœnix Park.

Mr. WHITESIDE said, the Government had succeeded in having some gardens in Dublin opened on Sundays, but they gave no assistance towards the preservation of those gardens. It was acting upon principle against conviction. Their principle was that the gardens should be open on Sundays, and their conviction that they should not give money to preserve the gardens. Any one who had seen the Phœnix Park must agree in the propriety of the appeal of the hon. Member for the city of Dublin. They wanted to have new trees, but none were planted. They wanted to have new roads, but none were made. It was a fine park sadly neglected, and the Irish people threw themselves on the mercy of the Committee.

Mr. LOWE said, that so far from having refused to bear any of the expense, there was a Vote in the Estimates, under the Science and Art department, towards maintaining the garden to which the hon. Gentleman referred.

Mr. O'BRIEN said, they did not object to the expenditure on the parks in and about London, but public grants of that kind ought to be fairly administered. With regard to Battersea Park, he admitted that a great improvement had been effected, but they were led to believe that through the increased value of building sites that expenditure would be a source of revenue to the country. The expectation, however, had not been fulfilled. He wished to know whether the annual charge of £8,000, for the maintenance and embellishment of the park, was intended to be permanent?

Sir JOHN SHELLEY said, that it was entirely owing to the toll on the bridge that the land at Battersea Park was not let for building. He wished for some information as to the Italian garden at the head of the Serpentine. It was understood that a well was to be dug at that spot which was to supply a large quantity of water daily. He believed that the well had been sunk, and fountains erected, but up to the present moment no water was forthcoming. He desired to ask whether any water had been obtained from the well, and, if not, whether there was to be any further charge on account of that undertaking?

Colonel DUNNE said, he should protest against the continuance of the large annual outlay for the metropolitan parks, to which the term "Royal" could, in no sense, be applied. In order to test the feeling of the House on the subject, he would move the reduction of the Vote by £7,515, the item for Battersea Park.

Mr. AYRTON said, he held that the parks of London were a source of almost more enjoyment to people from the country than to the inhabitants. The fact was that country folks were so stifled by the smoke of the metropolis that they were glad to resort to the parks for a mouthful of fresh air. He believed that the municipality of London would have no objection to maintain the parks not Royal, if the Government would transfer them to their hands. The Chief Commissioner of Works, however, took delight in managing them himself; and if the country indulged him in that luxury, it must be paid for. He saw no reason why the parks should cost a farthing. Under the charge of the municipality they would no longer be a charge on the public revenue. That was a subject which deserved reconsideration, and the Amendment of the hon. and gallant Member was very well as a first step.

Mr. COWPER said, he suspected that although the hon. Gentleman represented a metropolitan constituency he did not represent metropolitan opinions. The municipality of which he spoke was the offspring of his own imagination, and in his dreams perhaps he fancied himself at the head of it. If such a body really existed, under such a chief, he would be glad to allow them to provide the expenditure for the parks; but he would require, if not the payment of arrears, at least a guarantee for future expenses. If the ratepayers constituted the municipality in question, he doubted whether the proposal of the hon. Gentleman would meet with their approval. Every one must acknowledge that these parks ought to be maintained. The money which they cost was spent as well as, if not better, than any other sums voted by the House. It not only gave enjoyment to the great multitude of people who came to London, but gave to residents some of the enjoyment of country life, and made them better subjects and happier individuals than if they were confined to the pavement of the streets. He believed also, that if these parks were done away with, the rate of mortality in the metropolis would show a considerable increase. With regard to Battersea Park it had been complained that the anticipations held out to the House of a great return from that park had been disappointed; but that arose from the want of a proper main drain, without which the land would not let for building purposes. When the great southern sewer was completed, the return would come. The toll on the bridge, as the hon. Baronet had stated, was another obstacle in the way of letting the sites.

MR. AYRTON said, he would remind the right hon. Gentleman that an Act of Parliament had already been passed which intrusted the Metropolitan Board of Works with the making of any new parks. That Board constituted the municipality of London, as the right hon. Gentleman ought to know. With that explanation he would leave the Chief Commissioner of Works to justify the taste of personal reflections upon him, (Mr. Ayrton), which were as unfounded as they were absurd.

MR. VINCENT SCULLY hoped the hon. Member for Lambeth (Mr. Williams), who had left his seat, would not leave the House, because he believed that Battersea Park was a hare which he started some years ago to divert attention from his nibbling at cheeseparings. He was anxious that the Chief Commissioner or the hon. Member should explain to the House what revenue that park had produced, or else should withdraw the promises which had been made with regard to it. If no account of profit could be shown, he hoped that the hon. Member for Lambeth would vote for the reduction of the Vote.

MR. LOCKE said, that before the hon. Member for Lambeth answered the appeal which had been made to him he must say that if that hon. Member had sanctioned any expenditure, even upon the metropolis, he must have seen good reasons for doing so; for without such reasons he was sure he could not bring his mind to approve of any expenditure at all. Good reasons had been given why Battersea Park had not answered the expectations of the hon. Member. The English people did not like to pay toll. There was no comparison between Phœnix Park and those of London, for while the latter were oases in the desert, Phœnix Park was surrounded by the most beautiful scenery, and to make either cabbage gardens or flower gardens in it would be a waste of money. The hon. Member for the Tower Hamlets wanted to relieve the Government of the expense of these parks. He did not share in that desire, and he was sure the ratepayers of the metropolis had no desire to be rated for them; indeed, the chairman of the Board of Works had said that he looked with horror on the idea of proposing any fresh rate.

MR. O'BRIEN remarked, that the tolls upon Chelsea Bridge had been imposed in pursuance of a distinct understanding with the inhabitants of the district.

MR. W. WILLIAMS said, he was at a loss to understand why hon. Members should seek to fasten personal responsibility upon him with regard to Battersea Park, towards the construction of which several Votes had been taken before he became a Member of the House. It was true he complained very often of what he thought the unnecessarily large outlay on the parks; and seeing that £70,000 of the amount voted last year still remained unexpended, it could not be denied that the Estimates were made very much at random; but of the condition and circumstances of Battersea Park, beyond the fact that it was of great advantage to that part of the town, he knew as little as he did of the county of Cork. It was some eight or ten years since he rode that way.

MR. HUNT said, he wished to know how it was that £7,515 could be spent in keeping up so small a park as that of Battersea?

MR. WALPOLE said, he could not view the construction of parks merely as a metropolitan ratepayers' question. If the responsibility were thrown solely upon them, he very much feared that, owing to the value of land in the vicinity of London, the ratepayers would prefer to build upon it. Within the last sixty years London had doubled its population. Looking upon the parks not merely as places of recreation for the poor, but as contributing very largely to the permanent health of the metropolis, he hoped the Committee would sanction the Vote.

MR. COWPER said, he could assure the Committee that no money was spent upon Battersea Park which was not necessary. If the hon. Member for Northampton (Mr. Hunt) would visit the park on a summer afternoon and see the number of persons who there sought healthy recreation, he would not object to the expense of maintaining it. The Volunteers, likewise, made use of it for purposes of drill. The Committee which sat the year before last went very fully into those Estimates, and had not recommended any reduction of the items.

Colonel DUNNE said, he had no great faith in the decisions of Committees, knowing how they were often constituted. At the same time, if it were the general wish, he would withdraw his Motion.

Sir HENRY WILLOUGHBY said, that as one of those who had originally resisted the grants to Battersea Park, he wished to remind the Committee that a large portion of the money had been advanced on what turned out to be false pretences. A distinct pledge was given, that if the bridge were built, a toll should be levied for the repayment of that money. No sooner was the bridge built than persons interested in the district raised an agitation against the toll.

Viscount PALMERSTON: I feel sure that there was never any pledge as to repaying the money spent on the park, though expectations were held out that part of the land might be let advantageously for building purposes. There was a pledge that the cost of the bridge should be repaid by tolls; and when it was moved in this House that the tolls should be remitted, on the ground that they prevented the advantageous employment of the land available for building, the House determined that the tolls should be continued. The amount expended on the bridge is, therefore, I imagine, in course of repayment. But those tolls necessarily diminish very greatly the use of the park by all the persons living on the northern side, and have also the effect of preventing, in a great degree, the advantageous employment of those portions of land intended to be applied to building purposes.

Sir JOSEPH PAXTON said, he should vote for the item in the Estimates, but he was sure that as soon as Battersea Park had attained its maturity the sum would no longer be wanted. The money spent of late years on the park had been most judiciously expended, and the only way of bringing it back to the Exchequer was by taking the toll off the bridge.

Motion made, and Question,

"That the Item of £7,515, for Battersea Park, be omitted from the proposed Vote,"

—put, and *negatived.*

Original Question again proposed.

Mr. THOMSON HANKEY said, that the public suffered great inconvenience in consequence of Kew Gardens being shut off for the great part of the year from Kew Green and Richmond; and he would suggest, with the view of removing that inconvenience, that some slight alteration should be made in the gardens at Unicorn Gate.

Mr. COX said, he observed that £1,583 were to be paid for keeping in order what used to be called Kennington Common, but what was now styled Kennington Park. To call the place a Park was absurd, as it consisted of only seven or eight walks and a few grass plots, from which even children were excluded.

Mr. CHILDERS said, he wished to know why the expense for Greenwich Park was three times greater that year than in the last?

Mr. STANILAND said, that the whole Vote was presented without proper details, so that the Committee felt a difficulty in cutting down any single item. For Greenwich Park there were two sums of between £4,000 and £5,000, and he held it to be perfectly monstrous to spend such a sum upon the preservation of two hundred acres of land. He thought that the Government would do well to withdraw the Vote for the present, and propose it again in a more detailed form. To mark his objection to the Vote in its present form he would move, that the amount be reduced by £5,000.

Mr. BLACKBURN said, he thought that the sum asked for was extravagant, and instead of being reduced by £5,000 it ought to be reduced by £50,000.

Mr. COWPER said, with respect to Kennington Park, that it was desirable the grass should be kept in existence, and that consequently the public were excluded from walking on it at some seasons of the year. There was not, he felt assured, a shilling spent on Kennington Park which was not well laid out. Great numbers of people frequented it; but if he were to give all the details of the expenditure in connection with it, it would, he feared, be only to weary the House without leading to any useful result. So far as Kew Gardens were concerned, he thought it extremely desirable that the public should be admitted during the winter as well as during the summer months; while he might state, with respect to Greenwich Park, that a considerable amount of repair was requisite in the case of the house of the Ranger there, to which office Earl Canning had been appointed.

MR. KINNAIRD said, he thought no sufficient justification of the Vote for Greenwich Park had been given. In his opinion, the charge for keeping such a residence as that of the Ranger's in repair—a residence which was occupied free from rent—ought not, every time a change of occupants took place, to be thrown on the public.

MR. DILLWYN remarked, that the right hon. Gentleman (Mr. Cowper) had made no objection to giving the details except their prolixity. Now, he for one should like to have them, and he should look through them with some curiosity to ascertain how so much money could be spent on these parks.

MR. CAIRD said, that if the hon. Member for Finsbury (Mr. Cox) thought proper to divide the Committee for the purpose of reducing the item of Kennington Park by a few hundreds, he should have his support. That park consisted of only a few walks through less than twenty acres of grass.

MR. ALDERMAN SALOMONS observed, that there was scarcely any place of public resort so much frequented as Greenwich Park, and contended that it would be conferring no boon upon any nobleman to tell him he might live in the Ranger's house on the condition that he should repair it.

MR. COWPER said, that he was able to furnish the Committee with the details of the expenditure for Kennington Park. They consisted of a number of items, amongst which might be enumerated £421 for police constables and night watchmen, £645 for plantations and shrubberies and flowers, £100 for keeping up walks, £65 for watering footpaths, a superintendent engaged at an expense of £20, and £65 for lodge and railings. Then there were gratuities in aid of funeral expenses to the amount of £5; that was a contribution estimated for in case a death occurred. In the event of its not being required for that purpose, it was devoted to medical aid or relief in sickness. The Committee must also bear in mind that there was a great number of deaths among the plants and trees. The supply of water cost £50, but it was not, he might observe, completely thrown away on the land, as it was also drunk by the police constables.

LORD ELCHO observed, that one of the chief items for Kennington Park was a charge for night watchers, their liveries, their wages, and their funerals. Sir Richard Mayne had informed him, that if the parks were not closed at night, they would necessarily come into his charge, and be included in the regular beats of the police. He therefore suggested, as a means of getting rid of the charge for night watchers, that the gates of the park should not be shut at night. The Green Park was closed each evening, and there was no watcher left in charge of it. If any park required care at night, that park did, situated as it was in the centre of London.

Motion made, and Question put,

"That a sum, not exceeding £79,664, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1863, for Maintaining and Keeping in Repair the Royal Parks, Pleasure Grounds, &c., and other Charges connected therewith."

The Committee *divided*:—Ayes 83; Noes 94: Majority 11.

Original Question again proposed.

MR. COX said, he would then move that the charge for Kennington Park should be reduced by £583, leaving a round sum of £1,000.

THE CHAIRMAN intimated, that as the sense of the Committee had already been taken on the whole Vote, it was not competent for the hon. Member to propose the reduction of any particular item.

MR. COX said, he would then propose, instead, that the whole Vote should be reduced by £583.

MR. COWPER said, that if the Amendment was carried, the result would be that the park would not give as much enjoyment as at present. He should deeply regret any such result, for the effect would be felt in the happiness and comfort of the poorer classes.

MR. LOCKE said, he hoped the Committee would not support the Amendment under the impression that Kennington Park was a mere grass field. The greater part of it was a garden, consisting of gravel walks, flower-beds, shrubs, and plants, which required to be renewed.

Mr. MALINS said, he thought the Vote was not too large, considering the advantages which the public derived from it.

Mr. HUNT said, he would support the Motion of the hon. Member for Finsbury on the same grounds as he had voted for the former Amendment.

Viscount PALMERSTON said, that if the Committee, after spending a great many hours in discussing sums of every possible magnitude, should at twelve o'clock at night determine at last to cut off some £500 which was to be devoted to the enjoyment, health, and recreation of the people, they would be taking a course not worthy of them.

Motion made, and Question put,

"That a sum, not exceeding £84,081, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1863, for Maintaining and Keeping in Repair the Royal Parks, Pleasure Grounds, &c., and other Charges connected therewith."

The Committee *divided:*—Ayes 64; Noes 108: Majority 44.

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow.*

Committee to sit again on *Wednesday.*

EDUCATION—THE REVISED CODE.

COMMITTEE.

Order for Committee read.

Viscount PALMERSTON: I propose that this question be taken on Monday, the 5th of May, a week after the day on which the House will meet after the Easter recess.

Mr. WALPOLE said, as far as he could hear, there was no objection to the day which the noble Viscount had fixed; but it had been mentioned on Friday night that it would be very desirable that the Government amendments on the Revised Code should be laid on the table as early as might be convenient, in order that the House and the country might have time to consider their details. He would, therefore, ask that the noble Viscount should say that he would be prepared within a reasonable time to lay the amendments on the table.

Committee *deferred* till *Monday*, May 5.

COPYRIGHT (WORKS OF ART) BILL.

THIRD READING.

Order for Third Reading read.

Motion made and Question proposed,

Mr. Locke

"That the Bill be now read the third time."

Mr. DILLWYN said, he would move that the Bill be read that day six months. He thought that the Bill would be wholly ineffective to afford a protection to artists. The measure appeared to have been prepared in a hurry, and was apparently intended only for the purposes of the Great Exhibition. Hasty legislation was always found by experience to be unsuccessful. Supposing that an artist did not register his picture, he saw nothing to prevent a surreptitious copy of the work being taken, without the slightest remedy to the artist. It would be better to reconsider the subject, wait a little longer, and get a better Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Question proposed, "That the word 'now' stand part of the Question."

The SOLICITOR GENERAL said, he hoped that the hon. Gentleman would not persevere with his Amendment. He had been indebted to several hon. Members on both sides of the House for suggestions and improvements in the measure. Nor was it fair to say the Bill had been prepared in a hurry. He had been requested by a committee of artists to introduce such a measure, the object being to place copyright in works of art on the same footing as that in literary works, sculptures, and engravings. The artists were at first opposed to the plan of a register; but finally their objections were removed. The object of the register was to afford absolute protection to every purchaser of a work of art after it had left the artist's hand. There was a difficulty in the way of a register of works of art, for a requisition to register would operate as an interference with the productions of artists; but no one could be injured by the Bill as it stood, and he hoped, that as it had reached that stage, it would not be opposed.

Mr. MACEVOY said, he was glad that such an improvement had been made in the law relating to works of art; and he thought that some such summary protection should be extended to literary property as was afforded to works of art by the Bill.

Mr. DILLWYN said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 3°, and *passed.*

RED SEA AND INDIA TELEGRAPH COMPANY.—COMMITTEE.

Order for Committee read.

House in Committee.

THE CHANCELLOR OF THE EXCHEQUER said, that papers would be presented that night by his right hon. Friend the Secretary to the Treasury, containing the correspondence between the Government and the two telegraph companies, which would give the House a fuller and clearer view of the transaction which it would be asked to authorize than could be readily conveyed in a brief statement from himself. The matter was rather intricate. The company which originally undertook to establish this telegraph, having failed in its design, proposed upon certain terms to give place to a new company, so that the Government had arrangements to make with both companies. The terms made with the old company were, perhaps, more liberal than on simple principles of equity it would have been entitled to; but the question was whether it would not be more for the public interest to deal with the company, even on such terms, than to leave them in possession, because there were no means of ousting them without their free assent. The terms made with the new company were fair and equitable, and though they appeared to offer it the possibility of obtaining an interest of even 25 per cent on its capital, still it must be remembered that the property came into its possession in a worthless condition, and that it was invited to give value to that property with its own funds, without bringing the public under any new liability as far as it was concerned. The project was in a very unfortunate position, and the Committee would, he thought, agree that the Government had acted wisely under the circumstances in giving encouragement for the accomplishment of a very useful public object. The line of telegraphic communication towards India had been lengthened by what had already taken place, and hopes were entertained of still greater and more beneficial results from this arrangement. The Resolution he had to propose, preliminary to bringing in a Bill to give effect to the arrangement, would convert the annuity now payable to a joint-stock company into a regular annuity charged upon the Consolidated Fund. The right hon. Gentleman concluded by moving a formal Resolution on which to found a Bill accordingly.

SIR HENRY WILLOUGHBY said, he wished to ask whether the original contract had really been so drawn that there was no help for the country except to pay an immense sum for a scheme having no results?

THE CHANCELLOR OF THE EXCHEQUER said, they had no option, in honour, but either to concede such terms as the old company chose to demand or to leave matters precisely as they stood, with the property wholly useless, and yet an annuity of £32,000 payable to them for fifty years.

MR. WALPOLE said, he would put the further question whether the law officers of the Crown had been consulted, and had given an opinion to the effect just stated by the right hon. Gentleman?

THE CHANCELLOR OF THE EXCHEQUER said, the law officers of the Crown, about eighteen months ago, declared that, under the terms of the contract, the Government were not legally bound; and that being so, the Government felt that as an executive they would not be authorized in paying to the Company their annuity. They then had to look to the original intention of the contract, and they found on examination that there was no doubt the intention was that the payment should be unconditional—that was to say, it was not to be conditional on the continued success of the undertaking. They, therefore, last year brought a Bill before the House, that it might exercise a judgment on the matter. The House passed the Bill, empowering the Government to treat the contract as unconditional, and thereby the annuity became an absolute obligation.

LORD FERMOY said, he hoped that as gutta percha had failed as an insulating medium, the Government would guard against its use by the new Company. They ought to insist on the employment of india-rubber, as recommended by the Royal Commission.

THE CHANCELLOR OF THE EXCHEQUER said, the Government had thought it better not to interfere in the practical details of the question; so that the Company would be left perfectly at liberty to attach itself either to the gutta-percha or to the india-rubber interest.

MR. CONINGHAM said, he thought the remark of the right hon. Gentleman showed how desirable it was that the Government should altogether cease to manufacture for the public. The Government was spending millions in wholesale manufacture; but, if it was incapable of forming a scientific opinion, it was incompetent to manufacture for the country.

Sir JOHN HAY said, that the preparation of gutta-percha had been as yet very unsuccessful, and that the only perfect insulation was that procured by the use of india-rubber. As Her Majesty's Government had appointed a Commission to consider the subject, he trusted that the Government would not deem the matter unworthy of their attention.

The CHANCELLOR of the EXCHEQUER said, he had only meant that it was not the business of the Government to fish up the cable from the Red Sea.

Mr. CONINGHAM said, he had understood the right hon. Gentleman to say that it was inexpedient for the Government to charge itself with the decision of the relative merits of gutta-percha and india-rubber.

Resolved,

"That it is expedient to authorize the Charge upon the Consolidated Fund of a Terminable Annuity, payable to the Shareholders of the Red Sea and India Telegraph Company, in lieu of the Dividend guaranteed to the Company by the "Red Sea and India Telegraph Company Act, 1859," upon the Capital subscribed by them for the purpose of the said Company's Undertaking."

House *resumed.*

Resolution to be reported *To-morrow.*

MERCHANT SHIPPING ACTS, &c. AMENDMENT BILL.—SECOND READING.

Order for Second Reading read.

Mr. MILNER GIBSON moved the second reading of this Bill.

Mr. BENTINCK hoped that there would be a full opportunity of discussing this Bill before it went into Committee.

Mr. AYRTON complained that the Bill contained most extraordinary clauses; and if it was discussed before going into Committee, and they went into Committee immediately afterwards, the object of the discussion would be lost.

Mr. HORSFALL also hoped that a full discussion of the provisions of the Bill would take place, as his constituents had that day communicated to him some objections to certain clauses.

Mr. LINDSAY supported the second reading of the Bill.

Mr. CAVE said, that the principle of the Bill had already been approved of. He hoped the Bill would now be read a second time: a full opportunity might be allowed for discussion on the Motion for going into Committee, or it might be postponed till they were in Committee, as the objections were evidently to matters of detail.

Mr. LOCKE objected to proceeding with the Committee immediately after the discussion.

Mr. HODGSON said, that if the proposition for discussing the Bill before going into Committee were adopted, they might as well postpone the second reading at once, unless they went into Committee immediately after that discussion. He hoped the right hon. Gentleman would proceed with the second reading.

Mr. MILNER GIBSON said, that he had not the least objection to the fullest discussion; and if the Bill were read a second time now, he would fix the Committee for after Easter.

Bill read 2°, and *committed* for *Friday,* 11th April.

WRITS OF HABEAS CORPUS INTO HER MAJESTY'S POSSESSIONS ABROAD BILL.—SECOND READING.

Order for Second Reading read.

Mr. CHICHESTER FORTESCUE said, he rose to move the second reading of this Bill, which had already passed the House of Lords. It arose out of the case of the fugitive slave Anderson, and its object was to obviate the possibility of future disputes with the Colonists by preventing writs of *Habeas Corpus* from being granted by courts of justice in this country with respect to persons in the colonies.

Mr. BUXTON said, he wished to know whether, as writs of *Habeas Corpus* were thenceforth not to be issued by the Courts of Great Britain for execution in the colonies, there was any guarantee that in cases similar to that of Anderson a fugitive slave would not be restored?

Mr. AYRTON said, he wished to point out that great doubts existed as to the authority of Her Majesty in Council to hear appeals on matters of *Habeas Corpus* writs issued by the Colonial Courts, and to ask if such a power of appeal would be given in the Bill?

Mr. WALPOLE said, he thought the observations of the hon. Member deserved consideration. There ought to be a power of appeal where an injustice was done to a British subject by the Colonial Court. The Bill seemed to him to involve Imperial as well as Colonial questions, and that the rights of the Crown ought to be reserved to meet the former.

Mr. LOCKE contended, that it was the inalienable right of the subject, whether in the colonies or the mother country, to appeal to the highest authority in the realm, which in that case was the Queen in Council. It had been decided that an appeal lay from the Courts of Jersey and Guernsey to the Courts at Westminster. He doubted, however, the expediency of passing a general law, applicable to all colonies, merely on account of a single case in a particular colony.

The ATTORNEY GENERAL said, the Bill would not apply to all the colonies, as its phraseology confined its operation to such colonies and possessions of the Crown as already possessed Courts with authority to issue the writ of *Habeas Corpus* and to secure its due execution. Neither was anything in the Bill to prevent the right of appeal to Her Majesty as then allowed by law; but if there was any doubt on the matter, it was a matter to be considered in Committee.

Mr. WHITESIDE said, he would put the case of an Englishman, who, having been accused of committing a crime in the United States, had escaped to Canada; and he would ask what would be done in case he was demanded under the extradition treaty? Was he to be deprived of his right of appeal? He hoped that sufficient time would be given to consider the matter, though he had no objection to the second reading.

Mr. CHICHESTER FORTESCUE wished to explain that it was only by warrant from the Executive that a prisoner could be given up to the American authorities. The Canadian Court, therefore, though it had power to liberate Anderson, would have had none to deliver him up to the American Government. That could only have been done by the Governor General of Canada.

Bill read 2°, and *committed* for *Monday* next.

PUBLIC ACCOUNTS.

COMMITTEE MOVED FOR.

The CHANCELLOR of the EXCHEQUER moved,

"That there shall be a Standing Committee, to be designated 'The Committee of Public Accounts,' for the Examination of the Accounts showing the appropriation of the sums granted by Parliament to meet the Public Expenditure, to consist of nine Members, who shall be nominated at the commencement of every Session, and of whom five shall be a quorum."

Mr. VINCENT SCULLY said, he would move to omit the word "nine" and insert instead the word "eleven," with the view of having one or two Irish Members placed on the Committee.

The CHANCELLOR of the EXCHEQUER said, that the Committee not being one of finance or expenditure, he could not see why there should be a desire to choose any Member of it with reference to the part of the United Kingdom of which he was a representative. Nine was the number fixed on last year, and he thought a larger Committee would not work well; but if there were anything like a general wish to have an Irish Member on the Committee, he would consult the hon. Gentlemen who were on it last year, to see whether that object could be accomplished.

Major HAMILTON objected to the claims of Irish Members being ignored in the selection of a Committee.

Mr. VINCENT SCULLY said, he would suggest the name of Colonel Dunne.

Colonel DUNNE said, he had no ambition to serve upon the Committee, but he thought the Irish Members ought not to be ignored.

Mr. HUBBARD, who had on the notice paper a Motion that Colonel Dunne and Sir J. Hay should be added to the Committee, said, that after his hon. Friend's statement he should not press his Motion.

Motion made and Question put,

"That there shall be a Standing Committee, to be designated 'The Committee of Public Accounts,' for the examination of the Accounts showing the appropriation of the sums granted by Parliament to meet the Public Expenditure, to consist of nine Members, who shall be nominated at the commencement of every Session, and of whom five shall be a quorum."

The House *divided*:—Ayes 63; Noes 11: Majority 52.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Tuesday, April 1, 1862.

Minutes.]—Public Bills.—1ª Coventry Poor Act Amendment; Copyright (Works of Art).
2ª Bleachfields (Women and Children Employment); Marine Mutiny.
3ª Mutiny.

Their Lordships met, and having gone through the business on the paper, without debate,

House adjourned at a quarter-past Five o'clock, to Thursday next, half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, April 1, 1862.

MINUTES.]—PUBLIC BILLS.—1° Industrial and Provident Societies; Charitable Uses Act (1861) Amendment.

SUPERANNUATION TO WORKHOUSE OFFICERS IN IRELAND.

QUESTION.

MR. BLAKE said, he wished to ask the Chief Secretary for Ireland, Whether he intends, during the present session, to take steps to carry out the recommendation of the Select Committee of last Session on Irish Poor Laws, with reference to granting Superannuation to Workhouse Officers?

SIR ROBERT PEEL replied, that it was perfectly true that the Select Committee of last year had made a recommendation for granting superannuation allowances to Workhouse Officers—a Bill had been prepared upon the subject, but he was unable at present to state at what period it would be introduced.

LUNACY REGULATION BILL.

QUESTION.

MR. PHILIPPS said, he would beg to ask the Secretary of State for the Home Department, When he intends to introduce the Lunacy Regulation Bill, and whether such Bill will contain any provision for the purpose of facilitating the building of a Lunatic Asylum by counties united for that purpose?

SIR GEORGE GREY said, he must repeat the answer he had already given, that a Bill had been prepared on the subject, founded on a Report of a Committee of that House, but he could not say when it would be introduced, as he had received from the Lunacy Commissioners several suggestions relating to it of an important character, which must be submitted to the Poor Law Board. The Bill did contain a provision embodying the object referred to in the hon. Gentleman's question.

THE ARMSTRONG GUN.

QUESTION.

MR. H. BERKELEY said, he rose to ask the Secretary of State for War, Whether, adverting to the probability that guns of much greater calibre must now be placed on our Seaboard Forts and Iron-plated Ships, Sir William Armstrong is to have the exclusive manufacture of such guns, or is their construction to be thrown open to competition; and of what calibre is the largest gun completed as intended for practical service as yet made for Government by Sir William Armstrong, and proved without accident to the breech or bursting?

SIR GEORGE LEWIS said, the War Office had no contract with Sir William Armstrong, but that it had one with the Elswick Iron Company, which was printed in the index to the Report of the Committee on Military Organization. If that contract were referred to, it would be seen, that if the War Department ceased altogether to employ the Elswick Company for the manufacture of ordnance, they would be bound to compensate for the loss of profit on its plant to the extent of £85,000. In reply to the second question of the hon. Gentleman, he would, as the subject was one of some interest—of temporary interest, at all events—read to the House a statement as to the largest guns which were at present in use, or in course of trial—

> "110-pounder Service Gun.—The 110-pounder Armstrong gun is the largest as yet actually introduced into the service. Large numbers have been supplied to Her Majesty's ships and the batteries at home and abroad. Experimental Guns.—A 140-pounder gun, rifled on Sir William Armstrong's shunt principle, and loaded at the muzzle, fires a solid shot of 140 lb. weight, with a charge of 20 lb. of powder. The experiments with this gun have been highly satisfactory. 200-pounder.—A gun on Sir William Armstrong's principle is now in course of manufacture, and expected to be ready in about a month. 300-pounder.—A 300-pounder rifled gun is now undergoing a course of preliminary experiments as a smooth-bore gun, and has been fired with a spherical shot of 156 lb. weight, and a charge of 40 lb. of powder. And a proposal has this day been brought forward by the Director General of Ordnance for the manufacture of a gun capable of firing, as a smooth-bore gun, a shot of 300 lb. weight, or, as a rifled gun, a shot of 600 lb. In addition to these guns one 120 lb. gun of Mr. Whitworth's, and a 200 lb. gun of Mr. Lynall Thomas, are in course of construction."

RETIRING ALLOWANCES TO PRISON OFFICERS IN IRELAND.—QUESTION.

SIR GEORGE BOWYER said, he wished to ask the Chief Secretary for Ireland, If he intends introducing any measure this Session for the improvement of the retiring allowances of prison officers?

SIR ROBERT PEEL said, that the prison officers alluded to in the hon. and learned Baronet's question were at present placed under the Act of 1834, which was not so favourable as the subsequent Act of 1859, under which they consequently desired to be placed. It was not the intention of the Government, so far as he was advised, to introduce any Bill for the purpose of improving the condition of prison officers, who were in a very different condition from that of the officers alluded to by the hon. Member for Waterford (Mr. Blake). He would add that no representation had been received by the Government from the Grand Juries of counties urging an increase of the retiring allowances to these officers, and as any such increase would have to be paid out of the local rates, and not out of Imperial funds, he did not think it desirable that the Government should take the initiative in this matter.

HOLYHEAD HARBOUR.—QUESTION.

Mr. LEFROY said, he wished to ask the Secretary to the Admiralty, When the accomodation and protection promised to be provided for the Mail Packets and for passengers landing on the wooden jetty at Holyhead will be provided, in compliance with the agreement made between the Admiralty and the London and North Western and Chester and Holyhead Steamboat Company?

Lord CLARENCE PAGET said, a sum had been taken in the Estimates for Holyhead Harbour—and the Vote would, he hoped, come on for discussion on Thursday next—with the view of making the present packet pier convenient for passengers, and also improving the railroad communication with the pier. The Treasury and the Admiralty were in communication with the London and North Western Company and the Dublin Steam Packet Company on the subject of the hon Gentleman's question, and some satisfactory arrangement with respect to it would, he trusted, be arrived at.

ADVANCES AND REPAYMENTS.

QUESTION.

Sir STAFFORD NORTHCOTE said, he wished to ask the Secretary to the Treasury, When the Account of Advances and Repayments ordered 17th February will be laid on the table?

Mr. PEEL said, the account would be presented as soon as possible. It had been delayed in order that it might be rendered more complete.

POOR RELIEF (IRELAND).—QUESTION.

Mr. POLLARD-URQUHART said, he would beg to ask the Chief Secretary for Ireland, Whether he means to proceed with the Committee on the Poor Relief (Ireland) Bill before the Easter Recess; and whether he means to proceed with the other Irish measures before the Easter Recess?

Sir ROBERT PEEL said, he much regretted that he had not been able to make greater progress with the measure. It would, he feared, be impossible to proceed with it in Committee before Easter, but he should lose no opportunity of pressing it forward.

HARTLEPOOL RAILWAY AND DOCK BILL.—EXPLANATION.

Mr. FARRER: Sir, in rising to call the attention of the House to what I conceive to be a breach of privilege, and to a question in which my own personal honour is concerned, I feel assured I shall not in vain ask hon. Members to allow me to trespass for a short time upon their attention while I state the position in which I find myself placed. It will be in the recollection of the House that a few evenings ago a Motion was brought forward by an independent Member of this House, the hon. and learned Member for Sheffield (Mr. Roebuck), with the view to obtain a Select Committee to inquire into certain allegations contained in a petition which he had been requested to present, and to the charges contained in which I thought it my duty to reply in opposition to the Motion of the hon. and learned Gentleman. It is, I think, scarcely necessary for me to recapitulate the statements which I made on that occasion. They were twofold, and were based upon printed documents which had been placed in my hand on the morning of the day on which the Motion was made, and which I had every reason to believe were accurate. It was, therefore, with some surprise that two days afterwards I read in the morning papers a letter from the petitioner, Mr. Benjamin Coleman, in which he stated that I had been deceived, and that the statements I had made were incorrect. If the matter had been allowed to remain there, I should not have thought it necessary to take any further steps in it. There was nothing particularly uncourteous in the letter of Mr. Coleman. It contained a mere assertion that I had been deceived, and I should have been contented to take no further notice of it. But, my statements having been impeached, I considered it my duty to institute inquiries, and the result of those inquiries has been such as to satisfy me that Mr. Coleman, when he wrote his letter, must have himself forgotten the part he had taken in the matter on a previous occasion, otherwise he would not have thought it necessary to dispute what I had said. The matter, however, did not terminate there. Yesterday morning I received a newspaper from the north of England, in a paragraph of which are contained imputations of so grave a character that, as an English gentleman, I cannot retain my seat here without bringing them under the notice of the House. I think, when I read those statements, which with your permission, Sir, I shall now proceed to do, it will be the unanimous opinion of the House, that could I have been guilty of the offence laid to my charge, I should be utterly unworthy to occupy a seat in the Imperial Parliament, or to associate with English gentlemen. The passage to which I beg the earnest and patient attention of every hon. Member is taken from a paper called the *Stockton Gazette and Middlesborough Times*. It is to the following effect:—

> "It is true that pending the proceedings in Chancery the House of Commons has declined to enter upon the consideration of this gigantic fraud."

Let the House notice what follows:—

> "And that Mr. Farrer has endeavoured to repay to Mr. Jackson some of his political obligations by promulgating a statement which we are in a position to designate as a deliberate lie, and by which he endeavoured to make it appear that Mr. Coleman was to be bought for £6,000, and his evidence thus suppressed."

With respect to the first part of the paragraph, I may say, that as most hon. Members of this House have the confidence, the influence, and the support of their friends afforded to them, so I am under similar obligations to Mr. Jackson. His political principles and my own happen to agree, and I have had his support; but, if it is intended to insinuate that from unworthy motives I have endeavoured to palm upon the House and the country an incorrect statement, I think the House, while I believe it will be disposed to acquit me of any possible participation in such a disgraceful transaction, will feel that I am not only justified in bringing the matter under its consideration, but that in so doing I am only discharging a

bounden duty. I have no desire to act in any manner that may appear vindictive. I have every reason to suppose that the person who has, in my individual instance, assailed the privileges of this House, has probably done so in ignorance. I am well aware, that if I were to move that he should be brought to the bar of this House, my Motion would be at once agreed to; but I do not know that such a course would be in accordance with my own wishes. I have considered it my duty to lay the matter before the House. I place myself in the hands of the House, and I think that, at all events, hon. Members will be of opinion, that while I have not hesitated to defend my own honour, I have not been backward in my endeavours to assert the privileges of this House.

SIR GEORGE GREY: Sir, as the hon. Member has not concluded his speech with a Motion, I do not know that I am in order in rising to make an observation. It was certainly to be expected that the hon. Gentleman should feel indignant at the gross charge which has been made against him, but the high character which he maintains is of itself sufficient vindication, and it was altogether unnecessary for him to rebut a charge which carries on the face of it its own refutation.

THE EASTER RECESS.—QUESTION.

MR. DISRAELI: Has the noble Lord at the head of the Government fixed upon the day when the Easter vacation is to commence, and will the noble Lord state for what time it is to last?

VISCOUNT PALMERSTON: I am not able to reply at once to the right hon. Gentleman's question, but on Thursday next I shall hope to be in a position to state on what day it is proposed to rise for the vacation.

CIVIL SERVICE EXAMINATIONS.

RESOLUTION.

MR. HENNESSY said, he rose to move the Resolution of which he had given notice on the subject of the examinations for the Civil Service. The history of these examinations might be summed up in a few sentences. In 1852, when the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) was leader of that House, a Royal Commission was appointed to inquire into the organization of the Civil Service. That Commission reported in 1853, in favour of open competition. In 1855 an Order in Council was published providing that an examination should take place for all junior appointments under the Crown, and in the same year the Indian Civil Service was thrown open to public competition. Since 1855 various Resolutions on the subject had been moved in that House. Those Resolutions had been sometimes carried, and sometimes had been met with the Previous Question. In 1860 a Select Committee was appointed to inquire into the system of examining and nominating candidates for the Civil Service. That Committee was presided over by the noble Lord the Member for Lynn (Lord Stanley), and two patronage Secretaries of the Treasury—the hon. Baronet the Member for Wells (Sir W. Hayter) and the hon. Baronet the Member for Petersfield (Sir W. Jolliffe)—were members of it. It consisted also of some of the most zealous opponents of the system of open competition who had seats in that House. The Committee sent in their Report in July, 1860, and described the present system as a delusion on the public and a fertile source of abuse. It was clear, they said, that while such a system prevailed any Minister, who might be so disposed, had it in his power to retain virtually his right of nomination as before, at the same time diminishing his responsibility for the appointments he made. The Committee remarked that thus the advantages of both the old system and the new one were lost, inasmuch as responsibility ceased and competition was not created; and they recommended one of two alternatives—either that there should be a system of open competition, or that a preliminary test or examination should be established in the numerous departments of the Civil Service before a competitive examination. Within the last few weeks, however, the Report of the Civil Service Commissioners had been laid on the table of the House, and in that Report the Commissioners stated that, in spite of the recommendations of the Committee of 1860, the delusion on the public and the fertile source of abuse still existed in every department of the civil service except the Treasury. He would not delay the House by dwelling upon the advantages of open competition for appointments in the Civil Service. Administrative reformers were told, five or six year ago, that, in future, political patronage would not be administered as in the olden time. That was perfectly true: but the present system was, if possible, still more objectionable. The patronage Secretary of the Treasury disposed wholesale of nominations to the Members of the House, who gave them to the free and independent electors. So far, therefore, from political patronage having decreased, it had greatly increased. Formerly, when a vacancy occurred, the patronage Secretary of the Treasury could give it to one Member only; but now he could give nominations to three or four Members for each vacancy, or he could give them all, if he chose, to a single Member, to be distributed amongst those persons who had supported him. So far as the efficiency of the Civil Service was concerned, the Report of the Commissioners went to prove that matters were in a worse position than before. The time, he thought, had therefore come when the House might fairly be called on to express a special opinion on the subject, and in doing so he ventured to quote the language of the Committee's Report. The first part of the Resolution expressed an abstract opinion as to the best method of filling up the junior clerkships in the Civil Service. This was taken *verbatim* from the Report of the Committee. The second part of his Resolution was also taken from that Report. He earnestly besought the attention of those hon. Members who might think he was proceeding too hastily to this fact. The second part of his Resolution was in these words—

> "That, with a view of establishing such a system of open competition, it is desirable that the experiment first tried at the India House in 1859 be repeated from time to time in the other Departments of the Civil Service."

The House was so familiar with the whole subject that he did not think it necessary to enter into further discussion. He would only state his own conviction, that if the Resolution were affirmed, something would be done to destroy a system alike discreditable to the Government and to every Member of that House who took part in it—a system of political patronage which was damaging to the spirit of the country and injurious to her Majesty's Civil Service.

Motion made, and Question proposed,

> "That this House is of opinion that the best mode of procuring competent persons to fill the Junior Clerkships in the Civil Service would be through a system of Competitive Examination, open to all Subjects of the Queen who fulfil certain definite conditions as to age, health, and character; and that, with a view of establishing

such a system of open competition, it is desirable that the experiment first tried at the India House in 1859 be repeated from time to time in the other Departments of the Civil Service."

Mr. VANSITTART said, he begged to second the Motion of the hon Member for the King's County (Mr. Hennessy), and in doing so he would confine his observations to that part of it which related to the Indian Civil Service. It appeared that only so recently as the last year the Governor General of India called upon the Lieutenant Governors and other district officers in Bengal, the North Western Provinces, Oude, and the Punjab, to state their opinions as to the comparative efficiency of the gentlemen who had entered the Civil Service under the old and new systems. Having had an opportunity of perusing those opinions, he thought it would not be uninteresting or profitless were he to state them to the House in a condensed form. Although the opinions of some fifty or sixty gentlemen had been given, it would be sufficient for his purpose to give those of four of them to enable hon. Members to form a very fair idea of the working of the competitive system in that country. Mr. Edmondstone, the Lieutenant Governor of the North Western Provinces, might be said to represent the opinions of the majority in the following extract from his able minute:—

> "There can be no question that as a class the civilians who have entered the service by competition are men of higher scholastic attainments and of better mental training than those who used to be received from Haileybury. For the secretariat and judicial appointments they will generally be found better fitted than their predecessors, but from the absence of an *esprit de corps* and of physical activity, Mr. Edmondstone did not think that the efficiency of the Civil Service generally will be improved, or that its character and reputation will be raised by the competitive system."

Mr. Gubbins, Commissioner of Benares, on the other hand, representing the opinions of the minority, expressed his conviction—

> "That the competitioners as a body do not come up to the same standard of perfection as was attained by the Haileybury men; that they are generally wanting in tone and manners of gentlemen—a point which is of great importance among quick-sighted people like the natives of India, and which imperatively requires to be attended to in a governing class; and that they are also wanting in that energy and bodily activity which is so essential to a district officer."

Among the whole number Mr. Gubbins had met with but two who could ride. He would now quote the opinions of two other gentlemen, one as taking a very practical view of this interesting question, and the other an equally impartial view. Mr. Shore, Commissioner of Cuttack, a grandson of the late Lord Teignmouth, who was raised to the peerage for his eminent services when Governor General of India in 1793, said—

> "If I wanted a well-written report, or a clear, well-considered judgment on a difficult case, I should expect to find the work best done by a competitioner. If I wanted a civilian to accompany troops, to ride 20 or 30 miles to suppress a disturbance, or to make an inquiry into losses sustained by calamities of season, I should be inclined to make my selection from men who had been educated at Haileybury."

Colonel Clarke, Commissioner of Khyrabad, a military man, quite free from bias and prejudice one way or the other "considered the want of *esprit de corps* the weak point of the system, and he recommended that the competitive class should pass a year or a year and a half at a college or hall in England after the first examination." Under these circumstances, he thought it must be admitted that the competitive system was not answering its purpose in every point in respect to India. On the contrary, having regard to the peculiar nature of the duties to be performed, a bookworm contrasted unfavourably in that country with one who possessed a more genial temperament and more active habits. Should it, therefore, be determined to maintain the competitive system in India, he would strongly recommend the right hon. Baronet the Secretary of State for India to adopt Colonel Clarke's suggestion. By so doing he would only carry out still further the system which was being pursued in this country with regard to the military cadets passing through Sandhurst College. Now, with regard to the Motion of the hon. Member for the King's County (Mr. Hennessy), he did not think that these objections could be made to apply to the Civil Service in England. Deprecating as he did all intention of speaking disrespectfully, he must say that it appeared to him that the duties of the clerks referred to in the Motion of the hon. Member were purely mechanical. They were mere copyists. They did not incur any of that grave responsibility which devolved upon a civilian in India. They were not intrusted with the government of a district the size of Middlesex or Yorkshire; nor were they called upon at a moment's notice to jump on horseback and gallop some twenty or thirty miles to suppress a disturbance or to apprehend a gang of Dacoits. It also seemed to him rather an invidious and unjust proceeding to throw open the nomination to the Indian Civil Service to free and unreserved competition, while, on the other hand, all the nominations for even permission to compete for the public offices in the Civil Service in this country—however trifling the emoluments of some of them might be—were kept strictly close, and formed the exclusive property of the Government of the day. It had, moreover, this objectionable appearance, that the Government of the day, from the moment of their accession to office, took advantage of this power in order to exercise Parliamentary influence by the distribution of these nominations among their followers and supporters, for it was impossible to disguise the fact that a competition which was dependent upon favour and patronage was no competition at all. Entertaining these views, he had no hesitation in supporting the Motion of the hon. Member.

MR. BAILLIE COCHRANE observed, that the arguments of the hon. Member who had brought forward this Motion were as unfortunate as his selection of a seconder, for a stronger speech against the whole system of competitive examination than that just made by the hon. Member for Windsor (Mr. Vansittart) he had never heard. It had not been his intention to bring the subject again before the House, as it was by no means an agreeable duty to address the House year after year upon the same topic. He was strengthened in that resolution by the fact that the Committee which sat last year upon the subject had stated that it would be better to give the present system time to work, to gain further experience of its results. Nevertheless, as the question had been brought forward by the hon. Member for the King's County he thought it his duty to express his opinions upon it. When the hon. and learned Gentleman thought proper to quote extracts from the Report of the Committee, he should have been glad if he had read the whole of the Report of the Committee. By a singular omission, the hon. and learned Gentleman did not think it necessary to quote the last sentence of the Report, which was as follows:—"The Committee are not prepared to advise the immediate adoption of a plan for giving effect to these views." He could scarcely comprehend how the hon. and learned Gentleman could found his Motion on the Report of the Committee. The hon. and learned Gentleman, it would seem, intended much more than the Committee had ever thought of, inasmuch as he had originally given notice of a Motion with the view of throwing open every post in the United Kingdom to public competition. The hon. and learned Gentleman, however, thought proper to withdraw that Motion, and to substitute for it that under consideration. Well, hon. Members were all agreed on one point—namely, that for the interest of the public service there ought to be a test examination. The question upon which they joined issue was this—those who concurred in opinion with him maintained that a test examination would sufficiently prove whether a person nominated for office was duly qualified for such office or not; and they further maintained that to introduce into this country a system of competitive examination would be to break through the habits of the people, and to establish a principle in connection with the public service which was never applied to any private establishment in the United Kingdom. What was the meaning of a competitive examination? It would be scarcely believed by the public that the existing system had been introduced on the report of two gentlemen, both, no doubt, possessed of the greatest abilities and the highest literary attainments. One of those gentlemen was the hon. Baronet sitting below him (Sir S. Northcote). The other was Sir Charles Trevelyan. That system was introduced upon the recommendation of those two gentlemen, and was placed under the control of two examiners to carry into effect. That system involved the throwing open of 105,000 offices to public competition. In reference to that system, Lord Brougham said, at the time it was first announced, that it was so monstrous and preposterous as to cause the people to hold up their hands in the public streets in perfect astonishment. He was not going to find fault with the manner in which the Civil Service Commissioners performed their duties. Sir Edward Ryan was a gentleman of the highest position, and had displayed pre-eminent ability in the public service in various parts of the world. The other Commissioner was Sir John Shaw Lefevre, a name which would be ever held dear by the House of Commons. This, however, was not a question of individual reform—it was a question of principle. It was a question whether the House intended to give to two irresponsible officers—however eminent and honourable as individuals—the control of the whole patronage of the Civil Service appointments in the United Kingdom, amounting altogether to 105,000. He knew how distasteful those details were, and he should therefore, in deference to the wish of the House, refrain from making references to a blue-book. But he had beside him papers containing extracts from the evidence given before the Committee of last year, which he believed to have so important a bearing on the subject as to justify him in submitting them to the consideration of the House. Out of twenty-five witnesses who were examined six were examiners, whose evidence he would omit to notice. Eleven witnesses were unfavourable to the system of competitive examination, and seven only were favourable to it. He had no intention, in the slightest degree, to cast any reflection upon the Committee, which was presided over by the noble Lord the Member for King's Lynn (Lord Stanley). At the same time he could not help observing that, looking at the Report of that Committee, and studying carefully the evidence that had been produced before it, he could not understand how it was possible for the Committee to draw up such a Report in the face of such evidence. There was one most important point connected with the question which had not been touched upon at all—that was the mode in which they were about to treat the sons of old and meritorious officers. It would be found that in all the great establishments of the kingdom, from the Bank of England downwards, an interest was manifested for the sons of old and meritorious officers. In the Bank of England, for example, about one-sixth of the whole number of the clerks were the sons of old and meritorious officers. The evidence given before the Committee was so strong on that point that he could not avoid bringing it under the notice of the House. There was not a single witness, except Sir Edward Ryan and Sir John Shaw Lefevre, who did not express the deepest regret that any system should be established which did not give some special advantage to the sons of old and meritorious officers. Mr. Arbuthnot, Auditor of the Civil List, gave the following evidence:—

"Is it within your experience that the sons of meritorious officers in the Treasury or the other departments have been occasionally appointed to vacancies?—Yes.

"Have those sons turned out, as far as your experience goes, to be a class inferior or superior to the others?—I think that, generally speaking, they have proved a very good class of officers.

Mr. Baillie Cochrane

"Do you see any evil resulting from the fact of recognising the services of meritorious officers by appointing their sons, or giving their sons an opportunity of competing?—No, on the contrary, I think it is one of the most graceful tributes to faithful service that can be rendered to a deserving officer.

"The effect of open competition would be to exclude all such power of rewarding?—Yes.

"You think that would be an objection?—I think it would; I think that not only have the sons of old officers generally proved a good class of persons, but they preserve an element in the office of traditional knowledge which, to a limited extent, it is desirable to maintain; they carry on some of their fathers' knowledge and information."

Sir Benjamin Hawes—

"I do not mean without examination; but do you see any injury or benefit to be derived from the fact of a meritorious officer having his son placed upon the list of temporary clerks, after he has proved by examination that he is competent?—Certainly not. I think that it is quite right that there should be such an appointment; and as he obtains it by passing the ordeal of examination, I see no objection to it.

"Would not such an appointment to a temporary clerkship be considered rather as a reward to a meritorious servant?—It can hardly be called a reward where, of course, the reward is not certain, because he must pass an examination."

Mr. Trevor, Comptroller of the Legacy and Succession Duties—

"I have often sent to the Secretary of the Treasury an application from a meritorious clerk in the office for an appointment for his son.

"Has that request been ordinarily complied with by the Treasury?—I think I have had two or three instances that occur to my mind in which the Secretary to the Treasury has nominated the son of a clerk in my office, at my suggestion.

"That suggestion being that he was the son of an able and a meritorious officer?—That he was the son of an old clerk in the office, who, I thought, deserved well of the Government.

"You thought that not an unfair or improper mode of rewarding the father for his services?—It occurred to me as a very proper mode of showing him how his own services had been appreciated.

"Do you think that it is a graceful recognition of the father's services?—Yes; I think it is a graceful recognition of the father's services, his son having subsequently to pass the proper examination, that he should have the nomination.

"Have you found any instances of those who have been so appointed being inferior to those who have been otherwise nominated?—No, certainly not.

"Do you see any objection that exists to the occasional nomination of the sons of meritorious officers?—No; on the contrary, I think that it tends very much to the advantage of the public service, because it shows the father that he may have a chance of getting that nomination if his own services are meritorious."

Sir Thomas Freemantle—

"Have you been in the habit, or has it ever occurred to you to recommend for the junior positions in the Customs, the sons of any well-deserving and well-conducted officers of the establishment?—Yes. I have frequently made such recommendations to the Treasury; and I am happy to say that almost in every case the applications that I have made have been complied with; and it has been a very great gratification to me to see that the son of a deserving officer, who may have lost his life in the service, has been provided for by the kindness of the Government in the same department in which his father served so meritoriously. The Secretary of the Treasury has, in most cases, generously conferred clerkships on the sons of deserving officers under such circumstances.

"Do you think that that has had a beneficial effect upon the service generally?—Yes, I think it has.

"Is it considered a graceful reward for the long and meritorious services of the father that his son should have an opportunity, providing that he is competent, of being placed in such a position as a clerk of the Customs?—I think that it does much good."

Mr. Trollope, of the Post Office—

"I think also it is very desirable that the Postmaster General should be able to appoint the sons of officers in the department.

"Is the appointment of the sons or members of the families of officers of the department, practised to any great extent?—Not to any great extent as regards the clerks, but to a considerable extent to the letter-carriers. In the last year seventy letter-carriers were appointed who were the sons of other letter-carriers.

"Out of what total number?—About 300."

Mr. Tilley, of the Post Office—

"You stated, I think, that in the Post Office department the claims of meritorious and deserving old officers are considered?—They are.

"And that consideration is given by occasionally presenting the sons of such officers for examination to the Civil Service Commissioners?—It is so.

"Have you found, as a general rule, that that is calculated to give content, and to be received with gratitude by those officers whose sons are so selected?—I believe very much so.

"Do you think that the entire absence of those appointments would be injurious to the service?—I think it would, because such an appointment acts in two ways: it does good to the men whose sons are appointed, and the sons generally are very useful and good officers.

"Of course, if there was to be an open competition, the merits of the father, however great, would never be taken into consideration; it would depend merely upon the intellectual ability of the son?—Just so.

"Therefore that element, if it is an element for good, would be entirely excluded from the appointments in the Civil Service?—It would."

Mr. Corbell, Inland Revenue—

"Should you regret to have it done away with? I should indeed. The Board laid down restrictions that a man must have attained a certain rank, and have a certain number in family; he must, at least, have been a division officer. The object of that was, that he should have shown some interest in desiring to get forward in the service.

"It was in the nature of a reward to the meritorious servants?—Exactly.

"It has given general satisfaction, and you would be very sorry, would you not, to see it repealed?—Very sorry."

Sir Richard Bromley—

"It has been given in evidence that it is usual both in the Inland Revenue and in the Customs for recommendations to be made by the chief of the department in favour of the sons of old and meritorious officers, and that those recommendations have been uniformly observed, and that those nominees have been so appointed; I understand you to say that you see no objection to such a course in a limited degree, provided that those persons were examined by a limited competition? Certainly; I think that great good would arise from the mixture of the sons of old and confidential officers with persons taken from the public at large.

"You think it would be a recognition of their services, and make the officers themselves more zealous and more satisfied with their positions, or tend to make them so?—Yes; I think it would make them more contented with the limited career before them.

"I think you stated that the principle does prevail in some other great establishments, such as the Bank of England?—Yes; I can speak confidently that it does."

Not only was it a graceful recognition of the past services of the fathers, to appoint their sons, but it acted as a stimulus to fidelity and zeal; while the preferment of such young men—who, generally speaking, proved an excellent class of officers—tended to preserve in the departments an element of traditional knowledge which it was desirable to some extent to maintain. It might, however, be said that the two objects were not incompatible—that they might have a system of competitive examination, and, as it was proposed by the right hon. Gentleman the Minister for War, at the same time the Government could retain twenty nominations in their own hands for the sons of old and meritorious officers. But, according to the evidence of Sir Edward Ryan and Sir John Shaw Lefevre, such a system was wholly incompatible.

Sir Edward Ryan—

"Will you state to the Committee whether you think that the evil of rewarding meritorious officers by appointing their sons is so great that, without any exception, such persons should never be introduced into the service under any circumstances?—I do not think that you can carry on both systems together, the competitive system and the nominative system, even though the latter should be checked by a pass examination. There would be very invidious comparisons made between the clerks who came in under one system and those who came in under the other. If your object is to obtain the best clerks, I should not, *à priori*, have thought that you would get them by selecting the sons of meritorious officers;

and if your object is to reward and encourage the service, there are other modes in which that may be done."

Sir John Lefevre—

> "You have given your opinion as to the advisability of reserving a certain number of appointments as rewards for the sons of meritorious public servants; does it appear to you that if a considerable number of clerks in any office had gained their situations on competitive examination, and if the remaining part of them had come in as being sons of old officers, that would give rise to jealousy and ill-feeling in the office?—I have already stated, in answer to a question put to me by another hon. Member, that I think it would be most objectionable, and that it would lead to great difficulties in the government and management of the office."

And Sir Thomas Fremantle gave it as his opinion that under the competitive system no favour could be shown to the sons of old officers. Last year he had quoted to the House some of the extraordinary questions put to candidates by the examiners. He could not adopt the same course this year, because, strange to say, the examiners had declined to give the questions put to candidates for the English service, although in the case of the Indian service they were given. He must say he did not see the least improvement in the *modus operandi* of those examinations. Now, let the House observe what the subjects of examination were which were applied to young boys, dockyard apprentices, and engine boys in factories. Those subjects were reading, writing, and arithmetic, English grammar, English composition, geography, mathematics, Euclid, algebra, as far as quadratic equations, and arithmetical and geometrical progression; while for junior clerkships in the Colonial Department the preliminary examination comprehended a knowledge of arithmetic, geography, of four different languages besides English—namely, Latin, Greek, French, and Italian, the language and literature of Greece and Rome, English composition, accounts, book-keeping, and several other things. What was a boy of seventeen to say to all this? Then, as to the constabulary. No man was to be appointed unless he could write well, understand arithmetic as far as vulgar and decimal fractions, and English composition. He should have thought the first qualification for a good constable was strength; but he would proceed with the list. "English composition and geography, especially that of Ireland." How little control was left to those in authority over these Commissioners! The Commissioners appeared to rule with a rod of iron. Ministers of the highest position implored them to modify their views. The Secretary to the Admiralty wrote to the Commissioners, inquiring, on the part of the Lords of the Admiralty, whether a schoolmaster, who already had a certificate from the inspectors of schools, would be granted another certificate without a fresh examination; and the Commissioners replied, that inasmuch as difficulties would arise from the introduction of distinctions in the modes of examination, they had found it necessary to refuse the recognition of any certificate of examination not conducted under their own direction; that to this course they must adhere; and they were therefore compelled to reply to the request in the negative. And the Lords of the Admiralty gave way. He came next to another curious examination which had been introduced into this country—he meant that for clerks in the Customs. A great deal was said last year on the subject of the moral and physical qualities of candidates, which it was alleged could not be tested by any examination. This year, in accordance perhaps with an opinion then expressed, that moral certificates were not worth the paper on which they were written, the moral qualification had been withdrawn, but full attention had been paid to the physical qualification. Beside all the branches of study which he had quoted, the candidate for a clerkship in the Customs had now to pass a medical examination—a very odd requirement indeed for a Customs clerk. One question was, "Has the candidate any swelling or varicose veins in his legs?" "Are his sight and hearing good?" "Is his pronunciation distinct?" "Is his respiration natural?" "Are the respiratory sounds and the resonance of the chest normal?" "Are the pulsations of the heart natural in rhythm and force; and are its sounds those of health?" "Are the marks of vaccination satisfactory?" "Has he had the small-pox?" "Is the frame and muscular system well developed?" No doubt all these things would be of great advantage to the candidate. No doubt it was desirable that the clerks of the Customs should be able to pass these tests; but he maintained that a man might be a very good clerk, even with some defects in his breathing, and without the marks of vaccination or small-pox. Still, as he said, the Commissioners were quite independent of control, and the Ministers of the Crown had to give way to their decisions. After the discussion which took place the other night on the subject of Education he had no doubt that many hon. Gentlemen opposite would support his Amendment. It was evident that the right hon. Gentleman the author of the Revised Code was of opinion that the standard of Education had been too high. This was a view held by a majority of gentlemen in the country—namely, that we were over-educating the people, not that we were educating too many, but that we were educating them in branches of knowledge not likely to be useful to them. The Duke of Wellington, speaking of the army, said, "Give us discipline, not learning;" and Nelson had expressed a similar opinion in different words. Observing a midshipman deep in the study of manœuvres, he said, "Never mind your manœuvres, go at them." The best place in which to conduct an examination for the army would be the midst of a stiff hunting country. As a friend of his had remarked the other night, "Of what use to a cornet would be his mathematics and his classics if he were not a good rider?" He hoped the House would not, then, consent to the further extension of the system. He had no hostility to the system of competitive examination, but he believed that it was not conducive to the public interest. With regard to diplomacy, what said the Earl of Malmesbury? He said, "he had lost several *attachés* pre-eminently qualified for the diplomatic service, in consequence of this system of competitive examination." And Earl Russell, when examined before the Diplomatic Committee last year, pointed out the inconveniences of these examinations as applied to the diplomatic service. Mr. Elliot, who was examined before the Committee, said the man best fitted for society was the man best fitted for diplomacy. In the case of the army, he had inquired of officers over and over again what had been the effect of the competitive examination upon the interests of the service, and their reply was that they were getting in some regiments a far inferior class of officers. Now the whole spirit of the army depended on its officers. It was very different in the continental service. The officers in the English army would lose a great deal of authority if they were not gentlemen and did not possess those qualifications to which the soldiers could look up. He regretted to say he believed the army was falling off very much. Before he sat down he wished to read an extract from a most able article, in which the whole argument was admirably condensed. The writer said—

> "The truth is, and it is one we are in danger of permanently forgetting, that the higher kinds of culture have often an enervating effect. There are minds, and those amongst the most valuable, which much learning tends only to enfeeble. The polish is only obtained by planing away the wood. There is a rough strength, a determined energy, which seems to be the attribute only of the half-educated. Men of great culture are apt to give their imaginations too much play, to desire harmonious impossibilities, to foresee the difficulties so clearly that action is foregone. They have put microscopes to their eyes, and cannot drink for fear of the animalcules. Mr. Gladstone, for example, we do not hesitate to affirm, would be the most capable administrator in Europe if he could only forget one-half of his cultivation. As it is, he worries England and delights his foes by theories too harmonious to be of the slightest use, and an insight too keen to suffer him to take one long step in advance. How often has the rough intellect of the Premier enabled him to cut straight to the core of a matter of which his colleague could only nibble at the rind? It is only natural that it should be so, for the work of the world is done by qualities over which culture has no power. Courage is not developed by mathematics. Creative power is not increased by literary training. Insight is an instinct, not a product of education. That strange faculty of dominance which seems to stand apart from the other powers of the mind, which enables races as stupid as the Turk to subjugate races as subtle as the Greek, is not increased by polished cultivation. Every day we see the scholar distanced in the race of life by the adventurer who can barely spell—the polished scion of a cultivated race defeated hopelessly by an orator innocent of Greek. Force, the true motive power of events, rests in the character, not the intellect, and it is only the latter that high cultivation can improve."

[*Cries of* Name!] Well, the extract was from *The Spectator.* He maintained this, that men might be too highly educated and yet not be fit for the practical duties of a public department. He also maintained that there were certain qualities which could not be tested by any examination; and on that account, he begged to move the Amendment which he had placed on the paper.

Amendment proposed,

To leave out from the words "opinion that" to the end of the Question, in order to add the words "many of the qualities constituting a good public officer—good principles, good habits, sound judgment, general intelligence, and energy—cannot be tested by any plan of public competition; the introduction, therefore, of such a system into all the departments of the Public Service would be very injurious to their efficiency."

—instead thereof.

Mr. PEACOCKE said, he had much pleasure in seconding the Amendment, for, in his opinion, there were other qualifications necessary for a public servant besides those of being able to answer some not very intelligible examination papers. The humblest clerks in some of the public departments were necessarily intrusted with secrets of state, the divulgence of which at times might be a national calamity. Was the country, then, he would ask, ready and willing to throw open posts of such importance to the first comer, simply because he had made the best Greek iambics, or proved himself the greatest master of the binomial theorem? A large preponderance of the evidence given before the competitive examination Committee was against the system. The Report of the Committee was one way, but the weight of evidence the other—only one witness thoroughly in its favour. One of the most striking characteristics of the youth of England was, that unlike the youths of other countries, it was taught not to look forward to eat the bread of comparative dependence in a public office, but to maintain itself in after life by its own energy and its own exertions; but by throwing open to competition twenty thousand places under the Crown this spirit would be destroyed, and discontent would be introduced into the public offices. A youth who had passed a competitive examination, and who had attained the object of his aspirations, would find the moment of entering on his official duties the moment of his disappointment. Youths from the Universities of Glasgow and London and Dublin would be cast on the streets of London, without friends, without relatives; and would those youths, flushed with their recent victory, sit down to the drudgery and monotony of a public office; or would they think that their profound knowledge of Greek or mathematics was adequately rewarded by the modest competence of £90 a year? Sir Thomas Fremantle, Mr. Tilley, and Mr. Arbuthnot, when examined before the Committee, stated that such a spirit of discontent had already manifested itself in the public departments. Much good had been done by subjecting the examination papers to Parliamentary criticism, for any hon. Gentleman who had compared the earlier papers with those of more recent date, could not have failed to remark that the latter were more intelligible, and better adapted to the intellects of ordinary men than the former. But the matter was capable of a further improvement in the same direction. He held in his hand an examination paper for the past year. It was on the English language, and he would read the first question—

"'Languages, so long as they are living and not dead, are always in a state of change and progression. Changes of position to other races by conquest or emigration, mutual relations, such as trade or alliance—all changes, in fact, in the position of a nation itself, will produce corresponding alterations in a greater or less degree in its speech; but besides all these accidental causes there inheres in all languages an instinct of progression and simplification which in the course of centuries will inevitably produce mighty changes.' Apply this statement to the English language by tracing rapidly its origin and development out of the various elements which enter into its composition."

He did not wish to take the questions unfairly; and having given the first he would now give the last—

"The nightingale's *thrilling* note."
"The soldiers are at *drill*."
"The carpenter's *drill*."
"The negroes are clothed in *drill*."
"The horse's *nostril*."
"The lassie *thirled* at the pin."
"Have the words marked in *italics* in each of these groups of passages any etymological connection with one another. If so, explain it."

Could any hon. Gentleman in that House explain it? Could the hon. Member for the King's County (Mr. Hennessy), or the hon. Member for Windsor (Mr. Vansittart), both of whom had been in the Civil Service, answer the question? Could even the right hon. Gentleman himself, the Chancellor of the Exchequer, who was the champion of competitive examination, explain it? [The Chancellor of the Exchequer shook his head.] He was glad of that admission. [The CHANCELLOR of the EXCHEQUER: I did not hear the question.] Then he would repeat it. [The hon. Member accordingly read the question again.] If the right hon. Gentleman could not answer it, surely it was rather hard to demand from the humblest clerk in the service a test which was unnecessary for a Chancellor of the Exchequer. There were seven of these questions on the English language, and three hours were allowed to answer them, but it would really take three hours to understand them. Here were some questions taken from the papers laid before the House this year—

"What is the title of Chaucer's principal poem, and why was it so called? Which of his poems have been paraphrased by two celebrated poets of a later age? By whom has he been called 'a well of English undefiled?' Wharton compares Chaucer to a premature day in spring. What is the fact which Wharton intended to illustrate, and how do you account for it? Which poet of the period is considered to rank next to Chaucer? Name the titles of his poems."

Then, again—

"What are the titles of the poems written by the author known as Piers Plowman, and what are their peculiarities?"

And here was another—

"Who was the author of the 'Polyolbion,' and what is the nature of the work?"

To answer such pedantic questions as these a man must have had a pedantic education, which might make a prig, but he did not think it would make a useful servant of the Crown. And that the system was mischievous, had been admitted by the Secretary of State for War, who, when questioned as to the large number of supernumerary clerks in his department, spoke of the difficulty of transferring them to the permanent staff on account of their inability to pass the competitive examination, although they had all discharged the duties required of them in a most satisfactory manner. Upon the whole, he thought that the evidence taken before the Committee went to prove one fact—that under the old system the public had been ably served, and that there then existed among our civil servants an *esprit de corps* which could never be surpassed, if indeed it was ever equalled. There was not a single instance on record in which a public secret had been disclosed, or any information obtained in a public department sold. His hon. Friend (Mr. Vansittart) had called upon the House to try the principle of competitive examination in England apparently because it had broken down in India.

Mr. VANSITTART said, he wished to explain that what he had said was, that having thrown open the Indian service, it would be unjust to preserve a close nomination to the Civil Service of this country.

Mr. PEACOCKE said, his hon. Friend had admitted that there was no *esprit de corps* among the civil servants now appointed in India; and that was likely enough, for persons appointed under the present system would naturally think that gratitude was more due from the country to them than from them to the country. He admitted that some individual cases of incompetency existed under the old system, but they were exceptional cases, and afforded no reason why a system which was proved to have worked well as a whole should be entirely subverted. The better plan was to meet these exceptional cases; and to do so he would suggest a responsible system of nomination in conjunction with a pass examination of a very high order and a *minimum* standard of marks. At present there was no *minimum* standard, but he thought that every clerk admitted into the public departments should show that at all events he was up to a certain standard of knowledge. They were often told how much better private affairs were managed than those of the public; but would any merchant, who did not wish his name soon to appear in the *Gazette*, select his clerks by open competition? No, he chose men of whose antecedents he knew something, whom he believed honest, and those who were most likely, in his opinion, to acquit themselves creditably. This system, which worked well for private affairs, he wished to introduce into public affairs, and he believed that, under a responsible system of nomination in conjunction with an effective system of pass-examination, there would be an effectual check upon favouritism and jobbery, and that by these they would obtain at once an honourable and efficient class of public servants.

Lord STANLEY: Sir, having been Chairman of the Committee that sat a year ago on this subject, I hope the House will indulge me for a few minutes, as I wish to make some observations in reference to it. The Report of that Committee was agreed to after full and careful consideration of the evidence adduced; and I do not think that either the objections made last year to the system of competition, or those that have been stated in the course of the present debate have been of a very formidable nature. It seemed to me, while listening to the speech of my hon. Friend, that I was hearing over again the discussion that took place last Session on the same question. In the first place, he made a complaint that I have often heard in former years, that by the system of competitive examination we get a test of intellectual qualifications only, and that moral and physical qualifications are left unregarded. Now, I think my hon. Friend, in his anxiety to throw ridicule on the Civil Service Commissioners, went out of the way to answer his own argument, because he read a list of the physical qualifications required in the candidates, with a list of the questions put to them on that point, showing that great care is actually exercised in ascertaining their physical fitness to discharge such duty as is likely to devolve upon them. It seemed to me that the fact of such inquiries into the health of the candidates being made, answered the objection taken on this point by my hon. Friend. As to the absence of a test of the candidates' moral fitness, my answer is this—I do not attach very great importance to mere written testimonials as to character. Every one knows how loosely and carelessly such testimonials are given. But whatever may be the value of such tests as to moral qualifications as you had under the old system of appointment, those tests you have still. The question is argued as though a Minister were in the habit of appointing young men to official situations from among his own personal acquaintance; but the fact is, as we all know, that in nine cases out of ten the appointment in his gift is conferred on some young man whom he has never seen, and whose character and general fitness are vouched for by his own—the candidate's—family or friends. As to the moral qualifications of candidates, therefore, you have exactly the same kind of test you had before; but with this test in addition to it—that generally speaking the young man who takes a high place in a competitive examination is a man of more than an ordinary amount of industry and perseverance. And if you take the kind of man who succeeds in such an examination, though I do not affirm that in moral qualifications he will necessarily be superior to others, yet it is probable he will be superior. Then, my hon. Friend complains that there is no control over the examiners with regard to the kind of questions they put to the candidates under examination. But this objection also I think the hon. Gentleman answered by his own argument. We have frequently heard discussions in this House on the propriety or impropriety of the questions put in the examination papers, and as to whether they really are of a character to test the abilities of the candidates examined. What are those discussions but a control exercised over the examiners? If it is meant that in respect of each individual case there is no appeal from the decision of the examiners, but that it is final, why, the power of final decision must rest somewhere. I do not suppose it will be pretended that a Committee of this House, or any other tribunal you could create, could undertake to re-examine all those candidates who had failed to pass their examination. Another complaint made by my hon. Friend is that the Civil Service Commissioners do not recognise examinations conducted by any other educational body. I do not think that can be made a matter of complaint against them. The Commissioners, he thinks, might accept a high degree taken at Oxford or Cambridge, or some other recognised place of education, as being in itself a sufficient test. I do not deny that it would be so: but it is obvious that by resorting to that expedient we should be establishing an invidious distinction between these places of education and others. The Commissioners, or this House, would have to resist a continual pressure from other institutions to be allowed to give degrees conferring the right of appointment without examination. The distinction originally proposed could not be maintained, and the end would be that the plan would fail. Then, my hon. Friend says it is very hard that the sons of distinguished officers should not be allowed to enter the public service without submitting to the same tests as other young men. But I do not admit that an officer who has performed valuable services to his country, and for such services has received adequate reward, has any superior claims over others in favour of his son. To admit such a superiority of claim would end in establishing a kind of hereditary official caste, holding a perpetual monopoly of public employment. Then my hon. Friend says, look what a power you are creating; you are giving the Commissioners absolute command and control over more than 100,000 offices. In that respect, my hon. Friend has, quite unintentionally no doubt, but enormously, exaggerated the number of offices to which the system of examination applies. I do not think the largest number of places in the Civil Service to which even the ordinary examination test applies exceeds 15,000. There are about 100,000 persons engaged in the various duties of the Civil Service, but the bulk of them have to perform merely mechanical duties. And in the next place, the power which the Commissioners exercise over these 15,000 appointments is, as has been repeatedly shown before, of a judicial character only. They do not dispose of them at their pleasure, they adjudge them according to fixed and known rules. My hon. Friend also says that the examination system cannot possibly work well, since no merchant, banker, or men having large establishments of their own, have adopted or are likely to adopt it. My answer is, the moment you have shown me that the Ministers who have the power of appointing to public offices have the same direct personal interest in the efficient discharge of the duties of those offices as the merchant, banker, and manufacturer have in the efficiency and ability of the persons they employ, I will admit we are in the wrong in requiring this previous examination. My hon. Friend who spoke last objects to the system, that it destroys the self-reliance of the candidates. I think this is the very last fault that should be found. It is clear that the young man who goes into an entirely open competition, and comes out successful, must have his self-reliance raised; he must feel that he is not indebted to any one but himself for what he has obtained. As to the criticisms which we have heard of some questions put to the candidates, it may be worth while to remind the House that it is judging the examiners very unfairly to assume that the questions on the examination papers are questions that every candidate is expected to answer. Young men come up very differently educated, from different places, and the object of the examination is to test their acquirements as widely as possible, to give every one a chance of showing what he has learnt. If the same questions were repeated year after year, it would be very inconvenient. The candidates would almost know beforehand what the questions would be. These questions necessarily have a very wide range. I do not stand up for the perfect wisdom and propriety of every single question. The examiners may make mistakes like other men. But it is much more easy to criticise these examination papers than to conduct the examinations, month after month, under the express condition that the papers shall not be the same. With regard to the competitive examinations for the Indian Civil Service, that is a matter which does not now come before us. I have not seen the paper to which an hon. Gentleman alluded with regard to the merits of those who have come into the service by competitive examination, and I own I could have wished to have heard a little more or a little less of that report, because we were told by the hon. Gentleman that a considerable number of persons officially employed in India, had been desired to express their opinion on the subject, and he only gave us the opinions of two individuals. I do not think we can form a satisfactory judgment on the merits of an entire service by simply hearing the opinions given by two individuals, however well qualified they may be to form them, especially as in the great majority of instances they cannot have had any personal knowledge of those of whom they were speaking. I do not wish to say anything at all disparaging of the two gentlemen who have been quoted; still we must remember that in India this experiment of opening the Civil Service was viewed with considerable suspicion by the older officers, and their evidence, therefore, is probably that of persons not disposed to take a favourable view of the results of that experiment. I am confirmed in this view by observing that the principal fault which they find with the younger members of the service is that they are said to be wanting in that *esprit de corps* which ought to characterize the members of an official body. Now, *esprit de corps* may be a good thing or not, according to the manner in which it is displayed: in India the display of it has been often a matter of complaint; and until the precise nature of the fault complained of is more clearly explained, I should decline to attach much weight to it. My hon. Friend in the course of his speech referred to two services which really do not come before us under this Motion at all—the army and the diplomatic service. As regards the army, it cannot be said, in reference to the Line at least, that any system of competition whatever has been tried. For my own part, I think that is quite a different question from that of the Civil Service, and I should not be inclined to extend the operation of the competitive system to the army—excluding, of course, the scientific branches—without some further experience. The diplomatic service, again, is entirely apart from the Motion before us. The Motion simply refers to the mode of entrance into the permanent Civil Service. It does not even seek to lay down a principle, it only asks the House to try by repeated experiments a question which never can be decided by theory alone. I claim such a trial as matter of right: by its results I am willing that we should abide; and I say on the one part, as, I think, my hon. Friend would say on the other, that if the experiment fails to bear out—which I am confident it will not—the opinions for which I have contended, I shall be glad to admit that I have been in the wrong.

Sir GEORGE LEWIS: There is scarcely any law or institution in this country as to which differences of opinion do not prevail, and which is not disapproved by a minority to a greater or lesser extent; but when a subject like this has once been established by the consent of Parliament, and when a regulation has been in force for a certain number of years and has been the subject of repeated debates and inquiries, there is in general a truce to further discussion, and the minority are content, for a time at least, to acquiesce in the continuance of the regulation without reviving discussions on the subject. I much regret that the subject of Civil Service examinations has not been allowed to have the benefit of this system of forbearance, but that in every successive Session there have been Motions renewed in regard to it. There is one set of gentlemen who propose unlimited competition for admission into the Civil Service, and another set who object even to a test examination. The system which is now in force was introduced about seven years ago. It merely provided a test examination for introduction into the Civil Service; but it did not introduce any mode of competition. Since that time, by the practice of the Government, in consequence of discussions which have taken place in this House, competition to a limited extent and for a considerable number of offices has been introduced; but that competition has not been made unlimited. What the hon. Gentleman proposes is that we should agree to an abstract general Resolution, declaring that it is expedient that all offices in the public service should be filled by competitive examination open to all Her Majesty's subjects. He places no limit on the generality of that proposal, and he says nothing as to postponing the introduction of it; but, as I understand him, if we were to agree to that Resolution, it would be the duty of the Government at once to introduce the system which he describes. He did not allege in his speech that the present system had been found to fail, nor that it did not give sufficient security to the public with regard to first appointments in the Civil Service. Nor did he allege that it was not an improvement on the system which it had superseded, nor has he been able to show that there has been any recent investigation in which the plan which he recommends has been laid down. It is important that the House should bear in mind the recommendations of the Committee over which the noble Lord who has just spoken with so much clearness and so much ability presided, and that there should be no mistake as to their nature, because I think they have not been fairly laid before the House. In the first place, then—

> "They think that an important step in advance will have been taken if for the system now generally prevailing, of simple nomination, there be substituted one of limited, but of real competition; and they recommend accordingly that from henceforth every vacancy occurring among clerks in the Civil Service be competed for by not less than three candidates, to be nominated as at present, each of whom, in the first instance, shall have passed the preliminary test examination, except in the case of a single vacancy, which shall not be competed for by less than five."

That is the proposal which is now in force in all the superior offices. The head of the department nominates a limited number of candidates for competition. They are examined by the Civil Service Commissioners, and the candidate who obtains the greatest number of marks upon that competition receives the vacant office. The Committee then go on to say—

> "It appears expedient that whenever the convenience of the public service allows, several vacancies should be competed for at once. It is obvious that a competition between 30 candidates for 10 vacancies is more likely to result in the appointment of young men of talent and industry than if each place were competed for by three candidates separately."

If the number of candidates be sufficient, there is no doubt practical competition; but it may happen that some of the persons nominated do not come up to the standard of examination, and there the practical competition fails. That, probably, may be the case in some instances, but in general the number of candidates is sufficient to secure effectual competition, and the Treasury have, since that Report was presented, made a regulation that with regard to the very large number of persons subject to their nomination there shall be a preliminary test examination, in order that it may be ascertained that all the persons who compete for the vacant office are at least qualified to pass a test examination. In that manner the recommendation of the Committee has been complied with. The Committee then go on—

> "Your Committee, while declaring their opinion that the best mode of procuring competent persons to fill the junior clerkships in the Civil Service would be through a system of competitive examination open to all 'subjects of the Queen' who fulfil certain definite conditions as to age, health, and character, are not prepared to advise the immediate adoption of a plan for giving effect to those views."

That is, they concur in general terms

with the hon. Member, but they are not prepared to advise the immediate adoption of a plan to give effect to those views. Therefore, practically, the Committee reported against the immediate adoption of the principle of the hon. Member, though they had recommended the adoption of a plan which is now practically in operation. Under these circumstances I cannot think that, either looking to the allegations of the hon. Gentleman with regard to the operation of the system now in force, or to any authority of a Committee or any other body which he can cite, there is the least ground to induce the House to assent to the Motion he has made. I cannot think that there is the least ground for the immediate adoption of the recommendation of the hon. Gentleman; and if it were in my power so to do, I would move the Previous Question upon his Resolution, and ask the House to pass it over without expressing any decided opinion upon it. But it is not competent for me to do so, because I believe, that an Amendment having been moved, so long as that Amendment is before us the forms of the House will not allow me to move the Previous Question. I will, then, for a moment revert to the hon. Gentleman who spoke third in the debate, and who represents the other side of this question. His arguments, although he qualifies them in words, practically go to this, that there ought to be no examination, even to ascertain the qualifications of candidates.

Mr. BAILLIE COCHRANE: I commenced by stating distinctly that I was in favour of a test examination.

Sir GEORGE LEWIS: I am quite aware that the hon. Gentleman made a verbal concession to the principle, but I contend that his arguments are inconsistent with his concession. His arguments go against the propriety of testing the qualifications of candidates by examination. Not only upon this but upon previous occasions, it has been sought to cover with ridicule the system of examination in the only manner in which that system can be exercised. I have the honour of the acquaintance of the two gentlemen who have filled the very difficult and very thankless office of Civil Service Examiners. I believe that two more honourable or more capable public officers the service of the Crown does not contain. I regret that one of them is about to retire from his office; and I feel satisfied, from my acquaintance with them, that it is impossible the difficult duty which they have to discharge can be discharged, upon the whole, in a more considerate or more discreet manner. But if any set of questions for examination are to be submitted to the mode of criticism which is practised upon them in this House, I will venture to say that it is utterly impossible that any should pass through such an ordeal without being open to ridicule. I just ask hon. Gentlemen to take the examinations which are published at the end of the *Cambridge University Calendar.* They are models of examination upon difficult subjects. What can be easier than to raise a laugh by selecting a particular question of some difficulty or out of the way in its character? But it is always to be remembered, that if you make the questions in examination so easy that a great majority of the candidates can answer them, you do not accomplish your object, which is to sift the candidates, and to distinguish between the best and the worst. It is absolutely necessary that there should be some questions so difficult that the least advanced candidates should be unable to answer them, in order to accomplish your object of discriminating between superior and inferior men. But if this argument is to be conducted after the manner which we have so often heard followed in this House, at all events let the statements made be accurate. One hon. Gentleman said how monstrously absurd it was to subject the constabulary to examination, and to examine the police, whom you wanted to be strong men only, in literary and scientific matters, or in mathematics. I have looked through the last Report of the Civil Service Examiners. I cannot find that any of the police are subject to any examination, competitive or otherwise, and I do not believe that it can be proved that they are subject to such examination. I presume the hon. Gentleman referred to page 101 of the Report, where a constabulary cadetship in the Irish police is mentioned. [Mr. Baillie Cochrane: Look at page 40.] I see at page 40 "Dublin Metropolitan Police Clerks in the Commissioners' Office, and Clerks in the Receiver's Office." No doubt clerks in the police-office are treated like clerks in any other office; but nothing is said about police officers themselves being subject to examination.

Mr. BAILLIE COCHRANE: I beg the right hon. Gentleman's pardon. Let him look at page 40, and he will see "cadets in constabulary."

SIR GEORGE LEWIS: I was referring to those cadets; and if the hon. Gentleman will look at page 101, he will see the subjects upon which they were examined, and the number of marks which they obtained. There are only a few cadetships in the course of the year, and they are very different offices from those of policemen. The assertion of the hon. Gentleman is utterly unsupported by any evidence which he did produce or can produce, and I should have thought it was a matter of notoriety that neither the Metropolitan nor the County Police are subject to any literary or scientific examination whatever. Another hon. Gentleman quoted some other examples of very difficult examinations as illustrative of the questions proposed to junior clerks entering the Civil Service, and, in order to enforce his argument, he quoted some questions from some paper submitted to candidates for the Indian Civil Service.

MR. PEACOCKE: What I said was, that the hon. Member for King's County proposed to subject all clerks to the same system as the civil servants in India were subjected to, and therefore I quoted from examination papers for the Indian Civil Service.

SIR GEORGE LEWIS: If that is the argument of the hon. Gentleman, it is an entire perversion of the meaning of the hon. Member for King's County. The hon. Member for King's County did not mean to say that junior clerks of the Civil Service were to be examined with questions as difficult as candidates for the Civil Service in India, among whom there may be sometimes senior wranglers and persons of a high degree of education. What he meant to say was, that the competition was to be open to the whole world, which is a totally different question. The questions in the Indian examinations may be difficult for the purpose to which they are applied. That is a subject upon which we are not now called upon to enter, and the argument and illustration, therefore, of the hon. Member for Maldon (Mr. Peacocke) are totally inapplicable to the purpose for which they were used. After having subjected this question to its annual examination, I trust the House will come to the conclusion that the course which the Government has taken is, as the Committee has described it, the most advanced step of which the present state of things will admit. They have established, with regard to those clerks whose duties are merely mechanical, a simple standard of examination. For those of whom more intellectual activity is required, they have established competitive examinations founded upon limited competition. But they are not prepared either to go back to the system of simple nomination, without either a test or competitive examination; nor, on the other hand, are they prepared to admit a system of indiscriminate and open examination, under which the heads of offices would be wholly irresponsible for the character and moral conduct of the persons whom they select. If the hon. Gentleman will not press his Amendment to a division, I shall then move the Previous Question.

MR. MONCKTON MILNES: Sir, perhaps I have some right to say a few words upon this question, because I have on former occasions taken a strong part in opposition to my noble Friend. I fully agree with my noble Friend, and with the right hon. Baronet who has just sat down, that a great question such as this is not to be decided upon the absurdity or excellence of any examination papers, and I think that it ought not to depend upon the character of the examiners themselves. It is a question which stretches far beyond such points as those, and I trust that the House will never come to a resolution that these offices shall be submitted to general competition, without having given it their most serious attention. I say this because the grounds upon which on this occasion I oppose, and on other occasions I have opposed measures of this kind, do not rest upon any notion that men can be overeducated for any purpose whatever, but upon the conviction that if you were to make the competition open, you would do the people of this country a great moral and political injury. If the minds of the young men of the country generally were diverted to the object of becoming Government stipendiaries, it would go far to destroy the independent spirit of the nation and that limited action of the Government which all wish to see still more limited than at present. This is a political incidence of our times, but it is one which any man who wishes to be assumed to belong to the party of progress should not for a moment neglect. If the youth of this country were bred up, like the youth of Germany, to look forward to a Government office as the highest aim of their lives, it would very much injure our national independence and damage our national spirit.

At the same time, let me call attention to a point which has not to-night, and, indeed, has never been brought prominently before the House—namely, that you do not initiate a system of open competition. It is neither open, nor in any degree a general competition. For a very high order of merit examinations of a very high intellectual character will always command the best men, because the best men will enter for the prize and obtain it. But a competition of an ordinary character such as this, will be limited and regulated by the class of persons who choose to avail themselves of it. The competition is not of a high class, the qualifications are not of a high order. The result of such a system will therefore be, that you will secure only the intellectual attainments of a certain class of society; and that the competition will be determined by the means which the candidates respectively possess of getting "crammed." It will become simply a question of money. The poor man will be utterly excluded from the contest, whatever his talents or efficiency, if the system which has been advocated to-night is ever adopted. Such a system must assume a more or less mechanical character, and success will be attained by more or less mechanical means—that is to say, the men who get themselves "crammed" by those persons who are known as "coaches" will almost invariably win. These competitions must not be compared with examinations at the universities or even at the public schools, because there you have a general variety of intellect with which the "coach" is incapable of dealing. But in the case of which I am speaking the class of intellect will be as ordinary and limited as the range of subjects, and the "coach" will be quite able to command both. Hence, any man of moderate capacity, if he can only afford to pay for a tutor, will be almost certain of succeeding. Now, whatever were the faults of the old plan of nominations, it had at least this recommendation, that it scattered offices among men in all parts of the country. Every Member of Parliament, at one time or other, had one or two nominations; and if he was a very active and useful member, probably he got more. Accordingly, the places were disseminated over the length and breadth of the land, without any distinction of class; and, on the whole, the body of men thus obtained worked well, with integrity and efficiency. But the practical effect of the system now proposed would be to limit the candidates to one class of the people—those in large towns, who have the opportunity of preparing for the examination at the cheapest rate. I know that to a certain extent that has already happened. Therefore, I hope that people will open their eyes to the fact that the system of open competition, which appears to benefit the public at large by throwing the service open to them, really tends to convert it into the appanage of a small and particular class, with whom the bulk of the community are by their circumstances prevented from competing. When once this question is thoroughly examined and understood, I am satisfied that there will be a change of opinion as to the value of open competition. The people of this country ought not generally to be encouraged to look to the public offices as a means of livelihood. At first the system of competition was, no doubt, serviceable as an indirect agent in promoting national education; but education is now making such advances, that I do not think we need continue to resort to a stimulus of this kind. In the recent debates we were warned of the danger of banding the schoolmasters into an army of stipendiaries; but what an army of stipendiaries would be created under the system which my hon. Friend proposes. If you wish to sap the independence of the English people, I do not believe you can do so more effectually than by carrying out the principle of open competition.

Mr. BENTINCK said, he was somewhat surprised that the noble Lord (Lord Stanley) had objected that the arguments against the present system advanced this year were the same as those advanced last year. That was a singular objection. It might be convenient for hon. Members who sat on the front bench to change their opinions every twelvemonth, but the repetition of the arguments in this case only showed that they were confirmed by the experience of another year. Then the noble Lord had said he did not think any of those arguments were of a formidable character, but he had failed to deal with any one of them. The noble Lord had compared the competitive system to a judicial tribunal, forgetting that no judicial tribunal claimed total immunity from responsibility, or carried on its proceedings with closed doors, as did the Civil Service Commissioners. Then the noble Lord had said it was not the practice to ask all the questions on the examination paper. If hat were so, it would open the door to favouritism of a very objectionable character.

Lord STANLEY explained, that he had merely said that no candidate was expected to answer every question on the paper.

Mr. BENTINCK: But the argument of the right hon. Gentleman the Secretary for War (Sir George Lewis) was, that there must be these difficult questions for the purpose of excluding a great number of candidates; and therefore the right hon. Gentleman defended the examination upon totally different grounds to those occupied by the noble Lord. The right hon. Gentleman (Sir George Lewis) had complained that attempts had been made to cover the subject with ridicule. But such attempts were quite unnecessary, for he would defy any hon. Gentleman to add to the amount of absurdity already involved in it. It was an absurdity to allow the Civil Service Commissioners to frame all the examinations of all the public departments for which they had to examine candidates. Was it possible they could be better judges than the heads of the various departments as to the requirements of the candidates for employment in tne departments themselves? But a still greater absurdity was the fact, that by the operation of the present system a great many of the best men that could be obtained were excluded from a great many of the departments. It had been well and wisely said in a past debate that, "If that system had prevailed a few years ago, the Duke of Wellington would not have been a soldier, and Watt would not have been an engineer." That was summing up in the most conclusive manner the real objections to the system. By it a great many young men might be obtained, but what was wanted were young men of personal energy and activity. He did not mean to argue against those persons called bookworms, but there were many men who would prove of real service and value to the Crown, but who were unable to pass through these examinations. But the greatest objection to the whole system was, that it was at variance with what had always been the policy of the Government of this country. The Civil Service Commissioners enjoyed great irresponsibility, and monopolized all the patronage of the country. He had, himself, brought before the House last year a case, as to which all he asked was, that the House should be allowed to know on what grounds the Commissioners had rejected a particular candidate who, he thought, had not been fairly dealt with. In reply to his request, the Commissioners had answered not only "We refuse to give any explanation or afford any information as to the mode of conducting any of our examinations, but we are of opinion, that if such an inquiry were to be permitted, our public utility would be impaired." The ground on which he asked the House to refuse its assent to the Resolution was, that it was conducted on a system utterly at variance with every other existing institution in the country.

Mr. MORRISON remarked, that some inconvenience might arise from the adoption of the Resolution of the hon. Member for King's County (Mr. Hennessy); but, so far as it affirmed the abstract proposition that the patronage of the Government ought not to be exercised from political considerations, he entirely concurred in it. As a very young Member of the House, he was hardly competent to speak of the practical working of a system of Government patronage; but the impression which prevailed out of doors was, that there was not much chance of a person being nominated for an appointment who was not friendly to those who sat on that (the Government) side of the House. He had not such a poor opinion of those constituencies which were so ill-judged as to return hon. Members sitting opposite to him, as to suppose that there were not among them persons of integrity and ability sufficient to afford valuable public service; and he would remind those who were most in favour of the system of Government patronage, that a time might come when their friends would be out of office, and when, probably, their opinions as to its expediency or propriety would undergo a change. As for heads of departments being made responsible for the subordinate *employés*, he did not see how that could be done, any more than the Postmaster General could be responsible for the honesty of the letter-carriers. He therefore thought, that if the present system of patronage were given up, and any other adopted, they would not lose so far as the efficiency and honesty of the public service was concerned. But he believed a change in the system might easily be devised without any cumbrous machinery, which would remove from Government patronage those objections so often urged against it. There was, however, a more important bearing on the question. Looking to the future, he could not help thinking that in that democratic age, it was of great importance that those electors who had to vote for Members of that House should understand that deep responsibility rested upon them in giving their votes, and that they should not in giving their votes be influenced by any but public motives. But he believed the present system of giving nominations for Government situations for purely political considerations was productive of serious evils in many constituencies. At the same time he believed that the Government endeavoured to administer their patronage as purely as possible, and he could bear testimony that, at all events, they had given up jobbing in the dockyards. But he could not help looking to the future. And he believed the question which must sooner or later come before the House was that of admitting the lower classes to the exercise of the franchise. He did not wish to discuss the question of Reform; but one objection which was raised against it was that it would lower the character of the representatives of the people who were sent to that House. His belief was, that if a Reform Bill passed, there would be no sudden change, but that the operation, whether for good or evil, would be most gradual. But he could not help thinking that any means which could be devised of diminishing the power of individual Members in the way of pushing themselves or their friends into office would be very judicious. He did not mean to assert that what had occurred in America must occur here; but it was not without interest to observe that the first six Presidents of America had only discharged seventy-three persons from public situations in forty-four years, and their public servants were good and faithful. But as soon as General Jackson was chosen President, he inaugurated a new system by which those who had in any way opposed his election were dismissed from office. The result was that in one year he dismissed nearly 2,000 men out of their situations. From that time he believed the same principle had been followed in the United States, and, in his opinion, from its adoption could be traced a rapid decline of the morality of the nation and the character of its public men. He should not like such a thing to happen to this country, and he very much wished that we could get rid of the greatest reproach of our present constitution, that the party in power did strengthen its position by the expenditure of public money and by giving situations to persons on account of their political opinions and without reference either to their merits or to their power of serving the country.

Sir JOHN PAKINGTON: Sir, I will not detain the House for more than a few minutes, as I do not rise with the intention of entering upon the general question. But there is one part of this system which seems to me to be open to serious objection, and of which I desire to have some explanation from those who are competent to give it. With regard to the general question, I entirely concur in the tribute which the right hon. Baronet the Secretary of State for War has paid to the existing Civil Service Commissioners. I have long had the honour of the acquaintance of both those Gentlemen, and I believe that no difficult public duty was ever discharged with more perfect fairness than theirs has been. I have never heard of even the slightest suspicion of unfairness; but if the competitive system were extended as my hon. Friend desires, I cannot help fearing that considerable difficulty might be experienced in carrying on the examinations in such a manner as to avoid the perpetration of great injustice. The particular point to which I wish to call attention is the practice which did prevail, and, I believe, still prevails, of compelling young men who have held the position of temporary clerks in our great offices to undergo a competitive examination, and run the risk of having certificates refused to them, before permitting them to be placed on the permanent establishment of clerks. Nothing can be more completely objectionable or unjust than such a system. When I was at the Admiralty a case of this kind came before me. A young man held the office of temporary clerk in one of the dockyards, and conducted himself extremely well. After remaining there some time he was transferred to the Admiralty offices at Whitehall, and attached to the shipbuilding department, under Sir Baldwin Walker. His conduct was so good that Sir Baldwin Walker made a special application that he might be appointed permanent clerk and attached to that department. I at once acceded to the request, feeling that Sir Baldwin Walker was entitled to the assistance of a man whom he had found to be practically valuable. I was then told it was essential to the completion of the appointment that this young man, who had been five or six years in the public service, should pass through a competitive examination in order to have his fitness tested. I refused to comply with such an extremely unreasonable requirement, and I requested a conference with the Commissioners on the subject. I put this question to them—"Suppose this young man fail in his examination before you, are you prepared to refuse his certificate? because if you do, and the circumstances are brought to the knowledge of Parliament, I cannot conceive anything more calculated to cast discredit on the whole system." What are these competitive examinations intended to do? To test the fitness of applicants for an office. It will be acknowledged, I think, that at best they are an imperfect test. They may be the best test that can be devised for an untried man, but nobody will ever tell me that competitive examinations are to be compared to actual experience, and to the proof of fitness afforded by actual service. The very fact of the time which this young man spent in the public service, where by his conduct he entitled himself to promotion, may have unfitted him for passing an examination. How could anything be more intolerant or unjust than to refuse a certificate under such circumstances? And I said to the Commissioners, "If you are not at liberty to refuse a certificate, why is the examination to be gone through?" I do not know what Member of the Government is supposed to be responsible for this system, but I appeal to the Government at large whether, in cases such as that to which I have referred, young men ought to be exposed to the absurd risk of having their certificates refused. I shall be glad to hear that the system has been altered, if such be the case; but, if it still prevails, I appeal to the common sense of the House whether it is not high time that these unfair trials should be given up.

Sir GEORGE LEWIS: Sir, perhaps I can best answer the question of the right hon. Gentleman, having had some recent experience of the nature he has referred to in my own department. The difficulty is greater than he has stated, inasmuch as it is felt not only with regard to competitive examinations, but all the ordinary test examinations of the Commissioners. It arises in this way. The Superannuation Act declares that no clerk shall be entitled to superannuation allowance unless he has received the certificate of the Civil Service Commissioners; and therefore, without that certificate, he would not be entitled to a superannuation allowance on leaving the service. Temporary clerks were, prior to the establishment of the Civil Service Commission, generally appointed without any preliminary examination; and the question then is, whether they can be transferred to the permanent branch of the department without an examination. If they are so transferred, they are clearly not entitled to any superannuation allowance. There were a great many temporary clerks in the War Office, and, as the result of inquiries instituted by a Committee, it was recommended that a number of these should be transferred from the temporary to the permanent branch of the establishment. That change has been recently effected in the appointments to the Accountant General's Department, and then arose the difficulty which my right hon. Friend has just pointed out—namely, the injustice of subjecting to competitive examination clerks who, having been for some time in the public service, may be supposed to have forgotten whatever literary attainments they possessed when they left school; or, at all events, who, if their attainments when young were not very extensive, have shown by their conduct in office their fitness for the position of public servants. It appeared to me, as it did to my right hon. Friend, that there was considerable hardship in subjecting those persons to a competitive examination, and, therefore, I decided, after conferring with the Civil Service Commissioners, that such temporary clerks should be subjected to a qualifying examination only if they had not previously qualified for the establishment. The Civil Service Commissioners admitted the justice of that view, and made arrangements by which they agreed to grant a certificate upon the candidates passing a qualifying examination.

Mr. CLIFFORD said, that he was anxious to refute a libel quoted by the hon. Member for Windsor (Mr. Vansittart), to the effect that the candidates for competitive examination who came from the Universities of Oxford, Cambridge, and Dublin had neither the manners of gentlemen nor the physical capacity enabling them to ride or perform other duties entailed by the public service. He believed such a charge to be entirely unfounded. The qualities attributed by the hon. Member for Honiton (Mr. Cochrane) to a good public officer—namely, good principles, good habits, good judgment, general intelligence, and energy—reminded him of the story of a gentleman who, when asked by a lady to select for her a governess possessing every virtue under the sun, replied that he had long been looking for such a piece of perfection to make her his wife. Those qualities could only be developed by long experience and discovered by long acquaintance. He believed that competitive examinations had been of the greatest use in this country; they had not only kept out incompetent persons from public situations, but they promoted and elevated the standard of education among the middle classes. If he might use the expression, it had "brushed up" persons uncommonly when they found that mere political interest would not obtain for them an appointment. But, like all good things, a hobby might be ridden too far. An educational test was an excellent thing for all situations where education formed the main requirement, but where education had little or no part in the duties to be fulfilled, such a test was not only unnecessary but often ludicrous. In his own district examinations were insisted upon in the case of post carriers, who had to walk twenty miles a day for the magnificent remuneration of 12*s*. a week; but it was found that those persons whose heads enabled them to pass the examination had not legs sufficiently strong to carry them through their work, while those whose legs were good enough for the purpose had not brains sufficient to undergo a stiff examination. In fact, the office was commonly confined to those who could only read and write. A test was likewise insisted upon in the case of boatmen for the Customs Department. Some time since he was speaking to an officer high in that department, formerly a Member of that House, and, observing that he seemed in rather low spirits, he asked whether he was not satisfied with the couple of boatmen who had just been appointed after a preliminary examination. "Why, no," was the reply, "not exactly; they are a brace of schoolmasters who come from a midland county in England; they had never seen a boat in their lives before, and whenever a breeze gets up I am always afraid that we shall go to Davy's locker." Every morning he read with interest, and some little uneasiness, the columns of *The Times*, to see whether some fatal accident had not occurred. For the Indian appointments he believed a better course could not be adopted than that of competitive examination. He was glad to find that the hon. Member for Honiton (Mr. Cochrane) did not adopt the argument of the hon. Member for Windsor (Mr. Vansittart), that good principles and sound judgment were incompatible with general intelligence and energy. He trusted the hon. Member for Windsor was not a disciple of the school founded by Ensign Northerton when he exclaimed "D— Homo!" He could assure the House that he was not acquainted with any one who had failed to pass an examination; but having looked through the papers used in the examination for the Indian Civil Service, he thought it would be servicable to the cause of competitive examination to have some of the questions brought under the notice of the House. When he read one of the papers drawn up by Mr. Knight Watson, it occurred to him that some of the questions in it might very appropriately be published in that periodical which devoted itself to the elucidation of curious points of literature. He felt himself quite at sea in respect to some questions; but, not wishing to be written down that which Mr. Dogberry was so anxious to have himself written down, he thought he would ask his right hon. Friend the Member for Sutherland (Sir D. Dundas) what he thought of the paper. That right hon. Gentleman was one of the most accomplished scholars in the House; but, in reply to an inquiry as to the character of the questions in that paper, he said, "I could not answer them, and there is not another man in the House who could answer them." He should like to hear what the right hon. Gentleman the Secretary for War thought of those questions. He had a high opinion of the ability and acquirements of the right hon. Gentleman, whose work on the *Astronomy of the Ancients* he had recently read with great pleasure, but he believed that he would be unable to answer those questions, and he ventured to think that the same might be said of the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), notwithstanding his brilliant literary talents and historical acumen. He had to observe also that some of the works which it would be necessary to consult, in order to answer questions given by Mr. Watson, might be found in the Library of the British Museum, the Bodleian, or other such libraries, but they were totally unknown to ordinary literature. Some of the papers used in the examination for the Civil Service of India were excellent; but there were questions put by Mr. Knight

Watson which referred only to some theory or crotchet of the examiner himself. For instance—"What is your conception of the character of Hamlet? Do you consider that any one of the *dramatis personæ* was introduced as a foil to Hamlet?" He had read, he believed all the Shakspearian commentators, and his opinion was that the crotchet displayed in that question was Mr. Knight Watson's. In the life of Turner, the great artist, lately published, it was stated that, in answer to a question as to whether he had read Mr. Ruskin's praise of him, Turner replied that he was obliged to him for all the civil things that he had said, but he had given him credit for so many things which had never entered his head that he would never read his books any more. He believed that Mr. Knight Watson was inclined to attribute to Shakspeare more than had ever entered into the poet's head. He did not wish to do the examiner any injustice, and he should therefore mention that at the head of Mr. Knight Watson's paper on English literature there was this note—"You are not expected to answer the whole of this paper. A wide range has been taken to suit the reading, necessarily various, of different candidates." Mr. Knight Watson was a man of great learning and vast knowledge, and he did not wish it to be supposed that he meant to say anything unkind of him, but he must express his opinion, that if that learned examiner wrote a book explaining his own papers, he would produce as amusing a volume as that written by the Dean of Westminster, and one as interesting to the antiquary as any which Sir Francis Palgrave had produced. He would ask hon. Members to read those papers as a whole; and if when they had done so, they decided that they were such as ought to be set before young men leaving the Universities, he was content to suffer the censure of the House. He did not desire to decry the system of examination of candidates for the Civil Service; his wish was to render that system more satisfactory, by curbing some of the examiners in what he considered to be an anxiety for an unnecessary display of learning.

MR. WHITESIDE said, that while he admitted that there ought to be a discriminating judgment exercised in respect of the nature of the examination to which a particular class of candidates were to be subjected, he could not understand the argument sometimes used, that a young man who had been distinguished in college for industry and attainments must become good for nothing when he entered the Civil Service. In every branch of the Civil Service he knew young men who had been successful and remarkable for their good conduct during their University career, and who were equally so in the discharge of their official duties. It appeared to him that that was just what might be expected in most cases.

MR. MARSH said, that on looking to the result of the civil service examination at Woolwich, he found that scarcely any boy who had been at an English university or public school had received an appointment. It was very desirable that young men educated at those universities and schools should have an opportunity of entering the public service; and he suggested that at the examination they should have given to them, at starting, a certain number of marks.

MR. STEUART observed, that the Motion of the hon. Gentleman the Member for King's County as explained by the right hon. Baronet the Secretary for War, was a very different thing from the same Motion as explained by the noble Lord the Member for King's Lynn. The House would remember that for some ten or fifteen clerkships in the India House there had been a very large number of competitors. That showed that a competitive examination was not only beneficial to the successful candidates, but also to the many whom it stimulated to study the subjects required. He trusted that the Amendment would be withdrawn; and he might have been inclined to vote with the right hon. Gentleman who intimated his wish to move the Previous Question, were it not that he observed that the arguments proceeding from the Treasury bench were the same stereotyped arguments which had been used on former occasions. The present limited system of competition was a delusion, and he hoped that the House, by supporting the original Motion, would to some extent encourage the system of open competition, which would prove a great stimulus to education among the working and lower middle classes. In reference to some observations which had fallen from the hon. Member for West Norfolk (Mr. Bentinck) he begged to say that in communicating with the Commissioners he experienced the greatest courtesy, and found them willing to enter into a discussion relative to the nature of the examination papers, and to give such general information as they thought they might do, consistently with justice to others.

MR. POLLARD-URQUHART said, he must deny that the training necessary for success in competitive examinations unsuited persons for the active and vigorous pursuits of life. He observed that a great number of the cricketers belonging to Trinity College, Dublin, obtained honours at the University; and he believed that the hon. and learned Member for Cambridge University (Mr. Walpole), who was so distinguished for his acquirements, offered while at college to pull a boat, together with his three brothers, against any other four brothers in the kingdom. If anything placed people in the outlying districts on a level with those living near head quarters, it was the system of competitive examination. He therefore concurred in the principle of the Motion proposed by the hon. Member for King's County, but he doubted whether it was not rather prematurely pressed forward at present, and he hoped it would be withdrawn.

MR. COLLINS said, the question as to the desirability or non-desirability of examinations did not at all apply, because, as he understood the right hon. Gentleman the Secretary for War to state, it was the intention of the Government to carry out that portion of the report of the Commissioners which stated that in all cases there should be a limited *bonâ fide* competition for all appointments to the Civil Service, by which he meant, that the three persons who competed should each have passed a previous test examination. It had been said that the Government ought to act on the same principle in making these appointments that private establishments went upon in appointing their clerks, and who ever heard of competitive examinations for appointments in private establishments? But ministers were not in the position of masters of private establishments. They themselves were but servants of the Crown, though of a higher class, and the tenure of their servitude was but precarious; and to suppose that they had no other inducements in making appointments except to promote the efficiency of the public service was what no one could believe. He believed that the great dislike to open competition arose from its being thought it would introduce a different class of men into the service. No doubt there was a great deal to be said against that, if it were so. It was said that there was no instance under the existing system of the secrets of the Service having ever been betrayed. But that was not the fact, for he remembered that when Sir W. Young went out as High Commissioner to Corfu, a private despatch from him appeared in a newspaper. [The CHANCELLOR of the EXCHEQUER: It was stolen.] He was of opinion that if a high standard of examination were fixed, and the competition were open, as in the case of the Indian Civil Service, the persons so appointed would be pretty nearly of the same class as those who now occupied that position. He believed that the notion that open competition would introduce a new class of persons was not justified by analogous experience. The Motion of his hon. Friend was of the greatest possible importance, as carrying out the report of the Civil Service Committee on which he sat, that there should be always a *bonâ fide* competition between three or five candidates for each appointment, and that occasional experiments of free and open competition for admission to junior clerkships should from time to time be made. They were not asking that the whole Civil Service should be thrown open, but that step by step they should endeavour to get as much talent from every part of the United Kingdom as they could, and that the various systems of nomination should gradually disappear.

MR. NEWDEGATE said, he had been anxious to say a few words on this subject, because it happened that during the recess he had heard a great deal with reference to it. He believed that the common sense of this country (no very slight element of strength) was rapidly approaching the conclusions expressed in the Amendment of the hon. Member for Honiton. There were two or three matters which had almost become axiomatic. One was that useful education and instruction preparatory for these competitive examinations were two very different things. Another axiom was that the examiners were rapidly acquiring the title of the Secret Service Examiners. The House was perfectly aware, when public thought became expressed in this terse manner, it had been matured. Another feeling was, that the Government of this country was finding this system a means of evading responsibility while really exercising patronage. That was important, for, however obnoxious the system of public patronage for political purposes might be, it had this merit, that it entailed responsibility, which was exacted in the House. The system of political patronage created not one-half the mistrust which he saw growing up under this system. If the hon. Member for Honiton (Mr. Baillie Cochrane) thought fit to divide, he should vote with him; at the same time, he did not think that by taking a division they would hasten the progress of public opinion on this question, but that in the course of two or three years these views would become more general.

SIR FREDERIC SMITH, in reply to the remark made by the hon. Member for Honiton, to the effect that the officers of the army had deteriorated since the system of public competition had been introduced, contended that the statement was erroneous, observing that the whole of the scientific corps were introduced into the service through the medium of competition. He felt quite sure, he might add, that his right hon. Friend the Secretary for India would not say that the system as introduced by the noble Lord the Member for King's Lynn into the scientific corps in India had not answered its purpose. For his own part, he could bear testimony to the fact, that having been public examiner at the time, the candidates who presented themselves were far superior to those put forward by nomination. Indeed, so far as conduct and science went, it was undeniable that those officers who had been introduced by means of open competition were most meritorious. Now, it had been stated by the hon. Member for Norfolk (Mr. Bentinck) that the heads of departments gave no information to the examiners as to the nature of the duties to be performed by candidates, if admitted. The fact was, however, that the most explicit information was given on that head, while it was also a mistake to suppose that a large amount of patronage was thrown into the hands of the Commissioners. They based their decision on the report of the examiners, whose examination papers, in their turn, the Commissioners duly investigated.

MR. BAILLIE COCHRANE said, he understood it to be convenient to the House that he should withdraw his Amendment, and that a division should be taken on the Motion of the hon. Member for the King's County (Mr. Hennessy). That being so, he was prepared to withdraw his Motion, but of course the House would understand the reason for his adopting that course, and would bear in mind the circumstances under which they were called upon to divide.

MR. PUGH said, he should have great pleasure in supporting the Resolution pure and simple, and he had more confidence in doing so, because he felt that they were treading on no untried or unexplored ground; for the question was not now between patronage on the one hand and competition on the other, but between open competition and limited competition: and having read with attention the Report on this subject, and the evidence appended to it, he was not surprised to find that the present system of limited competition had very few friends indeed. It had been stated by high authority that it was useless to the Government. To Members of Parliament it was inconvenient and irksome; for nominations to compete were in the great majority of cases nominations to failure and disappointment. That such patronage was exceedingly distasteful to them he was as thoroughly convinced as he could be of any truth of which he had no personal experience. It was now too late in the day to say that open competition would not work well. It had been successful in the scientific branches of the army, and in the Indian Civil Service. In the course of the discussion on the opening of that service to public competition, Lord Ellenborough, himself an advocate for the principle, is reported to have said, "I feel the vanity of examination when applied to the discovery of abilities for administering an empire." But the Legislature did so apply it, with what success they had heard. If they did not shrink from the experiment in that service whose appointments were beyond their immediate control, why should they hesitate here where in case of any temporary failure the statesmen were at home and ready to apply the remedy. In the preceding Session, and in this, they had heard with pleasure a voice from the Horse Guards in favour of the system; and last, not least, they had the authority of the House of Commons; which, on the 24th of April, 1856, passed a Resolution in favour of open competition. He did not agree that the recent controversy on education afforded an argument against the Resolution. The object of the controversy was to obtain a *maximum* of education for a *minimum* of expenditure. The object of the Resolution was to obtain a *maximum* of education without any expenditure at all, for it would give a stimulus to education. And how much better it was to impress on the young men of this country that they must gain their advancement by the industrious cultivation of their intellect, rather than by wasting their time in the antechamber of a Minister, or by following the fortunes of a Member of Parliament, or courting too assiduously the dispensers, for the time being, of patronage and preferment.

Sir GEORGE GREY said, that if the hon. Member for Honiton would allow his Amendment to be negatived without opposition, the House would then have an opportunity of dividing upon the Previous Question.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Original Question again proposed.

Sir CHARLES WOOD said, he would then move the Previous Question.

Previous Question put, "That that Question be now put."

The House *divided* : —Ayes 66; Noes 87: Majority 21.

FIRE INSURANCE.—LEAVE.

Mr. H. B. SHERIDAN begged to move for leave to introduce a Bill to reduce the duty on Fire Insurance. He intended to confine himself to a simple statement involving the leading arguments on the question, and rely on them for the support of his Motion. The proposal he now had to make differed materially from those which he had had the honour of submitting on former occasions. He now proposed to reduce the duty from 3*s.* to 2*s.*, and at the expiration of five years to reduce the duty another shilling, so that ultimately 2*s.* would be taken off the 3*s.* duty now chargeable on Fire Insurance. The duty at present collected was in round numbers £1,500,000. His proposition would affect only premiums below 6*s.* per cent. He calculated that insurances above 6*s.* per cent amounted to one-third of the sum at present received—namely £500,000. He had to deal then with the remaining £1,000,000, on which the reduction of 1*s.* from the 3*s.* duty would be one-third of a million, or £330,000. Supposing that proposition adopted, the Chancellor of the Exchequer would have in his hands the whole of the present revenue except £330,000. In addition to that sum he would have a certain amount which would represent the annual increase which took place in the tax. In 1859 the revenue received was £1,300,000, and in 1860 it was £1,500,000, showing an increase of £200,000. The duty must increase with the increase of the national property. The increase derivable from that source might be fairly estimated at £100,000. The relaxation of the duty would also let loose a large amount of insurance which did not now find its way to insurance offices. This might be estimated at £50,000. There would thus be £150,000 to be deducted from the estimated loss of £330,000 of the present revenue. Taking these figures as the basis of his proposition, he calculated that the loss to the revenue the first year would be £180,000—no more; and if the £50,000 of increase on which he calculated should not accrue to the revenue, the loss would be £230,000. His second proposition was that on the expiration of five years a farther reduction of 1*s.* should take place. Now, if his calculations were worth anything—and if the returns made to the House could be relied on, they were entitled some consideration—in the course of five years the Chancellor of the Exchequer would have received £750,000 towards the deficiency which would then be made by the second reduction. But the House would have a better chance of understanding the character of the measure he now submitted if the right hon. Gentleman would permit the Bill to be introduced and printed, so that it might be fairly and quietly considered. This would be but a small concession, he thought, to the views which had been expressed in so many petitions from all parts of the country. His argument was that the reductions would be made up. The duty was an increasing one, even under the present disadvantageous circumstances. He did not depend entirely upon his own opinion. This was the opinion of the fire insurance companies. He cited a passage from the journal of the Statistical Society, which set out in full the petitions of the fire insurance companies urging the reduction of the duty, and showing that the present high rates operated as a bounty to leave property uninsured. This was also the opinion of the merchants and others connected with the city of London who had petitioned the House on the subject. They stated that three-fifths of the property of the country was unprotected by insurance, chiefly owing to the high duty. Mr. Samuel Browne, the well-known actuary of the Guardian Office, was of the same opinion. Another eminent authority on the subject, Mr. Leone Levi, said that the present high rate of duty encouraged the practice of not insuring at all, and that that practice appeared to be gaining ground. The agents of insurance companies had promoted petitions against the duty, and he had a number of letters from agents, showing the result of the duty in preventing parties insuring. He had it on the authority of the agent of an extensive fire insurance office in Dublin, that many persons had actually agreed to effect insurances for large amounts, and lodged deposits, who, when they subsequently came to understand that besides the 1*s.* stamp on each policy the Government exacted a duty of 3*s.* per cent, a sum much exceeding the amount of the premiums themselves, preferred to forfeit their deposits to paying a rate of duty which they considered disproportionate and excessive. Instances of a similar nature were of daily occurrence, and many such could be found in support of his Motion. Many persons, owing to the present high rate of duty, became their own insurers, and formed a joint stock fund, out of which they were paid their losses. He might cite the petitions of numerous corporate bodies and chambers of commerce in all parts of the kingdom to show the excessive rate of the duty and its strong claims to reduction. *The Times* newspaper in an article published in 1860, had summed up the question in a very effective way, pointing out the discouragement given to prudence by this impost, and the other objectionable qualities which sufficed so thoroughly to condemn it. Mr. Newmarch, a very high authority, stated, as a proof of its injurious operation, that 80 per cent of the insurable property in the metropolis alone was uninsured. Mr. Porter, in his *Progress of the Nation*, spoke of its influence in checking the practice of insurance; and Mr. Risborough Sharman, in his pamphlets, bore similar testimony. In making his Motion last year he was met by the assertion that his calculations were merely speculative; but calculations supported by such evidence as he could adduce ceased to be speculative, and ought, to a certain extent, to command the confidence of the House. The right hon. Gentleman the Chancellor of the Exchequer last year said that this measure was favoured by wealthy and powerfully organized companies. Now, the truth was the fire insurance companies had no direct interest in the remission of this duty; on the contrary, they had a direct interest in its retention, because they now received a large sum of money, amounting to between four and five per cent, upon the million and a half sterling per annum which they were the instruments of collecting for the public Exchequer. Their percentage upon that million and a half was sufficient to pay a very large proportion of their expenditure. The statement, therefore, that these companies had exhibited any great anxiety upon this subject was by no means correct. It was only last year that they began to petition for this change, and he was glad to find that they had renewed their petitions this year. That fact proved that they believed their business would be increased by the reduction of the duty in a ratio that would compensate them for the immediate loss upon their percentage. Unless the reduction of the duty was followed by such an increase of their business, they must suffer by the change; and if their business increased, the public Exchequer would also be repaid for its temporary sacrifice. A noble Lord on the Treasury bench last year asked how they knew, that if the tax were reduced, a great part of it would not go into the pockets of these companies? That noble Lord must have meant by that the companies would raise their premiums. But such an argument was too ridiculous to need serious refutation. Why, after the great fire in Tooley Street, when some of the leading insurance offices intimated an intention to raise their premiums on that class of risks, three or four new companies were immediately started, as if by magic, and four or five millions of money were subscribed with the greatest ease by the public. If such was the result of a mere threat on the part of the old companies to raise the rates of insurances, surely competition might equally be trusted to check any similar attempt consequent on the relaxation of this duty. The agents of the fire insurance companies, who were in the best position for judging as to the exact opinions of the people, had borne uniform testimony to the fact that many persons refused to insure their goods in consequence of the duty. He contended that there was a great probability of an increase in the receipts from the duty if it were reduced in amount. There were other grounds why this oppressive tax should be relaxed in its severity.

He had been told by some of his hon. Friends that he ought to have brought in his present Motion after the Budget. But last year, when he was asked by a Member of the Government to postpone a similar Motion until after the Budget, he was told when he brought it on that he was too late, and that the Government could not, at the request of an independent Member, alter their financial arrangements.

THE CHANCELLOR OF THE EXCHEQUER: Who told the hon. Gentleman that?

MR. H. B. SHERIDAN said, that it was Mr. Brand who asked him to postpone his Motion.

THE CHANCELLOR OF THE EXCHEQUER: I did not ask the hon. Member who wished him to postpone his Motion, but what Member of the Government told him the Government could not alter their arrangements for an independent Member?

MR. H. B. SHERIDAN said, he might be out of order in referring to that conversation. He had been urged by an hon. Member whom he believed to be connected with the Government to postpone his Motion until after the Budget, and he inferred that if he did so he should stand a better chance of success, but he found he took very little by his Motion. He did not wish the House to imagine that he was asking for the repeal of the whole tax. The sum by which the revenue would suffer was, indeed, so very small that the sale of a few old stores at Woolwich, or the refusal to alter some ship, would make up the amount, and the £250,000 would cease to be a deficiency in a few hours. What was this tax? If it were a property tax, why not levy it on all insurable property? Was it a tax on prudence? Was it right for a man to insure his property? If the Government replied in the affirmative, he asked "Why, then, do you punish him for the exercise of a virtue of which you approve?" One man insured his property and his next door neighbour did not. The Government fined the former, why, then, should they not also fine the latter? He might be told that there were other taxes equally oppressive, but he called upon those hon. Members who held that opinion to show him a single tax so false in its incidence, and so unjust and unequal in its operation. Suppose a rich man having £5,000 worth of property and insuring to the extent of £3,000. For that insurance he paid £4 10*s*. to the Government and 1*s*. for the stamp in excess of the sum charged by the fire office as an equivalent for the risk. Then, suppose five tradesmen who insured in five different offices £1,000 each. They paid 5*s*. for their policy stamps and £7 10*s*. for duty. But suppose two hundred workmen insuring for £30 each. They paid £10 stamp duty, where the rich man only paid 1*s*. in addition to the three per cent duty. The next case he would suppose would be that of an agriculturist, the tenant of the rich man. Did he pay £4 11*s*. like the rich man, or £7 15*s*. like the tradesmen, or £15 like the poor men? No, the Chancellor of the Exchequer told him—"We will charge you 1*s*. for insuring your £5,000, and that is only for your stamp." Why should not the Chancellor of the Exchequer place an *ad valorem* stamp on all policies of insurance instead of charging a uniform rate? He believed that the Chancellor of the Exchequer would get the whole amount he now raised by a more equitable assessment of the duty. Last year the right hon. Gentleman asked upon what ground of justice, reason, or policy this tax was to be taken out of the category of other imposts. He would put it to the House whether it was just to tax one class and not another. The products of industry arising from commerce were as important as those arising from agriculture, and deserved equal consideration. It was not surprising that the country protested against this tax, especially when it was in the power of the Chancellor of the Exchequer to remedy the evil and at the same time to open fresh sources of revenue that would speedily make up any deficiency that might temporarily ensue. It was not prudent to inflict a fine upon a man for making cautious provision against loss. As a question of policy the present state of the tax was not defensible. Property lost to an individual was lost to the State; and if property was allowed to be destroyed without being replaced, it diminished the sources of national revenue, which were collected mainly upon the security of that property. He thought he had shown that upon the grounds of justice, of reason, and of policy, this tax ought to be removed, and certainly that it ought, at least, to be modified. The question was, however, met by the Chancellor of the Exchequer as one of expediency, and the reply was always "Wait until we have a surplus." There had been a surplus on many occasions since 1815, when the tax was last increased, but no reduction had ever been made. No hope even of reduction had been held out, and the only chance was the exercise of a little gentle pressure upon the Chancellor of the Exchequer, which he hoped the House would be willing to exercise upon the present occasion. He would conclude by moving for leave to introduce a Bill to reduce the duty on fire insurances.

MR. HADFIELD said, he begged to second the Motion.

THE CHANCELLOR OF THE EXCHEQUER: I was in hopes that those hon. Members who intend to support the views of the hon. Gentleman would have taken an opportunity of stating their opinions, because it is obviously more convenient that the person whose duty it is to speak on behalf of the Government should hear what can be said by the advocates of a Motion which it is his duty to oppose. I must, therefore, come to the conclusion that hon. Gentlemen think that this subject has—in a great degree, I am bound to say, through the ingenuity, talent, and knowledge of the hon. Member—been exhausted in former years. I shall act upon that principle, but it would not be consistent with respect entirely to pass over the matter of the hon. Gentleman's speech. He began by asserting that the proper course for the Government to pursue was to allow his Bill to be introduced. I cannot admit that view, upon consideration either of precedent or of principle. I am not aware of any instance in which the Government has been a voluntary party to the introduction of a Bill affecting taxation unless it was prepared to assent to the mode of dealing with taxation which it proposed. I hope the House will meet this proposition at once, not only because such a course will be in accordance with precedent, but also because of the obvious mischief that would arise from the Parliament and the Government playing with questions of taxation, and admitting a preliminary step which they are not prepared to follow to its consequences. We should not allow expectations to be raised and hopes to be flattered out of doors with the conviction on our minds that these hopes and expectations must ultimately be disappointed. The hon. Gentleman says he is now proposing a gross reduction of £330,000. I demur to that proposition, as I do not think the reduction would be so small. He next says, that inasmuch as the fire insurance duty is increasing at the rate of £100,000 a year he is entitled to deduct that £100,000 a year from the gross loss, which would thus be reduced to £230,000. Again I demur to his proposition. Having to make the financial statement on Thursday, it has been my duty to receive estimates of the revenue for the coming year, and whatever they are we have taken credit on them for the increase that may fairly be expected from the insurance duties. Upon what principle does the hon. Gentleman venture in this cavalier method to appraise facts connected with revenue, and to assume an increase from year to year of £100,000 on these duties? I have a table of the produce of the duty for the last fourteen years.

MR. H. B. SHERIDAN: I said for the last two years.

THE CHANCELLOR OF THE EXCHEQUER: The hon. Gentleman has given me no reference to documents to enable me to test his assertions.

MR. H. B. SHERIDAN: I said the duty in 1859 was £1,300,000, and in 1861, £1,500,000, or thereabouts.

THE CHANCELLOR OF THE EXCHEQUER: But the hon. Gentleman gives me no means of reference to verify his facts. There are considerable variations in the amount of these duties, and you cannot argue from a particular year that the increase on that year will continue in the following and all future years. As I have said, I have had no opportunity of testing the hon. Gentleman's figures. But in an account extending from 1842 to 1856—1842 being the year from which dates the great spring of this country in wealth and prosperity—I find that during those fourteen years, instead of an annual increment of £100,000 a year, the increase of the duty is only £25,000 a year, and the hon. Member, therefore, ought only to deduct that amount instead of £100,000. However, whether the effect of the hon. Gentleman's Motion is to take away £300,000 or £500,000 from the Exchequer, my conclusion must be the same. He refers to data said to have been before supplied as to the value of the property which, in his glowing pictures, he believes will all be insured against fire if the duty is only reduced. But he is entirely wrong in assuming that those data are unquestioned. One of his allegations was, that there are 22,000,000 tons of shipping in this country, valued at £13 a ton, and in that way he made out a sum of close upon

£300,000,000, which also formed a part of his brilliant prospect. But I find that that fact was questioned by me on a previous occasion, and I then pointed out that, instead of 22,000,000 tons of shipping, we have not in this country, according to official returns, more than 4,600,000 tons. The hon. Gentleman says there is an identity of interest between the Treasury and the fire insurance companies. That, I must confess, is an extraordinary statement. The fire insurance companies are interested in the premiums—the Treasury in the duty. Says the hon. Gentleman, "Reduce the duty, and then you will have a common interest." I say "No! If you want an identity of interest, the companies must reduce the premiums in the same proportion as we reduce the duty." Then your argument becomes intelligible, and you may assert that there will be a recovery of the amount sacrificed in the one case as in the other; but there can be no common interest when the companies run no risk, and the entire risk is run by the Treasury. I know that the companies will gain by an increase of business, and the Treasury by the consequent increase of duty; but the Treasury will only gain after having made an immense sacrifice, while the companies will gain without having made any sacrifice at all. The hon. Gentleman gives us a multitude of speculative opinions, and tells us of persons who he believes would insure if it were not for the high duty. Well, of course I am not denying that a reduction of the duty would bring about an increase of insurance. That is no disputable proposition. This is in the nature of an indirect tax upon consumption, and it is hardly possible to reduce such a tax without creating an increased consumption. But the whole question of prudence and policy depends, in the first place, upon the means which you have at your command, and in the second place upon the amount of reviving and recovering power which you will bring into play by reduction. Now, we have only the bare assertion of the hon. Gentleman as to this recuperative power; but our national debt, with its annual charge, our army and navy and other public services, have very ravenous appetites, and require to be fed with very solid food, and will not be satisfied with any dreamy speculations that the property assured will be multiplied three or four fold by the reduction now demanded. Let us, then, look about us for something like facts and experimental evidence. The hon. Gentleman, referring to what he calls the unjust exemption of farming stock, advises us not to remove the exemption, but to abolish the tax. Now, I do not think it is easy to defend this exemption upon its own merits; but it is surely a singular doctrine to urge that wherever, in the case of a tax contributing a large sum to the public necessities, there is some partial exemption which is not to be defended upon its merits, we should not remove the exemption, but abolish the tax. Upon that principle the assessed taxes would disappear at once, with I do not know how many other taxes, and such a course would be destructive to the credit of our finance. But this exemption, applied to farming stock, affords the most conclusive piece of evidence which we can bring to bear upon the present question. The hon. Gentleman assumes that there will be a large increase of insurance if the duty is reduced by 33 per cent. Well, we have the means of ascertaining pretty nearly what increase there would be if the duty were abolished altogether, and one scruple, one pennyweight of evidence of this nature, outweighs all the loose and irresponsible evidence of other kinds which can be swept together. In 1834 the value of farming stock insured was £37,250,000. The duty upon farming stock was then entirely abolished, and in 1856 the value insured had risen to £62,250,000, the increase in 22 years being 67 1-5th per cent. But the question is not whether there was an increase in the amount of property insured. The question is, how much faster it increased as compared with the property liable to duty. Now, in 1842, the property which remained liable to the full duty paid was £483,000,000, and in 1856 it was insured to the amount of £802,000,000 showing an increase during the same 22 years of 65 5-6ths per cent, so that there was only a difference of about 1½ per cent in the rate of increase between the two kinds of property, though in the case of farming stock there was not a paltry reduction of 33 per cent but the entire abolition of the duty. Now, I want the hon. Member, when next he brings forward this question, to dispose of this fact, instead of indulging in mere speculation. The hon. Gentleman is an excellent painter. Most taxes are odious things, and he has presented us with as repulsive a picture of this tax as the most skilful artist could have drawn. "If it be right," he says, "to insure, why punish the insurer?" Then the doctrine of the hon. Gentleman is, that no tax ought to be raised except from the sins and crimes of the community; that none of the operations of life ought to be subjected to taxation if they are consonant with the dictates of prudence. This moving appeal may be made on everything subjected to taxation. Can anything be more proper than that the artisan should be able to purchase sugar for his family? Then why do you punish him by making him pay a duty on it? Why do you make him pay a duty of 12*s.* 8*d.*, 13*s.* 10*d.*, 16*s.*, and 18*s.* 4*d.* per cwt. on his sugar, according to the quality? Why, this doctrine with regard to taxation is one of the most alarming ever proffered to the House; and I trust the hon. Gentleman, before he deals again with this explosive and inflammatory material, will consider to what length his doctrine is likely to be accepted, and what consequences it may produce. The hon. Gentleman says we give nothing whatever in return for the duty on fire insurances. I should like to know what we give in return for any tax or duty. With the exception of the postal service, we give nothing in return for any specific tax or duty but the general protection of the law and the institutions of civilized society. That is my answer to the hon. Gentleman when he says we do nothing in return for the duty on fire insurance. The hon. Gentleman is urgent on another subject. He complains of the manner in which he has been used, and is very likely to be used again, with regard to the time at which he has brought on his Motion. On this, too, he has appealed to the feeling of his auditory. In a former year, he says, he was applied to by a Member of the Government to put off his Motion, which he intended to bring on before the Budget was proposed. My feelings were so much moved that I was very desirous to know who this Member of the Government might be, that I might visit his conduct with marked disapproval. But my efforts have failed; that Member of the Government has "melted into thin air," and no trace of him is to be found. The fact is this—it is the duty of every Government, a duty always acted on, to object to any individual and isolated proposals for the repeal of taxes before the House has within its view the general state of the revenue and charges of the country. That is a ruling principle, and one not in opposition to any popular principle, on the part of the Government; on the contrary, the popular principle of government, and the control of it by the House of Commons, depend on nothing so much as this—that it should narrow into a single measure the financial operations of the year. If the Government were asked continually to repeal this tax and that tax, the consequence would be that the House of Commons would never know what it was about, and would be unable to discharge its duty to the country. I say, therefore, that the hon. Gentleman is too soon with his Motion. On Thursday night, or within forty-eight hours, the hon. Gentleman will be wiser—at least, he will know more—I do not mean it in any other sense—of the state of the revenue than he does now. That is the reason the hon. Gentleman ought not to have brought on his Motion this evening. He says, that had he brought it forward after the Budget, he would have been told that he was too late. I assure the hon. Gentleman that it is not so. He says that no Government, and no Parliament, have thought proper to apply a surplus, even when there was a surplus, to the reduction of the duty on fire insurances. This may prove either that the Parliament or the Government were too stupid to perceive its necessity, or that cases for reduction of duty were made out still stronger than that of insurances. If the hon. Gentleman will take this into his consideration it may modify his enthusiasm for the reduction of this duty. But I will show that his assumption is not correct, that the door is shut for the repeal of a duty after the Budget is proposed. On a former occasion I opposed a Motion of the hon. Member for Ashton (Mr. Milner Gibson) for the abolition of the advertisement duty. I believe the hon. Gentleman beat us before the Budget was proposed; but after it was brought forward the House of Commons adhered to its opinion that it was a case on its own merits for abolition, and the Government was compelled to accept it. Why does not the hon. Gentleman do the same? Why does he insist on proceeding in the dark? Why does he ask us to commit ourselves at once in favour of this claim, in preference to all others, without waiting till the House is in possession of full information as to the state of the revenue? The truth is, this question must be judged like all other questions of finance. The hon. Gentleman says I keep a very tight hold of the keys of the public chest, and that nothing but absolute necessity will make me relax my grasp. It is refreshing to hear such a charge made in this House, because too great a readiness to part with taxes has been the most frequent charge against me. But no one is justified in voting for the hon. Gentleman's Motion unless he is ready either to reduce this duty, whether the public income can afford the reduction or not, or to reduce it in preference to every other claim that may be advanced. A vote for the Motion means no less than an assertion of these two propositions. To both these propositions I wish to obtain from the House a negative. I must lay down what appears to be an elementary truth in such a case. The first condition for the repeal of a duty is that there will be a surplus of revenue. I am sure I shall not be asked at this time of night to anticipate the statement that I must make before forty-eight hours have elapsed. Before we can treat the proposal of the hon. Gentleman fairly, it is essential that we should ascertain whether we shall have a surplus of income. Therefore, if the hon. Gentleman chooses to press his Motion before the Budget is produced, he compels me to record my negative to it. The second proposition is, that if there should be a surplus, the fire insurance duty has a claim for reduction in preference to all others. That seems to me a very grave matter—a question that it is not easy for the House to decide without having the whole case before it. Considering that in a time of peace we are maintaining some taxes more or less associated with war—I do not refer to any minor cases, of which some are very strong indeed, but speaking of the major cases—I do not think any prudent men will be disposed to tie their hands behind their backs by going into the lobby with the hon. Gentleman. The reduction or abolition of a tax is a very excellent thing; but it is useless to indulge in vague declarations of financial benevolence. Our means and our obligations must keep pace with each other, and we must give away nothing till we are sure we have got it to give away. And when we do give it away, we ought to take care that the first case, on its merits, is placed first in order, and that what is less urgent shall be made secondary. I therefore hope that the House will divide against the hon Gentleman's Motion.

MR. MALINS said, the Motion of the hon. Member for Dudley (Mr. H. B. Sheridan) was only for leave to bring in a Bill, and nothing, he thought would be likely to occur between that evening and Thursday that could in the slightest degree prejudice the position of the right hon. Gentleman. He was so fully alive to the necessity of maintaining the public credit, that if the right hon. Gentleman could show on Thursday night that at present we could not afford to part with any of our revenue, he was sure that all who supported the repeal of the tax on fire insurances would at once be ready to drop all further progress with the Bill for that year at least. The tax itself was so inexpedient, so enormous in amount, and so utterly opposed to all principles of true finance, that he was surprised to hear the right hon. Gentleman hold out so little hope of its extinction. Proceeding on a principle, however, which the right hon. Gentleman had always been the first to uphold, he felt bound to support the Motion. If there was a principle which the right hon. Gentleman had inculcated more often than another, it was this—that reduction of taxation always led to increased consumption. When the House heard the arguments of the right hon. Gentleman, let them remember that he was the same Chancellor of the Exchequer who came down last year, and urged upon them the abolition of the paper duties. Did the right hon. Gentleman mean now to negative the principle he then laid down? The right hon. Gentleman then assured the House that carriages, draining pipes, and he (Mr. Malins) knew not what besides, would be made out of paper, merely because the duty was to be taken off. By what argument, then, could he justify a principle upon which the insurer paid 3*s.* to the Government for every insurance he effected, and the Government gave nothing in exchange? The right hon. Gentleman could hardly have been serious when he intimated that he wished the office and the Government should be joint parties in these transactions; for it would be impossible that they could go hand in hand while one of them incurred all the liability and the other merely pocketed a portion of the money. There was universal willingness to pay any amount of taxation which was necessary for the secure protection of the country, but it ought to be so parcelled out that no particular class should be burdened more than another, and more particularly ought it so to be arranged as not to prevent acts of prudence like insurance. The right hon. Gentleman had argued with respect to postage, to newspapers, and to wines, that if they lowered the duty, they would increase the production; and even with respect to receipt stamps he said, lower the stamp to a penny and the country will suffer no loss. He (Mr. Malins) believed that the right hon. Gentleman was right, for no man now evaded the stamp, and he, for one, always demanded a stamp, because he thought that every man should pay his quota to the revenue of the country. But was it not a notorious fact that the amount of the tax compelled many people to under-insure themselves. He could answer for himself, and he would ask the right hon. Gentleman, if he had then to propose a tax on fire insurance, whether he would have the hardihood to advocate a rate of 200 per cent? If that were true, why then was it unreasonable to propose that it should be given up? There was no desire to interfere with the arrangements of the Chancellor of the Exchequer for the present year; all that was wished was to obtain a declaration from the House, as in the case of the paper duty, that the tax was one which at the earliest possible moment ought to be repealed or reduced. He hoped the House, by its vote, would give the right hon. Gentleman a lesson in taxation, and would teach him that he was not at liberty to run away from the principles which he professed when he had a favourite tax, like the paper duty, which for some political object he wished to repeal. He could not by any means agree with the right hon. Gentleman in the deduction, that because the agricultural fire insurances, on which the duty was reduced, had only increased 67 per cent, while the house insurances had increased 65 per cent, therefore reduction did not lead to an increase in insurances. Agricultural property had remained stationary; and if the insurances on it had increased 67 per cent, how much more than 65 per cent would the house insurances have increased if the duty had been reduced? He had hoped to hear the right hon. Gentleman hold out some hope of the abolition or reduction of the duty; but, as he had refused to do so, he hoped the House would take the matter into its own hands.

Mr. THOMSON HANKEY said, he thought the Chancellor of the Exchequer would find out by the division the fallacy of his assumption that because no hon. Member rose immediately after the hon. Member for Dudley (Mr. Sheridan), that therefore no one intended to support the proposition of the hon. Gentleman. There were a great many Members who agreed with the views of the hon. Gentleman, and they would, no doubt, support his Motion. At the same time he confessed that he was not prepared to say that under any circumstances he should vote for the second reading of the Bill, or that because he voted with the hon. Member to-night he should feel bound to do so. He concurred with many statesmen in the opinion, that if that was not the worst possible tax, it was a very objectionable tax, and that at the earliest moment it ought to be reduced. He did not admit the argument of the Chancellor of the Exchequer that it was unjust in the same way as every other duty. Undoubtedly all taxes were objectionable, and it would be very desirable to live without any taxation. But that tax was not levied upon equitable principles. Mr. Newmarch, who was some authority upon the subject, estimated the value of the insurable property within six miles of London at £900,000,000. The representatives of £300,000,000 only insured; and they, being prudent people, paid the whole tax, while the representatives of the £600,000,000 went scot-free. If the tax were levied on the owners of the whole £900,000,000 of property, 1s. per cent would yield the same amount of revenue, and all would bear their due proportion. For these reasons he should go into the lobby with the hon. Member.

Mr. ROGERS said, that the returns given in the most recent statistical abstract for the United Kingdom, showed that the Chancellor of the Exchequer's argument with regard to the insurance of agricultural produce was fallacious. The value of agricultural produce had been nearly stationary since the repeal of the fire insurance duty upon it. During the same time, however, judging by the exports of the country, all other insurable property had enormously increased, and therefore it was not a fair argument of the Chancellor of the Exchequer to say, that as the agricultural produce insured, after it was freed from the duty, only increased 67 per cent, while during the same time the property that was taxed increased 65½ per cent, therefore a reduction of the duty was not likely to produce an increased amount of insurances. The extracts he would quote from the official document which he held in his hand were conclusive upon that point. In 1846 the quantity of corn sold in the markets of England and Wales was 5,958,963 quarters, while in 1860 the quantity was only 4,623,257. In 1846 the declared value of the total exports from the United Kingdom was £57,786,876, while in 1860 it had risen to £135,842,817, being an increase of more than 100 per cent, the corn and farm produce having at the same time decreased. In the morning papers of this very day Members had seen the anticipated returns of the state of the revenue, which showed, that although there had been a large remission of taxes last year, the income of the country had not thereby suffered. Acting, therefore, upon his own principles, he thought the Chancellor of the Exchequer ought not to object to the moderate proposition of the hon. Member for Dudley.

Mr. NORRIS said, he would suggest that the question of the introduction of the Bill should be deferred till Thursday. There were in that House a number of Gentlemen who thought the hop duty a grievous burden; there were others in favour of the repeal of the duties on tea and sugar; and others again who sympathized with those who paid income-tax upon small and precarious incomes; and all these would vote against the hon. Member for Dudley if he pressed his Motion to a division that night. He submitted, therefore, that the Bill would have a better prospect of success if postponed till after the House was in possession of the financial propositions of the Chancellor of the Exchequer.

Viscount PALMERSTON: Sir, before the hon. Member replies, I wish to submit one or two observations to the House. The main argument that has been used in support of the Motion of my hon. Friend has been that this tax is objectionable. I should like any hon. Member to have the kindness to mention a tax to which some objection or other cannot be applied, such as that it is offensive to those who pay, that it is not sufficiently general in its scope, or that it applies to some particular article affecting some particular class of the community. No doubt it would be an exceedingly agreeable thing if the country could go on without taxation at all. If the army would be good enough to serve without pay, if the Civil Departments could be carried on and justice administered without expense, and if ships' guns and the services of seamen were gratuitously given, it would, no doubt, be exceedingly convenient for those who have to pay taxes. But, unfortunately, such a happy relief is not possible in human affairs. The country requires certain arrangements for the protection of property, for the maintenance of our Constitution, for the administration of justice, and the preservation of social order; and the expense of those arrangements must be provided for by taxation. Every tax is open to some objection or other, but the nation must submit to imposts which are inconvenient in order to obtain the inestimable advantage of having the order of society properly maintained. There are many gentlemen who could show you other taxes which, in their opinion, are still more objectionable than the one under consideration, and if the House were to be polled on the question which is most worthy of repeal I doubt whether this particular tax would obtain a majority of the suffrages. But that is a question which may be decided at any time. My great objection to the Motion of the hon. Member relates to the time at which it is brought forward. I hold that it is a principle of our constitutional system that the Chancellor of the Exchequer, as the organ of the Government of the day, should have left to him the discretion of proposing to Parliament those financial arrangements for the year which, upon full consideration, he deems best adapted to the public interest. It is for the House to deal with his plan as they think fit. If the House should think that the Chancellor of the Exchequer proposes too great a change one way or the other, it is, no doubt, competent, and has often been the case, for hon. Members to state their objections, and propose alterations in the arrangements which the right hon. Gentleman may suggest; but there can be nothing so inconvenient as, before the Budget is proposed, and when the Chancellor of the Exchequer has made his arrangements for the year, and is on the eve of submitting them to Parliament, for the House to pick out some particular tax for reduction without knowing to what degree they may by so doing totally disarrange the arrangements which the responsible Minister of the Crown may have intended to propose, and disarrange them, perhaps, also in a manner injurious to the public interest. The hon. and learned Member for Wallingford (Mr. Malins) gives the strangest of reasons for voting in favour of the Motion of the hon. Member. He says that he votes for it not at all intending to pledge himself to support it finally. He says—

> "I vote for the introduction; but if I find, upon the statement of the Chancellor of the Exchequer, that the repeal of this particular duty will interfere with other arrangements which I should prefer, I should object to the second reading."

The hon. and learned Member is therefore prepared to give his vote for the introduction of the Bill, which, upon his own showing, may be a nullity, and which he may be prepared next week to refuse to read a second time. I hold that the natural course for this House to pursue is to allow the Government to propose their financial arrangements for the year, and to deal with those arrangements in the manner they may think best for the public interest; but not blindfold to interpose a particular arrangement which may or may not conflict with a better arrangement which the Government may have to propose. If the Vote for the introduction of the Bill would be a Resolution that the House would deem binding, it might be exceedingly inconvenient on some future occasion to have that Vote on record. If it is not to be binding—if it is to be a mere nullity—then I humbly suggest to the House that they would do much better to dispense with this Motion, and allow my right hon. Friend on Thursday next to state, unfettered by any previous Resolution, the arrangements which, upon the whole, the Government may think fit to propose.

Mr. H. B. SHERIDAN said, he would not at that hour detain the House by a reply, although he possessed ample means of confuting both Mr. Coode's facts and the right hon. Gentleman's arguments.

Motion made and Question put,

"That leave be given to bring in a Bill to reduce the Duty on Fire Insurance."

The House *divided*:—Ayes 127; Noes 116: Majority 11.

Bill *ordered* to be brought in by Mr. Henry B. Sheridan and Mr. Lindsay.

DEBENTURES ON LAND (IRELAND).

LEAVE.

Mr. WHITESIDE said, he rose to move for leave to introduce a Bill to authorize the issue of debentures on land in Ireland, in connection with sales made by the Landed Estates Court. The object of the measure was to remove some of the difficulties which now beset the proprietors of land in Ireland who wanted to borrow money, and to make them the masters of the situation, so that they should not be dependent to the extent which they now were upon the country attorney or the lender of money. Its principal provisions were, that when a person had purchased an estate out of the Landed Estates Court, or had cleared his title in that Court, the Court should have power to authorize him to issue debentures to the extent of one-half the value of the estate. These debentures might be of any amount from £200 to £1,000. A notice of their issue would be endorsed on the conveyance, and there would be in the office of the Court a book in which their counterfoils would be contained. From the moment at which the Court gave permission for their being issued they would take precedence of any other encumbrance which might be created upon the estate, and the owner would be able to issue them at any time at which he required money. The debenture would be equally as secure as a railway debenture, and, like a railway debenture, would require a stamp, the amount of which the Chancellor of the Exchequer must fix. On being transferred the debenture would also require to be stamped and registered. When first he heard a paper on the subject read by Judge Longfield, he felt inclined to be sceptical; but, on looking into the scheme, he found not only that it was practical and safe, but that it was difficult to meet it with valid objections. The Judges of the Landed Estates Court were unanimously of opinion that the plan could be safely worked, and without leaving a door open for fraud; and the Bill only carried to its legitimate conclusion the principle upon which the Landed Estates Court was established, that of giving landed proprietors in Ireland the enjoyment of the full value of their own property. It was not till within the last twenty-four hours he learnt that his hon. and learned Friend the Member for the county of Cork, who many years ago wrote a paper on this subject, had also brought in a Bill dealing with the same subject. Bearing in mind, however, the weight of authority attracted by the measure he now ventured to propose, he hoped the House would not refuse its assent to the introduction of the Bill.

VISCOUNT PALMERSTON: I do not rise to oppose the Motion for leave to bring in the Bill, but I think the House ought seriously to consider the effects of the measure proposed by the hon. and learned Gentleman. He has told us that it would be safe, as not being liable to open a door for fraud, and that it would be advantageous to the landed interests of Ireland. I have no doubt, with the arrangements stated by the hon. and learned Gentleman, it would be safe as far as the holders of the debentures are concerned; though whether they would be altogether safe in regard to the payment of interest is a question between them and the owners of the land. But I submit that we have gone hitherto on principles diametrically opposed to those on which the Bill is founded. Experience showed that great public and private inconvenience arose from the fact that estates in Ireland were greatly encumbered, and that the nominal proprietor was frequently not the actual owner. No improvements, however desirable, could be made, and it was to correct this state of things that the Encumbered Estates Court was established, by which persons having estates deeply affected by mortgages were enabled to sell them without much expense, and to transfer them to new proprietors possessed of capital, who were therefore more advantageous for the public interest. But the tendency of this Bill is to encourage landowners to revert to that system of embarrassment from which the Landed Estates Court was intended to rescue them. The right hon. and learned Gentleman says, when a man buys an estate worth £40,000, he is to be allowed to create debentures to the extent of £20,000, bearing interest, I suppose, at 5 per cent. When he has paid interest on half the value of his estate, what will remain to him for the purpose of keeping up and cultivating the property? Everybody knows that the nominal rental of a landed estate is liable to very great drawbacks, amounting possibly to a fourth or a third, according to circumstances. I think the landowner would soon find that he had reduced himself very much to the condition of those proprietors whom it was thought expedient to relieve from the nominal ownership of their estates. Unlike the case of a mortgage, in which usually a single holder comes periodically for the interest of the money he has lent, there will be twenty or thirty holders of debentures, whose names, perhaps, the owner will hardly know, for these debentures are to become a species of currency, transferable from hand to hand. In the case of a mortgage persons can foreclose, but I should like to know what is to be the remedy of the holder of these debentures.

MR. WHITESIDE: He will have the power of sale peremptorily in the Landed Estates Court.

VISCOUNT PALMERSTON: In the case of several debentures, some of which are paid regularly and some of which are not, what are the persons to do? Are they to apply for an immediate sale of the whole estate or of portions, and what portions?

MR. WHITESIDE: There will be no difficulty at all.

VISCOUNT PALMERSTON: No difficulty! Very well. But if there be no difficulty attendant on the process, I imagine the facility will lie rather in the rapidity with which nominal owners will be dispossessed of their estates, and that in reality it will be properties and not debentures which will be made transferable from hand to hand.

LORD FERMOY expressed his opinion that the principle of the measure was a sound one. The noble Lord at the head of the Government was taking too good care of the landed proprietors of Ireland, who might very well be intrusted with the management of their own affairs. The hon. and learned Member for Cork (Mr. Scully) was in reality the originator of this measure, and deserved the credit of the Bill. The Bill was calculated to make property more valuable.

MR. POLLARD-URQUHART said, that the noble Lord at the head of the Government had paid the landed proprietors of Ireland a very bad compliment. The noble Lord's speech amounted to this, that those proprietors were spendthrifts, and that their credit ought to be curtailed. He did not think that that general accusation was well founded, and he ventured to submit that the provident ought not to be punished for the faults of the improvident. The principle of land debentures was not new. It had been in operation for a great number of years in Prussia and other countries.

MR. VINCENT SCULLY said, he would ask permission to trouble the House for a few minutes on the subject, because but for it he never should have troubled them at all. He never should have come into Parliament only for that question. When Sir John Romilly introduced his

Security of Advances Bill, he brought the subject under the notice of the Irish people, and in [illegible] it was incorporated in the larger scheme for the registration of titles, which he laid before the House last year. He remembered the time when the matter was treated with ridicule; but it had now been taken up by the right hon. Gentleman who had filled the office of Attorney General for Ireland under the Earl of Derby's last Government, and who was the incoming Attorney General under the next Administration. The plan of land debentures was brought under the notice of a Royal Commission some years ago. The Commissioners stated in their Report that the system was not within the range of the inquiry submitted to them; but they further observed that there might be facilities for trying it in Ireland, where strong opinions had been expressed in its favour. Among the eminent authorities who had given evidence in favour of the principle were Mr. Commissioner Longfield and Mr. Commissioner Hargreave, both Judges of the Landed Estates Court. He felt sure, that if the noble Lord the First Minister applied his common sense to the question, he would adopt the views entertained by those who were in favour of these debentures. Instead of the proposal tending, as the noble Lord stated, to re-establish the system of encumbered estates, it would have exactly the opposite effect, because it was proposed that the value of the debentures should not exceed one moiety of the value of the land, and thus a check would be imposed on the borrowing of money.

MR. MALINS said, he was bound to say he could see no practical difficulty whatever in carrying out the measure. If there were an Encumbered Estates Court in England, the measure could be applied to this country with advantage. The debentures were to be issued under the authority of the court, and only to half the value of the land. Under such a system the lender would not want to sell the land; but if he wanted his money, he could sell his debenture for the full amount. The Bill propounded a new and important principle for the landed interest, as it enabled landowners to borrow at the lowest interest, and at small expense.

SIR JOHN SHELLEY observed, that in the case of raising money by debentures upon land in England it was necessary to satisfy the Enclosure Commissioners that the money was to be spent in improving the estate, and if there were such a provision in the Bill, it would get rid of much objection to the measure.

MR. WHITESIDE said, that in reply to the observations of the noble Lord, he wished to observe that according to the doctrines of political economy you could not teach a man prudence by legislation. In reference to the question under discussion, they must consider the people whom it was proposed to legislate for as men who wanted money. By the Bill it would be in the power of the court to issue debentures on a portion of the estate and the remainder would be perfectly free; whereas now the whole land became mortgaged and the owner embarrassed by the appointment of a receiver. By the Bill the money could be easily obtained, while the estate would be improved and expense saved.

Leave given.

Bill to authorize the issue of Debentures chargeable on Land in Ireland in connection with Sales made by the Landed Estates Court, ordered to be brought in by Mr. WHITESIDE and Mr. [illegible]

PARLIAMENTARY PROCEEDINGS.

MOTION FOR SELECT COMMITTEE.

MR. E. P. BOUVERIE, in moving that a Select Committee be appointed to consider whether it is practicable to provide a Compendious Record of Parliamentary Proceedings for the use of Members, said, that there were at present, practically, two records of those proceedings—the Votes, which were circulated from day to day, and the Journals, forming that ancient constitutional Code, if he might so term it, which was made up at the end of the Session from the Votes, and which furnished the legal Record of the Proceedings of the House of Commons. With respect to the Votes, he might observe that it was not until comparatively recent times they were regularly received by the Members of the House; it was to Speaker Abbott, he believed, that hon. Members were indebted for the punctuality in their delivery, which caused them to be laid now, and for some years past, as regularly on their breakfast tables as *The Times* newspaper. Of the Journals of the House he was not disposed to say anything in disparagement. They were the great storehouses in which information was to be sought with reference to the practice and privileges of the Lower Branch of the Legislature. In any case of difficulty or doubt which arose with regard to the practice or those privileges, they were consulted; nor was it by any means the object of his Motion to depreciate their value. It must, however, be admitted that as books of reference they were inconvenient, cumbrous, and for some purposes incomplete. They consisted, he believed, of 116 volumes, and, practically speaking, it would be impossible for Members to have those Records in their own mansions. It was very right that a record should be kept of everything the House did; but it could not be denied that a vast amount of the business which was set down on the Journals was of a character wholly unimportant. They contained, for instance, a large mass of entries connected with Private Business and of unopposed Returns. Every Return presented to the House in obedience to its order was entered in the Journals; indeed, the substantial portion of the entries related to such business as he had just mentioned, while a very small portion of them indeed had reference to those proceedings of the House which were the subject of general interest. He had taken the entries made at haphazard, and he found that on the Journal of last year there were for the 22nd of March 69 separate entries, 27 of which related to Private Business, 21 to Returns presented, 11 to Returns ordered; so that, out of the 69, 10 only were devoted to public business. He also found that on the 25th of April in last year only 8 out of 46 entries had reference to business of general interest. It was clear, therefore, he thought, that those records formed a very cumbrous mass. But beyond that they were, as he had said before, incomplete. They furnished, for example, no account of the proceedings of the other House of Parliament; so that Members of the House of Commons had no means through the medium of any record of their own of ascertaining how the business went on which was sent up to the other branch of the Legislature. The House of Lords, it was true, also kept Journals, and they were to be found in the library; but, as a matter of fact, the volumes for the last two years had not been printed; so the account of their proceedings was in arrear—the consequence being, that if any hon. Member wished to inform himself as to the progress of business in that House during those two years, he must take the trouble of wading through the Minutes, which corresponded with the Votes of the House of Commons. That being so, he thought he was justified in maintaining that the Journals of the House were inconvenient as books of reference; that they were stuffed with a large amount of matter which was of little importance, and that they were, moreover, incomplete. Now, what was required under those circumstances was some "Handy Book," which would enable Members to refer to the business of past Sessions, and ascertain without trouble its progress in both Houses of Parliament. The present was the age of "Handy Books," to the compilation of which no less a person than Lord St. Leonards — not to speak of many other distinguished men — had turned his attention. It was said that there was no Royal road to learning; but a book of that description dealing with the subject of Parliamentary Proceedings would, he had no doubt, tend very much to facilitate the transaction of the business of the House. He did not say that we did many things better than our forefathers, but there could be no question that we did things more quickly, and that we had more things to do. It was therefore desirable that we should have as many short cuts to knowledge as possible. He believed that the great majority of hon. Members were furnished with a book entitled "*The Parliamentary Record for* 1861," which supplied, to a very great extent, the want to which he rose to call attention. That book in a very small compass afforded information as to the various stages of important business in the other House of Parliament, and contained an excellent index. There were also all the material proceedings in this House last Session, with a good index, enabling every hon. Member who might be so disposed to trace the course of public business. He might cite the entries relative to the Qualification for Offices Bill, which was passed through the House last Session, but was lost in another place. On consulting the Journals of the House, he found in the index references to a great number of pages. To look up those pages, and then to run down the long columns as to what was done, would be a work of some time and difficulty. In the index of the publication to which he had alluded all the proceedings on the same Bill were entered as follows:—

"Qualification for Offices Bill.—Ordered to be brought in by Mr. Hadfield, Sir M. Peto, Mr.

Kershaw, and Mr. Baines, and presented and read 1°, 6 Feb. On Motion for 2d reading, amendment by Mr. Newdegate to read it 2° 'this day six months;' debate thereon; House divides:—Ayes 80, noes 93, Majority 13; Bill read second time, 20th of February. Committed and reported without amendment, 6 March. Read 3° 7 March."

That was a clear and brief summary of what was done with respect to the Qualification for Offices Bill in that House, and told one in half a second what one wanted to know, without making numerous references to the pages of the Journals. The Journals, moreover, told nothing of the proceedings on the Bill in the House of Lords; whereas the new publication, by two short references, gave the whole history of the measure in both Houses. It was said that all the necessary information might be got in *Hansard;* but every hon. Member knew that the index in *Hansard,* like the index in the Journals, merely consisted of a mass of references to the different volumes and pages. He did not ask the House to pledge itself to any decision on the subject, which, however, was one that ought to be carefully considered by a Select Committee. The duty of preparing such a record as he had indicated could not well be discharged by the officers of that House, inasmuch as it necessarily embraced in its purview the Proceedings of the House of Lords, and it would not be consistent with the position of the Commons relatively to the Lords that they should send their officers to pick up information for them in the other House. He would not now state how he thought the thing could be done, but he trusted the House would send the matter to a Select Committee; and if the scheme should turn out to be impracticable, they would at least have the satisfaction of knowing that they had attempted to obtain a simple and compendious record of their proceedings. The right hon. Gentleman concluded by moving for "A Select Committee to consider whether it is practicable to provide a compendious record of Parliamentary Proceedings for the use of Members."

Mr. WALPOLE seconded the Motion.

Mr. SOTHERON ESTCOURT objected to the proposition of the right hon. Gentleman the Member for Kilmarnock on two grounds. One was, that though not directly or in distinct terms, yet virtually it infringed a rule which had always hitherto been observed — namely, that whatever was printed bearing reference to the Proceedings of the House should emanate only from the authority of the Speaker. The other was, that it might be drawn into a precedent for giving encouragement to something like a job in favour of some particular publisher or some particular author. If it were not for the high opinion which he entertained for the Mover and Seconder of the Motion, he should take the liberty of proposing that the matter should be postponed; but since the proposition came from a right hon. Gentleman who had long occupied a position inferior only to that of the Speaker, and was approved by another whose authority all would readily acknowledge, he would not press his objection further on the present occasion. He hoped, however, that the Committee about to be appointed would look cautiously into the matter, and not give their sanction to any proposition such as that indicated by the right hon. Gentleman the Member for Kilmarnock unless they were satisfied, first, that the scheme would not interfere with the privileges and prerogatives of the Speaker; and, secondly, that it was not likely to be drawn into a precedent which might be prejudicial to the conduct of the proceedings of the House.

Mr. WALPOLE admitted, that if they were to have a Select Committee, it was most proper that the two points to which his right hon. Friend had directed his observations should be carefully considered. The grounds upon which he was anxious that the matter should be inquired into might be briefly stated. He thought it was expedient that they should have a compendium of their Proceedings independently of those larger collections which were contained in the Journals. Those who were accustomed to consult the Journals would agree with him that there could not be a more unwelcome task than that of taking down folio volume after folio volume in order to discover a reference upon which they wished to act. He did not regard the proposed publication as a substitute for the Journals, for the Votes, or for *Hansard,* but as something intermediate. It was a manual which every gentleman might have on his table, and in which he might find on one page, if the work were well indexed, a reference to all the proceedings with respect to which he desired to inform himself. If he wanted fuller information, he could go to *Hansard.* The importance of the observations which his right hon. Friend had addressed to the House could not be doubted. If the proposition contained anything which could possibly interfere with the authority of the Speaker, he should be the last to give it his support; but he was persuaded, that if the Committee were well selected, which he had no doubt it would be, it would not allow anything to be done in the way of interference with the authority of the Chair. He believed that proper checks and guards could easily be devised to prevent any such interference; and if that were so, the proposed publication would be so valuable and convenient that he thought it ought to receive every encouragement. So, with respect to the second objection of his right hon. Friend. Care should be taken to avoid the perpetration of a job; but he believed there was nothing of the kind to be apprehended in the present instance. What the Committee would have to consider was, whether they could really get a valuable compendium which it would be worth while for the House to sanction. He was convinced that the publication would materially assist all who took part in the proceedings of the House; and, speaking for himself, he entertained the hope that it would save him many a half-hour which would otherwise be spent in a laborious and tiresome search of the Journals.

MR. VINCENT SCULLY suggested, that "desirable" should be substituted for "practicable" in the Motion, or that both should be inserted, making the words run "practicable and desirable." As to a compendious record, he thought they had a very excellent compendium already in *The Parliamentary Record,* referred to by the right hon. Gentleman. What they wanted was accurate and authorized reports of the debates and proceedings of the House.

MR. NEWDEGATE said, that the House had never adopted such a course as that proposed. They were indebted to Mr. Hansard for a valuable enterprise; but during the whole time of its existence the House had never assisted that gentleman with a single shilling. He thought the day would come when they must have reports of their own, and he could not conceive that anything better could be done than to place a Parliamentary corps under the superintendence of Mr. Hansard. The *Parliamentary Remembrancer* of Mr. Toulmin Smith, however, was a work to which he had subscribed for the last three years, and he had found it to be of very great assistance; and he thought that to adopt the book referred to by the right hon. Member would be to give an undue preference and favour to one particular author. As he understood it, the work now in contemplation would give parts of speeches and portions of debates: what security, he asked, could there be that these selections would be made with fairness and impartiality? He saw some grave objections to the course proposed, lest there might be any invasion of the privileges of the House or lest it might be unjust to Mr. Hansard. The best security which they could have for an accurate record of their proceedings was that of the admission generally of the public press; and every production of this kind might well rest on its own merits. However, if the right hon. Gentleman (Mr. Sotheron Estcourt) would consent to the Motion, he should not oppose it.

VISCOUNT PALMERSTON: I have no objection to make to the proposal of my right hon. Friend. I have no doubt, if there could be afforded to Members of the two Houses a condensed compendium of the proceedings of each Session, it might be exceedingly useful. It is quite true that we have very accurate records already; but it is also true that those records are in a shape which makes them not very easy of reference. In the first place, with regard to the Journals, any one who refers to them must go to the libraries of one or the other House; whereas, in such a record as that now in contemplation, he would have the book to which he wanted to refer in his own possession. Therefore, I think the object is one well deserving the consideration of the Committee. On the other hand, there are, no doubt, circumstances which show that the proposal is one which ought to be maturely considered before it is adopted. I think this is exactly the case in which the appointment of a Committee is a proper step to be taken; and if my right hon. Friend makes a good selection of Members, I have no doubt that full consideration will be given to what the convenience of hon. Gentlemen may require, and what the privileges of the House may demand. If I understand the matter rightly, I do not think that what is suggested will in way interfere with the publication of *Hansard,* which is a most wonderfully accurate record of what passes in debate—word for word very often. That which I understand my right hon. Friend to have in contemplation is a short statement or general outline of what Members may have said and of the proceedings of the House. I think, therefore, the proposal is one which may be properly adopted by the House on the grounds which I have stated.

Motion *agreed to.*

INDUSTRIAL AND PROVIDENT SOCIETIES BILL.

LEAVE. FIRST READING.

MR. SOTHERON ESTCOURT said, he rose to move for leave to introduce a Bill to consolidate and amend the laws relating to industrial and provident societies. He believed there would be no objection to the Bill, and on a future occasion he hoped he should have a better opportunity to explain the details of the measure.

Leave given.

Bill to consolidate and amend the Laws relating to Industrial and Provident Societies, *ordered* to be brought in by Mr. SOTHERON ESTCOURT and Mr. SLANEY.

Bill *presented,* and read 1°; to be read 2° on *Wednesday,* 30th April, and to be *printed* [Bill 68].

House adjourned at One o'clock.

* * *

HOUSE OF COMMONS,

Wednesday, April 2, 1862.

MINUTES.]—PUBLIC BILLS.—1° Judgments Law Amendment (Ireland); Debentures on Land (Ireland).
2° Sir John Soane's Museum.

MARRIAGES (IRELAND) BILL.

COMMITTEE.

Order for Committee read.

Motion made and Question proposed, "That Mr. Speaker do now leave the Chair."

SIR EDWARD GROGAN said, he should oppose the Motion. It was to be regretted that a Bill of so much importance as regarded the social peace and happiness of the people of Ireland, had been allowed to be read a second time without any discussion. Nothing but the strongest sense of duty could have induced him to oppose a measure to which his hon. and learned Friend (Sir Hugh Cairns) had devoted so much time and trouble; but the more he looked into the Bill, the more he disapproved of it. He had intended to move that it be referred to a Committee upstairs; but the more he considered the Bill, the more he was convinced that his objections to it could not be removed by simple modifications. The existing Marriage Act for Ireland was not of very old date, and with much trouble had been brought into working order; and now that that object had been achieved a measure was brought forward, proposing to upset the whole system. With regard to mixed marriages, the Bill, like the present law, made their celebration a felony on the part of the priest, unless certain prescribed forms were adhered to, but no security was afforded that those forms would be observed; and no due precaution was taken to prevent the marriage of two persons, minors perhaps, who might profess to be Roman Catholic for the purpose of getting married by a priest, and on the next day might return to their former profession as Protestants. He saw no reason why the marriage law in operation in England, against which he had heard no complaint, should not be extended to Ireland. Such a proposal, he should contend, would be a much better proposal than that of the hon. and learned Gentleman. The Bill, while professing to simplify the marriage law of Ireland, established four different codes of marriage law applicable to marriages of persons of different persuasions. The whole subject was one of great importance, and therefore he had thought it necessary to give an opportunity to Irish Members to express their opinions on its principle. So far from its being an improvement of the law, it would be a blemish as respected Roman Catholics, whereas, as far as regarded Protestants it would only accumulate difficulties in the way of their marriage in Ireland.

Amendment proposed,

"To leave out from the word 'That' to the end of the Question, in order to add the words 'this House will, upon this day six months, resolve itself into the said Committee,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BAGWELL said, he thought that little good would result from referring the Bill to a Select Committee, seeing that the whole question of Irish marriage law was considered in a Select Committee last year on the registration of births, deaths, and marriages in Ireland. The Bill would create a system in Ireland, which would be generally acceptable to the people, and there was no defect in it which could not be cured by a discussion in Committee of the Whole House.

Mr. GEORGE observed, that Her Majesty's Government had been wanting in their duty in not taking up a Bill of so much importance as a Government measure. If the recommendation of the Select Committee of last year that duplicate registries of marriages should be kept, one at the place of marriage and the other at the Registrar General's in Dublin, were adopted, then there would exist that uniform registration of marriages which had so long been desired in Ireland. He would not, of course, resist the Motion for going into Committee on the Bill; but he was bound to say that, as it stood, it did not carry into effect the resolution at which the Committee upstairs had arrived with respect to the mode of registration by a large majority, and would fall very far short of the expectations of the community at large.

Mr. VINCENT SCULLY said, he fully concurred with the hon. and learned Member who had just spoken in the opinion that the Government had failed in their duty in not dealing with the question. He was prepared to give the right hon. Baronet the present Chief Secretary for Ireland credit for the best intentions; but he must at the same time say that he had, in framing the measures which he had submitted to Parliament in the present Session, made choice of the very worst system on which they could be based—owing, no doubt, to his want of experience of the country and of legislation. It was held out to the English public and the world that Ireland had a *bonâ fide* representation in that House; but he denied the fact. They were generally governed by inexperienced gentlemen, holding the office of Irish Secretary, who, having set their foot in Ireland for a fortnight, fancied they knew more of the country than those who had passed their whole lives in it. He might be asked why, under such circumstances, he remained in the House at all? His only reply was, that at that moment it suited his family and personal convenience. So far as the Bill of the hon. and learned Member for Belfast was concerned, he did not wish to oppose it, though it was not one which he could altogether approve. In accordance with the recommendations of the Committee, he was for a general register by one set of officers, and not for legislating piecemeal, and having marriages registered by one set of officers, and births and deaths by another. His view was that births, deaths, and marriages should be registered by the clergy of the different denominations. He was disposed to have proposed the omission from the Bill of the registration of Roman Catholic marriages; but that would probably be jumping out of the frying-pan into the fire, by handing over the registration of those marriages to the pet police of the right hon. Gentleman.

Sir ROBERT PEEL said, he thought they might discuss the clauses of the Bill in Committee with advantage, and thus succeed in passing a measure which would be acceptable and useful in Ireland. The hon. and learned Member, who, as usual, imported the police into the question under discussion, was mistaken in supposing the Government had been wanting in their duty in not proposing a measure dealing with it. The facts of the case were that the Bill had been brought in early in the Session by the hon. and learned Member for Belfast, when he himself had intimated that it was the intention of the Government to introduce a Bill on the subject; that Bill, out of respect for the hon. and learned Member for Belfast, he proposed not to lay on the table until the measure of which he had given notice had been produced. That being so, the Bill of the hon. and learned Gentleman proceeded to a second reading, and met with such universal approval that nobody opposed it; and he could not help thinking that it would not, under those circumstances, be well for the Government to interfere with the views of the Irish Members. The remarks, therefore, which had been made by the hon. and learned Member for Cork as to the inexperience of Irish Secretaries were not very appropriate on the present occasion, seeing that he himself, in the course he took, had merely deferred to a distinguished Irish Member, and consented to leave the matter in his hands. Of that Bill itself he must say that he thought some of its provisions required very considerable amendment. It would, for instance, he thought, be impossible to work with advantage a system in accordance with which the clergy of all denominations of Christians in Ireland—of which he believed there were no less than sixty-four—should be called upon immediately to send a register to the Registrar General in Dublin. There was, at the same time, no reason why the Bill might not be so improved in Committee as to render it a measure of great utility to Ireland.

Mr. LONGFIELD said, if he thought that when they went into Committee upon the Bill there was the slightest chance of their labours ending in a satisfactory manner, he would readily assent to the Motion; but it was impossible that the Committee could adopt the Bill as it now stood. The hon. and learned Member for Belfast had done what the House had objected to last Session, namely, mixed up in his Bill two things which were entirely distinct—the religious celebration of marriages, and the registration of the evidence of marriages. It was admitted on all hands that numerous important alterations would have to be made in the Bill; but as these had not been printed, it would be utterly futile to go into Committee on the present occasion. He, however, thought that it would be discourteous to the hon. and learned Member to oppose the Motion, and he would suggest that they should go into Committee *pro formâ*, and postpone the discussion upon the clauses until after Easter.

Mr. WHITESIDE said, that he would admit that the law of marriage in any country, but more especially in a country in which considerable differences in religious belief prevailed, was a subject with which it was most difficult to deal satisfactorily. In dealing with it, the late Government had proposed to embody their views in one measure, which he held was the right course to adopt; and when called upon to consider the matter in his capacity of law officer of the Crown, he had come to the conclusion that it was expedient to procure, if possible, a registration of the fact of marriage, and that by attaining that end the difficulties which stood in the way of Roman Catholics establishing their pedigrees or their right to property in the courts of law would be removed. The attempt, he might observe, was constantly made to put in evidence the certificate of the Roman Catholic priest as proof of the marriage; but that was worth nothing, inasmuch as no Act of Parliament imposed upon him the duty in that respect which was imposed on clergymen of the Established Church. In the case of Malone and O'Connor, for instance, the decision was that the certificate of the priest could not be received as legal proof. Now, as the Roman Catholics formed a large portion of the community in Ireland, it was but fair that their rights should be secured in like manner as those of other people. Well, the late Government, as he had already said—and it should be borne in mind that they had law officers in the House—introduced a Bill with a view to meet the difficulties of the case, while another, based on the same principle, had been introduced by the right hon. gentleman the Member for the city of Oxford (Mr. Cardwell); and these two measures having been before the House, the subject was referred to a Committee. Nothing could be more fair or impartial than the manner in which the investigation of the Committee.—which was presided over by the right hon. Gentleman, who was one of those short lived Chief Secretaries for Ireland who came and went like birds of passage—was conducted. Well, they proposed a Resolution in accordance with which the desirability of allowing a certificate to be sent up by the parish priest at once to the Registrar General in Dublin, and giving him a small gratuity for doing so, instead of establishing an expensive machinery for the purpose, was advocated. That Resolution had been passed, and when Irish Members agreed in regard to legislation upon local affairs, their opinions ought to be respected, and it would be utterly impossible for the Government to conduct the government of Ireland if they did so in violation of those opinions. It was not, however, he would admit, fair to throw the blame of what had since taken place with respect to it on the right hon. Baronet the present Chief Secretary, or to find fault with him for not having done that which his predecessor ought to have accomplished. The right hon. Gentleman the Chief Secretary had not the assistance of the Irish law officers, and, though he did the best he could, it would be hardly fair to ask him to take up such a subject as that under consideration. The right hon. Gentleman the Member for Oxford, as Chairman of the Committee, ought to have proceeded with the Bill, but he left his office and left his Bill. If Ireland was to have a system of registration at all, the hon. and learned Member for Belfast deserved the thanks of the House for taking up the clauses as recommended by the Committee of last Session, and incorporating them in his Bill. It was, no doubt, extremely difficult for a private Member to deal with so large and important a question as the marriage law of Ireland, but his hon. and learned Friend represented a large constituency. His hon. and learned Friend had been blamed for attempting to provide for each denomination of Christians. It would be his duty in Committee to take care that no additional difficulty should be cast upon the Established Church in the celebration of marriages. If the Presbyterians were satisfied, and if the rights of the Established Church were properly respected, there would only remain the question touching the Roman Catholics. He agreed that the clauses dealing with mixed marriages would require mature consideration in Committee. Meanwhile, he might remark that the proposal in the Bill to enable a parish priest to marry a person not of his own persuasion was accompanied by the provision that the priest could celebrate such a marriage only in the way prescribed by the Act. If that provision should be thought not sufficient to guard against mischief, it would be their duty to amend it in Committee. It was quite clear that the Irish Administration could do nothing; and therefore he thought the House could not do better, while attending to all the suggestions that could be made, than endeavour to pass the Bill of his hon. and learned Friend.

MR. CARDWELL said, he was sure that the House had only one desire on the subject—to take the first opportunity of getting rid of a difficulty which had been felt in Ireland ever since the establishment in England of a system of registration of births, deaths, and marriages, twenty-five years ago. He gave the fullest credit to the Government of the Earl of Derby for their attempt to overcome that difficulty. The present Administration had also endeavoured to settle the question. When he was Chief Secretary, he introduced a Bill for the establishment of a uniform system of registration. At the request of the Irish Members that Bill was referred to a Select Committee, though he objected to that course, because he saw that it would be fatal to the Bill passing during the session. For the first time in the history of Ireland the Committee appointed to consider it exhibited a perfect concurrence of opinion among all religious denominations that there should be established a registration of marriages in Ireland. The Committee did not go into the registration of births and deaths, but it really solved the whole question, because the only difficulty was about the registration of marriages. That was a golden moment for settling the question, but it was near the close of the session, and just as the Committee was about to terminate its labours, a Resolution was moved in the House which gave to the clergy of the different denominations in Ireland, who were to make the entries in the register, a remuneration five times the amount paid to the clergy in England and Scotland for the performance of a similar duty; and whereas the remuneration in England and Scotland was paid from local rates, it was proposed in the case of Ireland to place the charge upon the Consolidated Fund. No Member of the Government could have ventured to recommend to the House the adoption of such a proposition, when it was not intended to extend the same advantage to England and Scotland, and, as most of the Irish Members left town soon afterwards, he thought it would not be right to proceed with his Bill in their absence. Such was the reason why he withdrew the measure at the end of last Session. The House was now asked to consider a Bill dealing with the whole subject of the law of marriage in Ireland. That law required amendment in three particulars, two of which were of great importance, and all of which were dealt with in the present Bill. One was, that there was no register of marriages in Ireland. The second was, that as the law now stood, and as no one wished to perpetuate it, a marriage celebrated by a Roman Catholic priest between two persons, one of whom was and the other was not a Roman Catholic, was invalid, and the priest who celebrated it was guilty of felony. It was also proposed by the Government last session to remedy that evil, and, with the assistance of the late Lord Campbell, a Bill for that purpose was introduced and passed through the House of Lords. But just as that Bill was about to approach the House of Commons the hon. and learned Member for Belfast moved the appointment of a Select Committee to inquire into the law of marriage in Ireland. To that Motion, which was seconded in an eloquent speech by the right hon. and learned Member for Dublin University, the Government gave willing assent, and the Bill altering the law of marriage, which they had prepared and were ready to proceed with, was suspended pending the sittings of the Committee. It happened, however, that the Committee was not appointed at all; and he understood that the hon. and learned Member for Belfast, after communications with the Irish Members, which his great influence with them and his knowledge of Ireland entitled him to hold, thought the better course would be to introduce a Bill on the subject at once. The third particular in which the existing law was defective, though not of general interest, was of considerable importance to certain classes of Protestant Dissenters in Ireland, who felt that their interests were overlooked when Parliament passed the Irish Marriage Act in 1844. Upon all the three points a remedy was proposed by the hon. and learned Member for Belfast; and, since the subject had fallen into such good hands, it would not have been decorous on the part of the Government not to have given it a fair and candid consideration, and, as far as possible, their support, and to have insisted upon introducing a measure of their own. He contended that the Government had taken the course which it was their duty to pursue. The hon. and learned Member for Belfast had incorporated in his Bill precisely those registration clauses to which he was able last session to give his assent; but not that giving fivefold remuneration to the clergyman who made the registrations, having left it to the House to say what, in its wisdon, was the proper remuneration. He hoped the House would not dispute as to who was to have the credit of carrying a measure on that important subject. Let them rather rejoice that there was a prospect, by the concurrence of all parties, of remedying that which had long been a defect in Irish legislation—namely, the want of some certain means of establishing by evidence the legitimacy of children and the right of inheritance.

Colonel FRENCH said, he hoped the House, without indulging in further discussion, would go into Committee at once. Not a single objection had been urged against the Bill which might not be disposed of in Committee.

Sir HUGH CAIRNS said, the reason given why the House should not go into Committee — that there were various Amendments to be made in the Bill—was a very singular one. He should not have been surprised to find that a Bill consisting of between 100 and 200 clauses, contained a great deal which might be amended in Committee; but what were the facts? The Bill was prepared so far back as July last year; it was introduced at the very commencement of the present Session, no attempt had been made to hurry it forward; the second reading was unopposed, and up to that day not a single Amendment had been put upon the paper. He had every reason for believing that no violent opposition would be offered to the details; but the fact that Amendments might be proposed was certainly no reason for not going into Committee. Several objections had for the first time been urged against the Bill. One was, that there ought to be established in Ireland a comprehensive, simple, and uniform scheme, applicable to all denominations and all parts of the country alike. In the justice of that observation, as far as theory was concerned, he entirely concurred. He agreed that in the matter of a contract which was one of the most important into which a person could enter, there ought, if possible, to be a uniform system adopted by the State as regarded publicity and notice, leaving each denomination to superadd its own religious forms. But, unfortunately, he could not legislate upon that principle, nor did he believe that any Government in the present day could do so. If it could be done, it ought to be done by the Government; and if done at all, it ought to be done for the whole three kingdoms together. To the establishment of such a system in Ireland there were many insuperable practical difficulties. The Established Church had a system of licensing through the medium of surrogates, which prevailed not merely in Ireland, but also in England; and was it to be expected that the members of the Church would surrender the whole of their privileges in order to merge themselves in the general body of the community? Some members of the Irish Church, it was true, had shown themselves willing to do so, but it was one of the fundamental articles of the Union between England and Ireland that the practices of the Church in both countries should be the same; and, consequently, Parliament could not touch the practice with respect to licensing in Ireland without altering it in England also. So with regard to the Presbyterians. Their system of licensing was established in 1845, and they were satisfied with it in the main. It would be vain to ask them to abandon it. The Roman Catholics also had a system with respect to the law of marriage between Roman Catholics alone which they would object to see changed. He maintained, then, that if the three most powerful Churches in Ireland were to combine, as they would be sure to do, it would be utterly impossible for any Government, far less any independent Member, to carry a comprehensive, simple, and uniform scheme in the face of such an opposition.

Another objection was, that the Bill abolished the marriage law in Ireland, and substituted a different code for it. The Bill did nothing of the kind. It contained a great many clauses, but most of them were mere re-enactments of the old law, and the new sections were comparatively few in number. The hon. Member for Dublin City (Sir E. Grogan) had said that the marriage law was working in a satisfactory manner, and should not be interfered with. He did not think that statement would be seconded by any hon. Member in the House. For years past the cry had been that the marriage law in Ireland was in an unsatisfactory state, and the right hon. Gentleman the Chancellor of the Duchy of Lancaster had just pointed out the particulars in which it was most defective, and with which the present Bill attempted to deal. He admitted that the marriage law as carried out under the superintendence of Dr. Ratcliffe worked satisfactorily, but that portion of the law related only to the Established Church, and with it he did not propose to interfere in the least.

The next objection was one which had been made elsewhere—that the Bill laid down a different measure of law for different denominations. That objection arose from a superficial observation of the character and nature of the Bill, which did not propose to do anything of the kind. He had already stated that the Established Church and the Presbyterians had systems of their own by which two checks were provided—first, the check of the person who granted the licence, and then the check of the clergyman who celebrated the marriage. But when the Presbyterians obtained their system, in 1845, Parliament entirely overlooked the fact that it left all other bodies of Protestant Dissenters, which up to that time had enjoyed free action in regard to the celebration of marriages, without any provision at all, throwing them into the office of the registrar, obliging the registrar to be present at the marriage, and leading to the certificate being signed and pleaded as if the marriage were celebrated by the registrar instead of a minister. It was mainly to remedy that grievance—a grievance which was loudly complained of by the Protestant Dissenters—that he had introduced the present Bill, and the way in which he proposed to deal with it might be briefly explained. The Methodists had a central body—the Conference—and he proposed to put them upon precisely the same footing as the Presbyterians; but the various bodies of Congregationalists—Independents, and others—having no central authority, making it a matter of boast that every congregation was a separate Church, and that there was no necessary connection between one congregation and another, could not, without infringing their principles, appoint a licenser for the whole body. What the Bill proposed was, that the Congregationalists should give their notices to the district registrars, just as they would give them to the licenser if they had one; that they should get certificates of the notices having been received and duly published by the registrars; and that then they should be in the same position in which the Presbyterians and the Methodists were when they had given their notices to the licensing minister, and got his certificate. It would thus be seen that the variety was only in name, and that in substance the systems were the same. Coming to a different subject, he might mention that only one change was introduced in reference to marriages in the Established Church—namely, a residence of fourteen days, thereby adopting the provision in the Scotch Act. With regard to the provision repealing the Act of George II., the hon. Member for Dublin was of opinion that the result would be that the Roman Catholic priest would be allowed to marry Protestants; but that was a misapprehension of his hon. Friend. He (Sir Hugh Cairns) would be as much averse as any one to such legislation; but as he understood the provision in the Bill it would not have that effect. With respect to the registration clauses, he was quite ready to surrender them to the Government if it should be thought desirable to pass them as a separate measure. If the House went into Committee, as he hoped they would, he should propose to take only the clauses up to 44, which were re-enactments of the existing law, and postpone the new clauses till after Easter.

Mr. LEFROY said, when he came into the House that morning he was disposed to support the Amendment of the hon. Baronet the Member for Dublin; but after hearing the observations of his right hon. and learned Colleague (Mr. Whiteside) and the hon. and learned Member for Belfast, he should certainly regret that any step should be taken which would delay the measure going into Committee. He, however, thought it would be much more desirable if the Bill were confined alone to the question of registration, and had not attempted to deal with the other difficulties arising out of the present marriage law in Ireland. He hoped that they would succeed in carrying a useful Bill through Parliament with good feeling and good temper, and that it would prove beneficial to Ireland.

Sir EDWARD GROGAN said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

House in Committee.

Clauses 1 to 7 *agreed to.*

Clause 8 (Registrar General to appoint Clerks).

Sir ROBERT PEEL said, he would move the insertion of the words "the Lord Lieutenant, or Registrar General subject to the approval of the Lord Lieutenant."

Sir HUGH CAIRNS observed, that in practice the Registrar General appointed subject to the approval of the Lord Lieutenant, but he had not the least objection to the words proposed being introduced.

Mr. WHITESIDE said, he thought it was better to leave to the Registrar General the appointment of the Clerks.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 9 *postponed.*

Clauses 10 to 18 *agreed to.*

Clause 19 (Banns to be published on three Sundays).

Sir ROBERT PEEL suggested the introduction of the word "holidays."

Sir GEORGE GREY said, that the clause had better stand as at present, otherwise banns might be published on only one Sunday and two saints' days immediately following, so that a marriage might be celebrated within one week, instead of, as the intention was, in three weeks.

Clause *agreed to.*

Clauses 20 to 26 *agreed to.*

Clause 27 (Hours within which Marriages may be solemnized).

Mr. WHITESIDE inquired what was the restricted time in the Church in England?

Sir ROBERT PEEL replied, that the hours were eight to twelve; but he approved of the clause in the present Bill, which extended the time till two.

Mr. Lefroy

Mr. WHITESIDE said, he was quite satisfied to follow the English example.

Colonel FRENCH said, he thought the penalty of felony for celebrating a marriage beyond the prescribed time was unnecessarily severe.

Sir ROBERT PEEL: The clause says "wilfully."

Clause *agreed to.*

Clauses 28 to 43 were also *agreed to.*

House *resumed.*

Committee report progress; to sit again *Wednesday 14th May.*

LAW OF PROPERTY AMENDMENT BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

Clause 1 (Implied or constructive Notice as affecting Purchasers for value and Mortgagees).

The SOLICITOR GENERAL said, that the hon. and learned Member for Reading (Sir F. Goldsmid) had given notice of a Motion for the omission of the clause; and, certainly, rather than that it should pass in its present shape it would be better to expunge it altogether. The clause as it stood would disturb and unsettle the existing state of the law regarding constructive notice, which was pretty well understood by those who had to investigate the title to property. It proposed to enact that where a purchaser for valuable consideration or a mortgagee had not direct notice of any instrument or incumbrance affecting the title to the property purchased, or taken in mortgage, but was sought to be charged by constructive notice, he should not be made liable by reason of any such instrument or incumbrance unless the court before which the question was raised should be of opinion that the conduct of such purchaser or mortgagee amounted to fraud, or unless the circumstances of the case were such as to satisfy the court not only that he might have acquired, but that in the exercise of ordinary care and diligence he ought to have acquired, the knowledge with which it was sought to affect him. Until there had been a judicial decision upon the words of the clause, nobody could tell what legal effect they would have; and he thought the Committee ought to pause before it substituted so vague a rule for principles already well known and defined. Moreover, the clause tended to favour the wrong party;

for in a case in which the question might be, which of two innocent parties should suffer from the fraud of a third, the operation of the clause might be to favour the more negligent at the expense of one who had used greater diligence, and was also prior in time. This did not seem to him to be a change in the right direction. He had, therefore, himself prepared an Amendment which, while it would mitigate the harshness of the present rule of constructive notice, would be free from the objections to which the clause as it stood was liable. He should propose that the latter part of the clause, beginning at the tenth line, should be omitted, in order to substitute other words protecting the purchaser or mortgagee from all liability on the ground of constructive notice of documents of which he knew nothing except from their being imperfectly recited in other instruments, unless the production of the documents so recited ought to have been required for the purpose of showing the title of the vendor or mortgagor.

Mr. MALINS remarked, that upon so abstruse a subject it would be impossible to discuss the Amendment unless it were printed.

The SOLICITOR GENERAL said, he was willing to take any course the House might desire as to printing the Amendment; but unless the proposition were acceded to, he should feel bound to oppose the clause altogether.

Sir FITZROY KELLY said, he could not agree that the law upon the subject was at all settled, and, even if it could be called settled, that it was not open to great improvement. Neither could he agree that the clause left any doubt as to what should be the real test of notice. At present, if a person purchased an estate, and his solicitor took all possible pains to investigate the title by laying the deeds before a conveyancer, who reported them to be satisfactory, and after the completion of the purchase it appeared that a certain prior transaction mentioned in the deeds was untruly described—money advanced not having been repaid as stated—the mention of that transaction was held to be constructive notice. It was to remedy that injustice that the Bill was framed. The proposed measure, or one similar, had passed three times the House of Lords, and was recommended by the highest legal authorities in that House. He did not believe that the Amendment proposed by the hon. and learned Solicitor General would effect any improvement in the law, and that the public interest would be best served by passing the Bill as it came from the House of Lords. The principle of the clause was to remedy an injustice to which innocent purchasers were liable, and he could not see what better test of notice could be provided than was afforded by the words of the clause.

Sir FRANCIS GOLDSMID stated, that he should oppose the passing of the clause unless the proposed Amendment of his hon. and learned Friend were assented to. High authorities in the House of Lords having been referred to, it might be well to consider how the House of Commons had dealt with preceding clauses of a similar nature. In 1860 a clause to the same effect was objected to by the right hon. Gentleman the present Secretary of War, Mr. Deasy, and others; and the right hon. Member for the University of Cambridge, who had charge of the Bill, requested that the clause might pass *pro formâ*, undertaking to consult the Attorney General. The clause was struck out without further observation, and the inference was that the opinions of the Attorney General were unfavourable. Last year the same clause in substance came down in a separate Bill from the Lords, and that Bill was reported against by a Select Committee. That Committee was not obliged to reject the Bill; but it might have amended it if it had considered it desirable to do so. The present Bill would have the effect of unsettling the law, and rendering it more obscure. Lord Cranworth had laid it down, and Lord St. Leonards had adopted the doctrine, that the question of notice was not whether the purchaser might have obtained knowledge, but whether his not obtaining it was an act of gross and culpable negligence. That decision was intelligible, but this clause would only create difficulty and uncertainty by using other words—"in the exercise of ordinary care and diligence." The law was now defined, but the Bill would unsettle it, and give rise to litigation from a belief that a different rule had been sanctioned by Parliament.

Mr. MACDONOGH said, the Bill came down from the House of Lords commended by the highest authority. The object of the Bill was to protect purchasers for valuable consideration, and to produce such a Bill Lord St. Leonards said had been the object of his life. The most serious evil and inconvenience with which this Bill proposes to deal is that of constructive notice. It was not enough that courts of equity had postponed the registered to the unregistered deed—that they have fixed an innocent person with the consequences of actual notice to an agent, who deceives that innocent principal, but they have held an innocent purchaser to be affected by constructive notice with which they first fix that agent: that is, the courts have imposed on a purchaser for value the penalty of loss of property in cases where there was a total abstinence of fraud—where neither principal or agent had actual notice of the prior title, and where the entire question is this—"Was there constructive notice of the prior equitable right?" Judges are now singularly unanimous in the opinion that the doctrine of constructive notice ought not to be extended. In "Hare *v.* Lord Egmont," Lord Cranworth thus expresses himself—

> "It is highly inconvenient for courts of equity to extend the doctrine of constructive notice: that where a person has actual notice of any matter of fact, there can be no danger of doing injustice, if he is held to be bound by all the consequences of that which he knows to exist. But when he has not actual notice, he ought not to be treated as if he had notice, unless the circumstances are such as to enable the court to say, not only that he might have acquired, but also that he ought to have acquired, the knowledge with which it is sought to affect him—that he would have acquired it but for his gross negligence in the conduct of the business in question."

He thought the clause was clear and definite, and therefore he should advise the Committee to adopt it, for it would establish the rule that constructive notice should not be allowed to operate if fraud had not been perpetrated by a purchaser or gross negligence had not been committed by him. The doctrines of law and equity on this point would then be concurrent.

Mr. LONGFIELD said, he should support the hon. and learned Member for Reading if he pressed his opposition to the clause to a division. The clause either made a change in the law or it did not. In the first case it was unnecessary; in the second case it would be mischievous. He could not pretend, on the moment, to pass an opinion on the effect of the Amendment of the hon. and learned Solicitor General.

Mr. MALINS said, when the clause was before the House in previous Sessions he had been successful in causing its rejection; it now came in an altered shape, but the mischief still remained. The object of it was simply to carry into effect the law as it was laid down in the case of Hare *v.* Lord Egmont. As Lord St. Leonards had given the clause his high sanction, and the other Law Lords assented to its principle, and as it would do no harm, though it would lead to no good, he would withdraw further opposition.

The SOLICITOR GENERAL said, he would not press his Amendment until hon. Members had had an opportunity of seeing it in print. If, therefore, it was the pleasure of the Committee to pass the clause, he should move his Amendment upon the report. It was remarkable enough that no one could tell the Committee whether the clause altered the law or not; and, with great deference to noble and learned Lords who were said to have endorsed this provision, he should feel bound, if a division were called for, to vote against the clause.

Mr. WALPOLE said, that the law was not materially altered by the clause, which would not, if adopted, create confusion, because it was expressed in the very words of the decision which the courts now recognised and acted on. Out of deference to the high authorities from whom it had emanated he should support the clause.

Sir FRANCIS GOLDSMID said, the effect of the clause would be to embarrass the judges, and to produce Chancery suit after Chancery suit. Whatever its effect might be, it professed to be something more than a declaratory clause; it would not tend to prevent the alleged vacillation of the judges, and it would lead to the utmost uncertainty.

Question put, "That the clause, as amended, stand part of the Bill."

The Committee *divided*:—Ayes 56; Noes 45: Majority 11.

Clause 2.

Mr. MALINS would move the omission of the clause. It provided that in every case in which a clergyman was made a bankrupt under the Act of last Session, and the sequestration enforced against the living at the time of the bankruptcy, the sequestrating creditor should lose the advantage of his sequestration. He did not see how it was possible to maintain such a provision.

Sir FITZROY KELLY said, the clause would certainly introduce a new principle; and if the sense of the Committee generally should seem to be opposed to it, he would not put them to the trouble of dividing upon the subject.

Mr. WALPOLE said, he could not support the clause. A sequestration creditor should not be placed in a worse position than a creditor under an execution.

Mr. AYRTON said, he feared that noble Lords, when considering the Bill, had devoted their entire strength to the first clause, and then, finding the dinner-hour had come, left the remaining clauses to their fate. The clause ought not to be retrospective in its character. He thought a sequestration should be placed on the same footing as an ordinary execution, and cease the moment the debtor was declared a bankrupt, so as to become part of the general stock to reimburse the entire body of creditors.

The SOLICITOR GENERAL said, he thought that legitimate objection had been taken to the clause.

Clause *negatived.*

Clause 3 struck out.

Clauses 4 and 5 *agreed to.*

On the Motion of Mr. Hadfield, clauses added—

A. "Judgments, &c., not to affect Lands until memorandum thereof, deposited in Court of Common Pleas, at Westminster."

B. "Certain Provisions of Acts 2 & 3 *Vict.* c. 11, & 3 & 4 *Vict.* c. 82, to apply to such Judgments."

Remaining clauses *agreed to.*

House *resumed.*

Bill *reported,* with Amendments; as amended, to be considered on *Monday* next, and to be *printed.* [Bill 69.]

SIR JOHN SOANE'S MUSEUM BILL.

SECOND READING.

Order for Second Reading read.

Sir GEORGE GREY, in moving the second reading of this Bill, said that it had been introduced for the purpose of enabling the trustees of that musem to lend certain objects of art to the Commissioners for the Royal Exhibition.

Mr. TITE said, that the trustees of Sir John Soane's Museum had very unwillingly consented to lend the objects in question to the Commissioners for the Royal Exhibition. They had, in fact, only been induced to adopt that course in order that the collection of Hogarth's pictures might be shown in a complete form at the Exhibition.

Sir PHILIP EGERTON said, that as a trustee he could corroborate the statement that the trustees had reluctantly given their consent to the Bill which authorized the removal of the Hogarth pictures from the Museum to the International Exhibition. He would, however, express a hope that the example thus given woul not be lost upon the trustees of other institutions.

Bill read 2°, and *committed* for *To-morrow.*

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Thursday, April 3, 1862.

Minutes.]—Public Bills.—2ª Protection of Inventions and Designs (1862).
3ª Australian Colonies Government Act Amendment.

CHURCH DISCIPLINE ACTS.

QUESTION.

The Marquess of SALISBURY asked, Whether it was the intention of her Majesty's Government to bring in any Bill for the Consolidation of the Church Discipline Acts.

The LORD CHANCELLOR said, that a question similar to that of the noble Marquess, respecting the intention of the Government to introduce a measure for consolidating the Church Discipline Acts had already been put in another place. He had therefore already under his consideration the propriety of introducing such a measure, and Her Majesty's Government had taken steps for that purpose. He had communicated with a person most competent to undertake that duty, and had arranged with him to enter upon the task. He had also been in communication with the right rev. Bench upon the subject of an Act for the better enforcement of Church Discipline; and if he saw any probability of being able to deal satisfactorily with the question, it was probable that he should lay a Bill upon the table in the course of the present Session. Any more definite answer he was not prepared to give.

IRON-PLATED SHIPS.—QUESTION.

The Earl of HARDWICKE rose, pursuant to notice, to ask the First Lord of the Admiralty, What Number of Iron-plated Ships are afloat and building; and what is intended to be done with the Ships of the Fleet that are built of Timber? The noble Earl said, that is was important to ascertain from the Government what were their views with regard to the future construction of the ships of the Royal Navy. Their Lordships were fortunate in having in that House the head of the Admiralty, and it was desirable that the noble Duke should have an opportunity of stating the views and opinions of the Board on a subject which assumed, at the present moment, a great and vital importance. It was consolatory to reflect that this country was in as good a position in regard to its naval strength as any other nation in the world. There need, therefore, be no very great haste, fear, or alarm on this question, because it had been before Parliament for a great length of time, and a large amount of public money had been expended in experiments upon iron-plated ships. His own mind had long been made up that iron must be substituted for timber in the construction of any efficient naval force; and although he had not an opportunity of stating his opinion in that House, he had long ago, at public meetings and dinners, declared the necessity of abandoning wooden vessels and building only iron vessels. The late events on the American coast and in the James River, had brought about a sort of crisis in the state of public opinion, since it had evinced to the world that in a contest between iron and wooden vessels the latter were utterly valueless. It was, therefore, for the Government to consider whether they would any longer nibble at this matter, but whether they should not rather open their jaws wide and swallow the whole, let the cost be what it might, and persevere in the construction of an iron-plated navy. As the question now stood before the country, it was as much one of common sense as of science. The duty of a navy was to secure the coasts of the country inviolate, to protect the coasts and harbours of our colonies, to blockade an enemy in his own ports, and to supply an adequate number of cruising ships for service at home and abroad. For these purposes two descriptions of vessels were required. Whatever might be thought of the new method of naval warfare, it had very much changed in this respect—that the vessels which carried the greatest extent of masts, yards, and sails were now liable to the greatest embarrassment in fighting; for the whole fire of a ship would be elevated against the rigging of an enemy thus fitted out, in order that her masts might fall over her side and cripple her movements. He therefore looked forward to the employment of ships more and more in the nature of steam batteries, in which the crew would be protected, which carried the least possible superstructure of masts and yards, and which, like the *Monitor*, were impervious to shot and shell. This description of vessel, however, besides being enormously expensive, could not keep the sea long for want of coal, and it was necessary for cruising purposes and long voyages to have another class of vessels propelled by sails as well as steam. A merchantman was built for speed and cargo. If fifteen or twenty knots an hour could be got out of her, that was a gain of time and money to the owner. But in fighting ships it was necessary to combine the qualities of sea-going vessels with those of a man-of-war, and to abandon a portion of each for the sake of the whole. It was desirable they should have the power of turning rapidly and manœuvring, and for this purpose a considerable amount of speed was necessary. He believed that a rate of speed of twelve or thirteen knots an hour might be attained with iron-plated ships of great strength. In the construction of our future men-of-war his opinion was—and he spoke it very humbly—that we should take care to have them of such a size and length that they would be able to perform the duties of men-of-war in an efficient manner. Another consideration in the construction of iron ships was the draught of water. He implored the Admiralty not to be induced by ironmasters and iron-ship constructors, who were not seamen, to build ships drawing twenty-six, twenty-eight, or thirty feet of water—ships which raised the question whether our great harbours were deep enough to admit them. He saw such a number of new contrivances—he saw the Government pressed with so many inventions of iron manufacturers—he saw so many novelties of every description brought under their notice by these constructors—that he could not help reminding the Admiralty that these gentlemen were not seamen, and did not know our requirements. Without commenting on any particular vessel, he must express his opinion that the difficulty of steering and managing some of our new ships would be so great, that if we did not fall back on practical men, we were very likely to have some very bad vessels. It was quite true that low vessels which had no masts might have more propulsion by steam than could be applied to a sea-going ship; but the Admiralty must take care to have them of such a length as that they might be handy and be easily turned. He believed that the principles applicable to floating bodies were in the main the same, whether these bodies were built of iron or of wood, or were propelled by steam or by sails. We must be careful not to run into extremes. There was much to be said for the old principle of constructing a ship for all the purposes for which she was required, without sacrificing anything. Some gentlemen were found to recommend that ships should be built without the ordinary keel. Why, how was a ship without a keel to be steered? The keel of a ship had an essential part to perform in respect to the steering; and if side keels were attached instead of the ordinary keel, they had the effect of turning the ship round when she heeled on one side. He would advise the Admiralty never to build a ship without first taking advice of men-of-war's men. Another very serious question arose — namely, what were we to do with our fine stock of wooden ships? He had seen it stated in a letter that the *Merrimac*, of which their Lordships had heard so much, was not iron-plated when brought into action. She had been cut down and covered over with a pent-house roof, that had been described as something like a house-top. As he understood, this floating house was not iron-plated. Bars of railway iron—rails such as those used on railways—were bent across the roof, and lashed with rope or wire to the scantlings inside, the ends of the rails coming down towards the water. He had not only seen it stated in a letter, but had heard from several officers that that was the mode of her temporary construction, and that so constructed she went into action, and yet, so roughly protected, the vessel was able to resist the *Monitor*. Now, there were none of our wooden ships that were not capable of being cut down and plated with iron at a moderate expense as compared with the cost of our new iron ships. If we were going to try the cupola plan, he thought that, instead of building a new vessel, we could do nothing better than take one of our sound wooden ships, cut her down, and plate her. In that way our stock of wooden ships might be worked up. As an old officer, he paid great attention to these things, and he must say that he saw a total change about to take place in the nature and character of sea life. He felt convinced, that though the movement might be gradual, it would not be slow, which would change the whole character of maritime life. We should not be able to keep great fleets at sea in time of war. It would be far too expensive. Our fleets of iron ships would be kept in dock or cruising off the coasts, till at last we should come to iron-plated batteries, kept at home. The time would arrive when a ship would be fought by an engineer, a stoker, and an artillerist. The modern character of a sailor would become like that of a soldier. He would live on the coast or in towns; and it was to be feared, that when he lost the excitement of active service, there would not be the same inducement to the youths of this country to enter the naval service. He saw that this change was inevitable, though personally he might regret it. With regard to the question of arming our ships, a number of inventors were very sanguine on the subject; but beyond a certain amount of artillery we should not be able to go. Independently of the danger from bursting of such large guns, it was doubtful whether it would be possible to arm ships in that manner. What was to be the size of the magazines on board those ships? How was space to be provided for the supply of shot requisite on going into action? He had merely risen for the purpose of directing the attention of the Government to a question of momentous importance and involving the very gravest considerations; and he had but glanced at the outline of the subject, abstaining from any comments on particular ships or individuals. As they had the advantage of the presence in that House of the First Lord of the Admiralty, it was desirable that the noble Duke should have an opportunity of expressing the opinions to which, no doubt, he had given grave thought. The noble Earl concluded by asking the First Lord of the Admiralty what number of iron-plated ships were afloat and building, and what was intended to be done with the ships of the fleet that were built of timber.

The Duke of SOMERSET: I am much obliged to the noble Earl for bringing this question before the House, and for the tone and manner in which he has done so, not mixing up with it anything beyond the real interests of the country. I will endeavour to answer as clearly as I can the questions arising from the observations which the noble Earl has made. I must remind your Lordships that when I first came into office three years ago, in the summer of 1859, the pressure put upon the Admiralty by this House, by the House of Commons, and by the public, was—not to put aside wooden ships and to build iron ships only—but to add to the strength of the navy; the questions with regard to which anxiety was more immediately felt were that we should possess a powerful fleet of line-of-battle ships, and that we should add to the strength of our naval reserve. We found when we came into office a programme left by the previous Government, in which was included a proposal for building a large number of wooden ships, and it was also contemplated to take money for two iron-cased ships. We did not think it right to set aside the scheme of the late Government in reference to wooden ships, and the building of the two iron-cased ships was also proceeded with. But before many months passed I was compelled to make an addition to their programme. Information was brought to me which made me press upon the Government the necessity of having four iron-cased vessels, instead of two. Of these vessels, the first, as your Lordships are well aware, was the *Warrior*; it had been ordered and commenced before the Government came in. The next, the *Black Prince*, had been also ordered within a couple of months of my coming into office. I considered without loss of time whether it was possible to make any improvements in her; but I found it would be necessary to have the whole details calculated over again and the lines re-drawn, which would have taken three or four months; and as there was a feeling throughout the country that it was desirable to proceed, I ordered her to be completed on the same lines as the *Warrior*. But I was not quite satisfied with those vessels. I admit, with the noble Earl, that great length and great draught of water, although characteristic of powerful vessels, and enabling them to make rapid passages, are also attended with inconveniences. I therefore caused the Department to reconsider the question, and to suggest plans for two vessels of a smaller class, which were accordingly prepared at the close of the autumn. Those two were the *Defence* and *Resistance*. The *Warrior* and *Black Prince*, as your Lordships are aware, are vessels of 6,000 tons, carrying 26 guns, partially protected by thick iron plates. They may also carry guns at their stern and bow, which are not strongly plated; but I do not call these fighting guns, like the others. The *Defence* and *Resistance* are vessels of a smaller construction. They are each of 3,700 tons, and carry 12 guns, protected by iron casings. These four vessels are now ready. I was not satisfied with these. Your Lordships must observe that this is so new a question that difficulties arise at every step. We saw that these vessels were not sufficiently protected, and, after consulting practical men, another class was proposed, which I shall call the *Valiant* class. These ships are of 4,100 tons, carrying 32 guns, all protected by strong iron plates: one of them will be launched in August; the other, through failure on the part of the contractor, not till early next year. We agree to build these vessels by contract; but when the contractors undertake the work, they find more difficulties than they had calculated upon; so much time is required in forging the enormous pieces of iron, and the quality of the iron is so carefully examined by us that contractors complain of the heavy obligations under which they labour in meeting our requirements, and we have had a great deal of trouble in some cases to get them to continue the work. In the case of one of these vessels the contractor entirely gave up the undertaking—a step which has necessarily been productive of delay.

With the considerations affecting these vessels of course arises the question of armament. In the course of the last few years great progress has been made in gunnery. Formerly it was thought that a 68-pounder was the heaviest gun that could be carried on board ship; now we have the 100-pounder Armstrong gun mounted on board. We consulted the Controller of the Navy, and we found, that if both the armaments and the iron plates which vessels carried were greatly increased in weight, the vessels would be very ill adapted for service at sea. Officers abroad report that even at present the weight of the guns in the bow of a ship press her down so that the vessel is actually torn to pieces by her own armament. We accordingly ordered three other vessels in the summer of last year, which were to be no longer than the *Warrior*, but were to have more displacement, in place of 6,000 tons having 6,700; they will carry 40 guns, protected all round—not partially but entirely—and they will have steam power in proportion to their size, namely, 1,300 horse power. Here, then, we have got 10 vessels of iron, four of which are already launched, and another will be launched in August. In addition, however, to the progress thus made, your Lordships will remember that last year I proposed to take the frames of some wooden ships which had been prepared for line-of-battle ships, and to lengthen them; so that they might bear the weight of plating, which they would not otherwise do. These vessels will be each of about 4,000 tons, and will carry 40 guns, all protected. With these vessels we can advance much more rapidly in our own dockyards than with those which are built by contract;

and when completed the whole number will be sea-going ships. Three of these will be ready this autumn and two more early next year.

But, last summer I felt that we still had not got the proper vessels for the defence of our harbours and ports; and as soon as the plans for lengthening these wooden ships had been completed, we considered the question of building a vessel specially for this purpose, and I arrived at the conclusion that to this end the cupola ship recommended by Captain Coles would be very well adapted. But the plan, though it had been considered, had never been experimentally tried; and I therefore caused a cupola upon this pattern, which had been commenced a year or two before, to be finished and put on board a ship. I sent it out to sea with some naval officers, in order that they might try whether they could in a heavy sea use the cupola so as to point the guns. The officers reported very favourably. They could fire so rapidly that some men taken from the *Excellent* gave up the contest, saying that they had no chance against the cupola. So far as firing went, that was very successful. I then desired to try how far the cupola would be proof against damage from an enemy's fire, or how far the machinery on which it rested would be injured so as to interfere with its revolving. To ascertain this, we had a vessel brought within 200 yards of the cupola ship, and from that distance the latter vessel was subjected to such a fire as a vessel would hardly ever meet with, even in action. In the first instance she was fired at from some eight or ten 40-pounders, next from some fifteen or twenty 68-pounders, and finally more than forty 100-pounders were fired at her. That severe fire did her no injury. One plate was injured, but we found that it was not of good quality. Having tried these experiments, I thought that we had got a vessel that would be most useful for harbour defence. But it was suggested that these cupolas were very heavy, each weighing, with its machinery, about 70 tons, and that it would be a great advantage if instead of one gun they could each contain two, which should both be pointed in the same direction. To ascertain whether that could be done, we had made a wooden shield of the diameter required, and had it tried at Portsmouth last autumn, when it succeeded perfectly. I was at once satisfied that we had got a vessel which would be most useful for the protection of our harbours. But as there was no pressure for defence, and no alarm about the safety of our harbours, I did not think it necessary to apply to the Treasury for authority to commence that vessel at once. I thought I might leave the matter to be discussed by Parliament. A Vote for this purpose was placed on the Estimates this year; and as soon as it was passed, I obtained tenders for the construction of the vessel, and I believe that she will be commenced in the course of a few days, or at most of a few weeks. She will be wholly iron, fitted with cupolas on Captain Coles's plan. Her length will be almost 250 ft., her tonnage little above 2,000, and she will only draw 20 ft. of water. That, I think, will be a very effective and powerful vessel. The noble Earl asked why we did not try the cupola in some wooden ships cut down. I did think of that; but then it was objected that I was about to adopt an entirely new principle, and that if I tried the experiment with an old ship, and it did not perfectly answer, discredit would be thrown upon the whole scheme. I therefore preferred, in the first instance at least, to try it with a vessel built expressly for the purpose. At the same time, my own belief is, that we may also succeed in arming some of our wooden ships, when cut down, with these cupolas; in fact, I propose to do so: but in order that I might be certain of success, I thought it best to order the construction of an iron ship, which should be built in consultation with Captain Coles, who has given up a great deal of his time, and has rendered the Admiralty much assistance in designing and arranging this vessel. The method of construction will not be precisely similar to that recommended by Captain Coles in the pamphlet which he published last year—namely, an external thin coat and an internal thick coat. There are structural objections to that form, and we have not adopted it. She will be a strong iron-plated vessel, carrying her guns in the cupolas about 9 ft. 6 in. out of the water. She will be able to go all round the coast, but she is not intended for a sea-going vessel. Masts and yards would interfere with the training of her guns, therefore she will have none. That I believe will be the best form of vessel that we can have for the protection of our coasts; and I have no doubt that we may with advantage construct some rather smaller upon the same principle. I thought, however, that if I at first built a ship with only one or two cupolas, and that it was seen how heavy would be the cost of carrying two guns in that way, it would reflect less credit upon the invention of Captain Coles than if we built a vessel to carry twelve guns. Twelve guns in these cupolas will have the effect of twenty-four as they are ordinarily carried, because the cupolas can be turned round, and the guns fired towards either side.

I have, therefore, shown your Lordships that we are now building plated vessels according to six different plans, but with all this I am not quite satisfied. We have not yet constructed a vessel in which the iron-plating adds to or assists in constituting the strength of the vessel. Many experiments have been made with a view to solve this difficulty, but they have not been entirely successful. I do, however, hope that before long we shall be able to construct a vessel upon such a plan that her thick iron plating will not only protect her against shots, but will greatly contribute to the strength of the vessel. At present the fault of iron plating, especially where wooden vessels are concerned, is that it hangs upon the side, but does not, as it ought, contribute to the strength of the vessel. This defect, I have no doubt, will eventually be remedied.

The noble Earl asked me what we are going to do with our wooden ships. That is a question to which, of course, I have turned my attention. The question is not easy to answer. At present we have prepared the frames of several vessels, and these frames can be easily adapted to the reception of plates. We have five frames of line-of-battle ships and seven frames of frigates which can be easily adapted; and we have also the frames of eight large corvettes which can be adapted to carry at least some guns protected by iron plates. With regard to our vessels generally, we could cut down twenty line-of-battle ships and adapt them to coast service; and as they have their machinery on board, it would be at a comparatively small cost that vessels of this class would be produced. While doing that we should still have a powerful fleet of more than forty ships to oppose any wooden fleet that we might have to engage. Therefore, if the nations of the world wish to have iron ships and to fight with iron, we are as well prepared as any other country.

I wish to say a word with reference to this conflict which has taken place in America. It is said that it alters all our previous notions of maritime warfare. Now, I should like to state what I think it alters, and what I think it leaves unchanged. It leaves unaltered the relation between iron ships and wooden ships. It was already the undivided opinion of all experienced men that where wooden ships met iron ships the former could not live. But it makes this great difference—before this, we thought that we should have to keep iron ships only for home service, for the purposes of coast defence; but if other nations follow the example of the Americans, and have iron fleets, we must be prepared to meet iron ships in all quarters of the globe. Whereas before, we thought that we could keep our iron fleet to protect our coast, and perform our service abroad by means of wooden frigates and corvettes, we must now send iron vessels to every place where we may be liable to meet iron ships. That makes a great change. As to the probable financial effect of this change, I do not think that it will be so expensive to this country as some persons seem to anticipate. When we have these powerful vessels, it will be our object not to send them out to buffet the winds and waves, but to have them in harbour, or at a station where they can be used for the real purposes of war; and to use for the purpose of showing the flag, protecting merchant ships, repressing piracy, or other minor purposes, smaller vessels which will be quite adequate to the performance of such services. I therefore do not think that the change will be attended with such great expense as some people fear. People in this country seem at once to have jumped to the conclusion that iron ships are invulnerable. They may be so when opposed to wooden ships, but not when they meet vessels similar to themselves. It is also said that they can run down every hostile vessel. Let us see what happened in the recent American engagement. Much has been made of the *Merrimac* running down the Federal frigate. But it must be remembered that the frigate was at anchor and that the *Merrimac* was a moving mass of 3,000 tons; that she came on at the top of her speed, which, however, is not very great, not more than five or six knots an hour. I believe that a wooden vessel might have done as much under similar circumstances. I do not, therefore, think the result very conclusive. Moreover, it would not be so easy to run down a steamer in motion, which would be able to avoid a collision. There is also an important fact which we have yet to learn, and that is how much the *Merrimac* was injured by the encounter. Some time back Sir Howard Douglas suggested that it would be a very interesting experiment to put a ship in the river and let it be run into by another of iron. But as a two-decker was required for the purpose, it seemed to me that the experiment would be rather costly, and that it was doubtful whether the House of Commons would sanction such expenditure in the Estimates. It is quite true, I believe, that railway bar iron was used in the *Merrimac*. It is also a very long frigate. [The Earl of HARDWICKE: Not very long.] The *Monitor* is a vessel of a very curious form. In a letter attributed to Mr. Ericsson it is asserted that this is an entirely new invention, and that it is intended as a "monitor" to the British Government. I, on the part of the Admiralty, am much obliged to him for his admonition, and still more to the Americans for their experiments. If they will only perform a few more experiments of the same kind, it will save the Department a great deal of trouble. This *Monitor* is something between a raft and a diving bell. Her deck is just two feet above the water in a perfect calm. When the water is at all disturbed, the deck will, no doubt, be immersed. There is no sort of protection for the deck, and nobody can stand or walk on it. The crew, must therefore, live below hatches, under the level of the water, breathing through a pipe that passes through the deck into the air. This strange vessel is furnished with a cupola. One can almost fancy that in constructing this cupola the Americans had heard of Captain Coles's invention. The cupola of the *Monitor* is plated with inch-iron on inch-iron, until the thickness of eight inches is attained. That is certainly a very ingenious make-shift; but if our experiments are worth anything, they prove beyond a doubt that four solid inches of iron in one plate are worth far more than the same quantity of iron in a couple of plates of two inches each. The American vessel is therefore defective in that respect. Besides, for our purposes such a vessel would not answer, because it could not go from port to port. The voyage from New York to Fort Monroe, was very dangerous to the *Monitor*. The following account is given in a Montreal newspaper:—

"The Federal Congress has voted 15,000,000 dollars for iron war vessels, and from the success of the *Monitor* it is probable that a considerable number of vessels of her description will be constructed. There is, we think, little in this success to warrant the assumption that the problem of the best construction of such vessels has been solved. On her voyage to Fortress Monroe the *Monitor* was all but lost; the waves broke over her and extinguished her fires, and, but for the assistance of a steamer that took her in tow, she would have sunk. Her success in the contest with the *Merrimac*, or *Virginia*, as she is now called, was negative. Her crew narrowly escaped suffocation, their situation being thus described:—'The inside life in these iron-clad vessels is a sort of Calcutta Black-hole existence, at best. The ventilation is close, and the fire and smoke, with the bad confined air, are almost intolerable. The *Merrimac* had to endure this with 400 men. The *Monitor's* men suffered even more, the vessel being so much smaller. The eyes and nose of almost every man at the guns literally shed blood.' The concussion of shot upon the tower containing the armament is so severe as to disable the men inside, and several were rendered senseless by it."

That reminds me that in regard to concussions we experienced the same difficulty when we first tried the cupola; but the top was afterwards altered in such a way as to obviate this inconvenience. It is a remarkable fact that these two American vessels fought for five hours, and no one was hurt. It becomes, therefore, important to ask what armament they bore. All the American vessels have Dahlgren guns, which, if they are shell guns, are nearly useless against iron plates. This is sufficient to account for the absence of results in that long cannonade. Then, again, these guns are rifled shell ordnance. The force of a projectile depends partly, of course, on its weight, but more on its velocity. The velocity of these American guns, on the showing of one of their officers, who has published a book on the subject, is only 900 feet per second, while our 68-pounders have a velocity of 1,500 feet in a second. In making some experiments lately on a target, representing the side of the *Warrior*, we found that shells produced little or no effect upon the plates. I used to think that no plates could resist the rifled guns; but I have changed that opinion. We have found that they are not so effective as we supposed, and that we must arm our ships with heavy smooth-bore guns, the velocity of which at 200 yards is much greater. With a powerful wrought-iron gun of smooth bore we can easily have a velocity of 1,700 feet per second. I shall be curious to see how far the plates will stand the discharge of such a gun. I doubt whether they will be able to resist it; but if they do, I am sure we shall have much larger and more powerful guns in a few years than any that have yet been brought into use. The results of the experiments, however, hitherto have been to show that while rifled guns maintain a higher velocity for a greater distance, yet for the purpose of penetrating plates near at hand recourse must be had to wrought-iron smooth-bore guns. Of course, it is essential that this ordnance should be made, not of cast-iron, which will not bear the strain, but of wrought-iron, manufactured, or built up, like the Armstrong gun.

The noble Earl says we must have two classes of ships. I am of opinion that we shall require at least three classes. We must have a number of speedy iron-cased-wooden or iron-plated ships to serve as convoys to merchant vessels, and to accompany the fleet. The other day, when sending troop-ships to America, it was asked, why not convoy them? But we cannot convoy them. Convoying these fast steamers is like putting a pony to follow a racer. It is, therefore, desirable to have some vessels for the protection of commerce. We must, secondly, have another class of ships to cruise at sea; and we must have a third class of iron ships for the defence of our coasts and harbours. In the present state of our knowledge it would be unwise to proceed further than we are doing in the construction of wooden vessels. It is desirable that we should limit the building of wooden ships to despatch vessels, always a useful class, and some other small class of vessels. And this is the plan we have followed for two or three years. Since I have been in office no new wooden line-of-battle ship has been commenced and completed. Some frames have been prepared, but they are now converted into the iron ships of which I have spoken; and we mean to proceed in the same course. As to the question whether iron ships constructed upon Captain Coles's plan are capable of being entirely substituted for forts, I believe that in conjunction with forts they will render any approach to a harbour almost impossible; and should a ship come in crippled after an action, it would be glad to get under the protection of the guns of a fort. It must also be remembered that there is no limit to the size of guns that can be placed on forts; while there is a limit to the weight of guns that can be worked on ships. No doubt we, of the Admiralty, are apt to think that vessels can do all the work; but I think we ought not hastily to give up the construction of forts. It is a subject that requires to be gravely considered; and it would be a great mistake to jump hastily to a conclusion from one result, and that result so imperfectly known. We hear that the *Merrimac* silenced some forts; but it did not silence Fort Monroe. There is also one reason why the *Monitor* escaped so easily. The training of the guns of the *Merrimac* was lateral, not vertical. She therefore could not bring her guns to bear on a vessel so low in the water. When Lord Dundonald took a large Spanish ship of war, he ran his small vessel so close under the enemy's ship that the Spaniard fired over the heads of the attacking crew; and Lord Dundonald boarded and took her. I think the *Merrimac*, in trying to fight the *Monitor*, was much in the same position. It is impossible to wish for the repetition of such experiments at the cost of so much sorrow and waste of life as the war is inflicting on America; but these conflicts, viewed solely as matters of scientific experiment, are highly interesting. I believe I have now explained to your Lordships the course the Government intends to adopt, and I trust they will be considered satisfactory to your Lordships and the country.

THE EARL OF MALMESBURY was exceedingly glad the subject had been brought forward. He believed the very practical speech of the noble Duke would give great satisfaction to the country. It was evident his attention was fixed on this important question, and that he had considered it in all its bearings. His speech would reassure the public, which was certainly not the case with some speeches that had been made in another place.

House adjourned at a quarter before
Seven o'clock, till To-morrow,
half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, April 3, 1862.

MINUTES.] PUBLIC BILLS.—2° Moveable Property (Scotland); Summary Jurisdiction (Ireland); Charitable Uses Act (1861) Amendment.
3° Pier and Harbour Act Amendment; Chancery Regulation.

THE WELLINGTON MONUMENT.

QUESTION.

LORD LOVAINE said, he wished to ask the First Commissioner of Works, How soon it is expected that the monument of the late Duke of Wellington, in St.

Paul's Cathedral, will be finished; and whether the surplus of the sum voted for the Duke's funeral will be sufficient to defray the whole cost of the work?

Mr. COWPER said, the artist to whom the commission had been given to prepare the model had received his instructions on the subject in November, 1858. Three years and a half had, therefore, elapsed since the order had been given. The model, however, was not yet completed. He was sorry that so long a delay should have occurred in the matter; but he presumed the time had not been wasted, and that the artist was preparing himself by preliminary study for the better execution of his design. He was not able to inform the House when the model would be ready, but he had no doubt that the sum voted would be found sufficient for the purpose for which it was intended.

SHIP STREET BARRACKS, DUBLIN. QUESTION.

Sir EDWARD GROGAN said, he would beg to ask the Secretary of State for War, Why the ground at the corner of Great Ship Street and Upper Stephen Street, in the city of Dublin, which the War Office purchased several years ago, is permitted to remain for so long a time in its present ruinous and dilapidated state; if it be still in contemplation of the War Office to build an addition to the Ship Street Barracks on this ground; and, if so, when the works will be commenced?

Sir GEORGE LEWIS said, that steps in the matter would be taken as soon as there were any funds applicable to the purpose, and as soon as more urgent works were completed. From information he had received, he was inclined to believe the ground in question was not in a more unsightly state than Downing Street went was and had been for some years.

CHURCH BUILDING ACTS. QUESTION.

Mr. HENRY SEYMOUR said, he rose to ask Mr. Attorney General, If he will state to the House what steps the Government intend to take with a view to the consolidation and amendment of the Church Building Acts?

The ATTORNEY GENERAL said, that instructions had been given to Mr. Stephens to collect the various statistics on the subject, with a view to framing a Consolidation Bill.

Mr. HADFIELD said, he wished to inquire at what time it is likely the Bill will be introduced?

The ATTORNEY GENERAL said, there was no prospect of its being ready to bring before the House during the present Session.

MALT AND HOPS.—QUESTION.

Mr. LOCKE said, he wished to ask the Secretary to theTreasury, When the Returns, moved for on the 17th of February, respecting malt, hops, &c., will be laid upon the table of the House?

Mr. PEEL in reply said, the Return ordered on the 17th of February, as to malt, would be laid on the table in the course of the week. With respect to the Return ordered at the same time as to hops, it would be ready shortly.

IRISH BUSINESS.—OBSERVATIONS.

Sir ROBERT PEEL said, he wished to state, for the convenience of Irish Members, that it would not be possible for him to proceed with the Fairs and Markets, the Poor Law Relief, or the Registration of Births (Ireland) Bills, before the Easter recess.

THE EASTER RECESS.—QUESTION.

Colonel WILSON PATTEN said, it would be convenient to the House if the noble Lord at the head of the Government would state when it was proposed to adjourn for the Easter holydays.

Viscount PALMERSTON: There are many questions, Sir, asked in this House the answer to which is not so interesting as that which is now put. What we propose is that we should adjourn for the Easter holydays either on Friday, the 11th, or on Monday, the 14th inst., our arrangement as to which day it should be being made dependent on the state of public business at the time. We propose that the adjournment should be to Monday, the 28th, which will give hon. Members a clear fortnight.

THE BUDGET—FINANCIAL STATEMENT—WAYS AND MEANS.

Order for Committee read.

House in Committee of Ways and Means.

Mr. Massey in the Chair.

The CHANCELLOR of the EXCHEQUER: Mr. Massey, the statement which I have to submit to you on the present occasion is in some respects of a simpler character than those which, on former occasions, it has been my duty to offer to the House. At the same time there is, after a period of extensive legislative changes in finance, commonly a residue of questions—perhaps of secondary importance—requiring, or thought to require, readjustment, or seeming to flow by way of consequence from those of which Parliament has already disposed. I must on this account, I fear, trespass for some time—if not for as long a time as in former years—on the indulgence of the House. I feel, however, that the duty of a Minister of Finance in submitting to this Assembly his annual statement may be variously viewed. If he were to confine himself strictly to laying before the Committee the balance-sheet of the past and that of the coming year, his office would be a very simple one. But, for my own part, I cannot help thinking that it is more agreeable to the House—I have at least found it so in my experience of your indulgence—that hon. Members should be put in possession of such information as the Government is able to afford on matters of importance; which, although not immediately belonging to the balances of the year, yet directly bear on the state and condition of the country, on its revenue and expenditure, and on the amount of its resources as compared with that revenue and that expenditure. That being my interpretation of the feeling of the House, I shall proceed on this principle, losing no time, and wasting no time, so far as it is in my power to avoid that error, but at the same time endeavouring to lay before the Committee as full and impartial a view as I am able to present of our financial position, and the relation of that position to the general condition of the country.

Beginning, then, as usual, with a retrospective glance at the revenue and expenditure for last year, I shall, with the permission of the Committee, first call its attention to the latter. The expenditure for the year which has just closed was estimated by me in the month of April, 1861, at £69,875,000; and, in order to avoid confusion, I will state at this point—as I believe I stated at the time—that over and above that expenditure it was necessary to issue from the Exchequer, in respect of what are termed excesses in the expenditure of previous years, sums amounting to between £200,000 and £300,000. Those sums have, I may add, in point of fact, amounted to £278,000, and I wish the Committee clearly to understand that they must appear in the account of the Exchequer issues for the year, but that the money which they represent was money which had been already expended, and that the balances in the Exchequer were, consequently, so much the lower. As that is the case, they constituted no part of the effective expenditure of the year, and no provision was made for them in Committee of Ways and Means. It is not necessary, and it would be tedious if I were to attempt, to explain at this moment the nature of the mode in which those irregular charges are dealt with and provided for. Suffice it to say, in general terms, that they are provided for in the department in which they occur by anticipation of the coming and prospective grants for the ordinary services, until provision is regularly made for them by a vote of the House of Commons. They therefore constitute a mortgage, so to speak, on these ordinary grants, and the effect of a vote in excess, when passed by the House, is to release those ordinary grants from the mortgage by an addition to the Exchequer issues, but not to the cash expenditure. Those ordinary grants, therefore, when so released, remain available in full for the expenditure of the year. I have thought it necessary to say thus much, in order that hon. Gentlemen may bear in mind that I have now in view, in the figures which I am about to quote, the effective expenditure for last year. That expenditure was estimated, as I have already said, in April last, at £69,875,000, but I regret to say it was considerably more. Since the financial statement of the Government was made, and since the measures founded on and connected with it came into operation, considerable supplementary grants have been made for various purposes. A portion of these grants was made in the Session of 1861, to the extent of £526,000. A larger portion was made in 1862, principally in connection with the recent despatch of troops to British North America, but likewise as regards a comparatively small sum on account of China. The joint amount was £973,000. These sums constituted an addition to the original estimated expenditure of the year of £1,499,000, and raised the total expenditure to £71,374,000. The actual expenditure of the year, still, of course, deducting the excesses of previous years in this case as I have done in the former one, was £70,838,000, or less by £536,000 than the estimated expenditure. But I am bound to say, that although that margin is not an inconsiderable margin, yet it is a less one than in many former years we have been able to congratulate ourselves upon possessing. So much, then, for the actual expenditure of the year, as compared with the sums voted and the net of the estimated charge.

Now, Sir, I would briefly call the attention of the Committee, in the next place, to the expenditure of the past year as compared with that of the two former years. The expenditure of 1859-60, as it was represented in the Exchequer account at the time, was £69,523,000; but there were excesses in the expenditure of that year not brought to account at the time—principally portions of the excesses of which I have just spoken—which increased the expenditure of 1859-60 to £69,748,000. Comparing with that expenditure of 1859-60 the expenditure of 1861-2, we find the difference between £69,748,000 and £70,838,000 to be £1,090,000, which constitutes the increase upon the expenditure of the year which has just expired as compared with 1859-60, the year next but one before it. Comparing, again, the expenditure of the year which has just expired with the expenditure of the year immediately preceding it, the account stands as follows:—The expenditure of 1860-1 was £72,504,000, the expenditure of 1861-2 has been £70,838,000, so that there is a decrease in the expenditure of 1861-2 as compared with 1860-1 amounting to £1,666,000.

I now proceed to state the condition of the revenue of the past year, and, first of all, of the revenue as compared with the expenditure. This comparison will be a comparison of the revenue, both with the original estimate of expenditure, which was the basis of the financial measures adopted by the House, and likewise with the final expenditure, including the supplemental charges, to the amount of about £1,500,000. The expenditure of the year 1861-2, as I have stated, was £70,838,000; the revenue was £69,674,000. The deficit upon a comparison of these two figures is £1,164,000. The supplemental charges subsequent to the financial arrangements for the year were £1,499,000; and, deducting the deficit as it stands of £1,164,000, it follows that, according to the original financial arrangements, there would have been a small surplus of revenue over expenditure amounting to £335,000. I now wish to approach an interesting and, I think, a satisfactory portion of the subject. It is a part of the subject with which the Committee are already in a great degree acqainted—the comparison of the revenue of the year just expired with the revenue of the year immediately foregoing. The year 1860-1 produced £70,283,000; 1861-2 produced £69,674,000. There was, therefore, a decrease in the revenue of 1861-2 compared with 1860-1 amounting to £609,000. But, Sir, as I remember to have provoked a smile last year by pleading on behalf of 1860-1 that it was short of the preceding year by one or more days; so, in order to make a more exact comparison, I add for 1861-2 two days of that portion of the revenue which is daily, at the rate of £100,000 per day, to this deficit, to make a full equalization between the two years. When this has been done, the amount of the deficit so augmented in 1861-2 as compared with 1860-1 will be £809,000, which I take to be a fair representation of the real difference of the revenue. Now, Sir, I think the Committee will consider that these figures are eminently satisfactory, when they bear in mind the following fact:—that in 1861-2 as compared with 1860-1 we parted with three important items of revenue. We parted with a penny of the income tax for three-quarters of the year, or not less than £850,000; we parted with the paper duty for six months of the year, which was estimated to entail a loss of £665,000, and I take it so for my present purpose, though, as I shall explain further on, the actual loss has been greater; and we did not enjoy in 1861-2 the malt credit which had been taken up in 1860-1, and which added to the resources of the Exchequer in that year to the extent of £1,122,000. We, therefore, in point of fact, lost in 1861-2 revenue which we had enjoyed in 1860-1 to the joint amount of these three items—namely, £2,637,000; and, deducting from that amount the real decrease of revenue, which I take at £809,000, we find that the improvement in the remaining sources of revenue, apart from the three which we have lost, yielded to us last year no less a sum than £1,828,000. This is the more remakable because whatever drawbacks we had to anticipate at the time the financial measures of last year were laid before the House, have proved in the event to be even more serious than we had supposed. These drawbacks were two. In the first place, we had to look for a great loss in the export trade to America; and the loss has been very great. In the year 1860—I speak now of the natural year—our exports to America had been £21,667,000 ; in 1861 they sank to £9,058,000, showing a diminution of £12,609,000. But what was more serious than the loss in our export trade to America was that which arose from the cotton crisis as it was termed. In the spring of last year we had no means of knowing in what degree that crisis would affect us. War was impending, and though I do not recollect that it had actually commenced, still for all practical purposes it was virtually begun, and it was obvious that a blockade would be instituted. It was well known, however, that such blockade would have to cover an immense extent of coast, and ideas prevailed that the changes in modern navigation, especially the use of steam power, would tend to render blockades far less effectual than in former times. Under these circumstances it is certainly singular that during last year we should have seen an example of a blockade which, while, perhaps one of the most extensive, has certainly in practice proved to be, for an extensive blockade, one of the most stringent and efficacious ever instituted. A remarkable proof of that fact is seen from the best of all indicators—namely, the price of cotton at different periods. The price of ordinary American Cotton—Uplands, Alabama, and Mobile—in Liverpool, in March, 1861, ranged from 5¾*d.* to 7¾*d.* per lb. In March, 1862, the price of the same descriptions ranged from 10¾*d.* to 13*d.* per lb. ; that is to say, in round numbers, the price has been all but doubled, exhibiting in the main the difference between the estimate of the severity and efficacy of the blockade before it had actually been felt, and the results as they are now within our knowledge and within our experience.

Again, the harvest of this country, although it was a good harvest in quality, was yet a deficient harvest in point of quantity. The proof of this is to be found in the amount of our importations of corn. It is true that it falls somewhat short of the importations of the foregoing year ; but these had been enormously in excess of the importations of ordinary years. The average importations of corn are taken to yield to the revenue £500,000 in corn duties ; but the receipts in the financial year which has just expired from corn amounted to no less than £802,000. Take also the price of corn. The average price of corn in the financial year 1860-1 was 55*s.* 10*d.*, per quarter ; in 1861-2 the average price was 56*s.* 7*d.*, showing on the face of the figures an increase in the last year as compared with the previous year of no more than 9*d.* per quarter. Undoubtedly, these figures, to a certain extent, require correction, because we are referring to British corn exclusively, and the quality of the corn brought to market in 1862 being far superior to that of the corn sold in 1861, we may fairly say that bread was somewhat cheaper last year than in the year before. But there was no great or marked improvement in the condition of the country in that respect, while as respected our American difficulties everything has turned out at the very worst that could with reason have been anticipated. Under these circumstances it appears to me to be one of the most striking and satisfactory indications we have ever had of the amount and elasticity of the resources of this country, of the industry and energy of the people, and of the beneficial results of the course of legislation for the last twenty years, that at such a time, after parting with £2,637,000 of revenue no less than about £1,828,000 of it should return to us from other sources.

But, Sir, I am bound not to part with this portion of the subject until after warning the Committee against the danger they would incur from a cursory inspection of the revenue returns printed in the journals of Tuesday. Those who cast a hasty glance at those figures will say, that while they report a decrease of £609,000 upon the year, they also report an augmentation of a very large sum — I think about £1,000,000—on the quarter. The apparent inference from the figures would be that the revenue of the quarter was improved ; but, Sir, that is not the case. On the contrary, as we had to expect, and as in some degree we must expect until a change in the causes of the mischief takes place, the revenue of the country is, not in an alarming, but yet in a sensible manner, declining. The excess on the April or fourth quarter of the last financial year over the corresponding quarter of 1860-1, was owing, not entirely, but mainly, to these two circumstances—first, to a very large collection of income tax within the closing quarter of the year ; secondly, to a receipt of money in respect of China indemnity, forming part of the Miscellaneous Revenue of the year. The best indication I can give to the Committee, in a very simple form, of the relative course of the revenue during the latter part of the financial year, is by referring to the Customs; which, upon the whole, undoubtedly, as our laws now stand, form by far the readiest and most nearly accurate indicator of the consuming power, and, therefore, of the material condition of the people. The first three quarters of the financial year 1861-2, ending with December, exhibited an increase in Customs revenue amounting to £468,000; but the last quarter of the year, ending on the 31st of March, exhibited a decrease of £100,000, and reduced the net increase of the year to £368,000. The point, therefore, at which the revenue diminished towards the close of the year 1861 marks out the point from which we may do well to look onwards rather for some slight decline of the revenue than for the full continuance of its buoyancy.

It is right, again, that I should not pass from considering the revenue of last year without reminding the Committee of the estimates of revenue laid before them; because, although I do not know that this has been a usual part of financial statements, it is useful that reference should be made at the close of the year to the estimates exhibited to Parliament at its commencement. The revenue of the year has fallen, as a whole, below the estimate by £609,000. The particulars stand as follows:—The Customs duties have exceeded the estimate by £104,000. The stamps have exceeded the estimate by £130,000. The taxes have exceeded the estimate by the small sum of 10,000. The income tax has exceeded the estimate by the small sum of £15,000. The misceallneous receipts have exceeded the estimate, apart from the China indemnity, by £81,000. The Crown lands have fallen short of the estimate by the insignificant sum of £5,000, and the Post Office by the insignificant sum of £10,000. In point of fact, the balance under these heads being on the whole, decidedly in our favour on each item as compared with the estimate, we have to look to two heads, as those under which the receipt has fallen short. The first is the Excise. That has fallen short of the estimates by £456,000. I need not refer to minor matters. There were one or two proposals yielded or modified in the course of the financial discussions of last Session, and by these the revenue was affected, but not so materially as to have a serious influence on the main result. Generally the state of the Excise has been this:—There has been a considerable gain on the estimate with reference to malt, in consequence of the very favourable nature of the barley harvest for malting purposes. There has been a considerable loss on spirits, the causes and circumstances of which I shall presently have further occasion to notice. There has been a considerable loss on hops, about £100,000 or more, referable, of course, to the accident of the season; and there has been a considerable loss on paper, referable chiefly to a great excess in the sum we were called on to pay for drawback over and above what had been conjectured. I say conjectured, because the Committee should be aware that there is a great difference between the estimate formed of drawback where the Revenue Department have the means of making the investigation for themselves, and the estimate of a drawback where they are of necessity dependent on such general accounts and information as it is in the power of the trade to give. Proceeding on that information, and no doubt it was the best of which the nature of the case admitted, the paper drawback was estimated at somewhere about £150,000, or a trifle over it; instead of which it has been £350,000; and if you add that to the defalcation on hops, you will find that the failure in Excise revenue, as compared with the estimate, is accounted for.

Now, the other head on which I must make an explanation to the Committee is the China indemnity. The estimate of the China indemnity laid before the Committee last year was £750,000. That estimate was based mainly, perhaps I should say entirely, on the opinion of our representatives in China, that the whole amount we were to receive—namely, 6,000,000 taels, or about £2,000,000 sterling—would be forthcoming, by annual instalments pretty equal among themselves, in from four to five years. It was also based on the intention of Her Majesty's Government to pay the merchants nothing, as I may say, out of the State indemnity, there being a separate sum of 2,000,000 taels intended for them, which would be paid up for them, *pro ratâ*, in the same proportion as the other sum for the State. We had in hand, before I made the financial statement of 1861, two preliminary payments, amounting to about £300,000; and adding them to the four or five quarterly payments, at the rate of about £100,000 per quarter, we reckoned the gross amount at not less than £750,000.

Now the facts are as follows:—We have no precise account of any receipt, owing to some accident, later than the 30th of September last. That circumstance does not at all imply any irregularity in the payments, because the payments are made with perfect regularity and facility, so far as the Government is informed; but it is, as I have said, probably owing to some accident that we have not received any account for the December quarter. Up to September 30 the whole receipt was equivalent in English money to £478,000. I state the receipt in English money for the convenience of the Committee, although it is impossible to give it with perfect precision, because the rate of exchange between China and England varies from time to time. The whole receipt to September 30 was, in English money, £478,000. Two quarters down to April, at the same rate, would give £149,000; but we have every reason to believe that we shall have a gross receipt down to April of about £627,000. The whole of that amount, the Committee will observe, becomes immediately available for the public service; and stands, in fact, from the moment it is received in lieu of funds which must otherwise be obtained by negotiating bills or remittances from this country. But, in the course of last summer, when the whole case of the merchants came to be stated to Her Majesty's Government, we thought it equitable to make an arrangement with them which gave to them a larger amount than the *pro ratâ* payment to which they would have been entitled, and somewhat abridged in that manner the receipt immediately forthcoming on behalf of the Exchequer. That makes, of course, no difference in the ultimate account, but merely anticipates to a certain extent in favour of the merchants the payment of their own portion of the grant by drawing on the Imperial portion of the indemnity. We paid the merchants one-half of their substantiated claims, amounting, as well as I can reckon, to about £193,000. The whole available receipt up to April, 1862, would thus be reduced to £434,000. But as we have no positive account of the last two quarters, although we have no doubt of the receipt, and although the money has been applied to the public service, we thought it best not to take credit for them in the present year, but only to take credit for what had been received up to the 30th of September. From that sum of £434,000, therefore, the two quarters of £149,000 have to be deducted, leaving £285,000, which, making allowance for the difference of exchange is reduced to £266,000. This sum is somewhat less, perhaps, than we might warrantably have taken to the credit of the year; but it is the only sum which we have actually carried to the credit of the Exchequer account for the year. We might have been justified in taking credit for £400,000, but I think the course we have pursued is, perhaps, the most regular and the most convenient. The material point, however, to which I desire to draw the attention of the Committee is this, that apart from the question of the excess which we have paid over to the merchants, it must be admitted that the expectation originally entertained in China as to the yield of the customs duties, has been somewhat too sanguine, and has not been supported by the accounts we have since received. Instead of four or five years, it now appears that a period of seven or eight years from the first payment will be necessary to realize the whole indemnity, unless some arrangement shall be made in the mean time for anticipating the payments and shortening the time.

Under these two heads, therefore, of Excise and China indemnity, the difference of £609,000 in the actual revenue of the year as compared with the estimate is more than accounted for, the results of the other branches of the revenue having been, on the whole, in excess of the estimate laid before the Committee in April 1861.

I pass now to the balance-sheet for the coming year, on which it will not be necessary for me to dwell at any great length. The expenditure, as it is now estimated, for the year 1862-3, stands as follows:—The charge for the Public Debt will be £26,280,000. In that charge there is included for the first time the payment to the Bank of England on account of the labour and expense incurred by that establishment in the management of the debt. In this manner it comes about that there is an apparent augmentation of charge; but it is not a real augmentation, the only difference being this:—The charge itself has been made before. In point of fact there is a saving upon it amounting to £50,000 a year, of which we shall have the benefit this year for the first time. But for the first time also it appears in our accounts as a charge paid directly to the Bank, instead of being dealt with by them in their books by way of set-off against the amount standing there to the credit of the public. Next, the Consolidated Fund charges for the year will be £1,900,000. The Army Expenditure stands at £15,300,000; and the Militia is likely to cost very nearly the sum of £700,000; making together £16,000,000. There is here again, Sir, an apparent augmentation upon the corresponding grants made during the last Session. The corresponding grants made last Session were £15,571,000, so that there would be an apparent excess under the head of the army, amounting to about £429,000. But, then, we bring into charge on both sides of the account this year for the first time our estimated expense on account of the Indian effectives. The amount of that charge is £730,000, which was never presented to the House of Commons at all before, either in the Estimates of Expenditure on the one side, or the Estimate of Revenue on the other, but which now appears in both. In order, therefore, to make a fair comparison between the Estimate for the Army and Militia in the present year, and in the last, we must deduct from the total expenditure for the Army and Militia in the present year—namely, £16,000,000—the sum of £730,000, leaving £15,270,000 as against £15,571,000; so that the Estimate shows in fact, a small reduction of about £300,000, instead of an increase of £429,000. The Estimate for the Navy for the present year is £11,800,000. I beg pardon, but I am sorry to be obliged to go back to the Army Estimate again. When I said the Estimate for last year was £15,571,000, I mistook the expense, and the Committee will be good enough to substitute for that sum the sum of £15,481,000, which was the Estimate given last year for the charge of the Army. It is this year, after deducting the item for the Indian effectives, £15,270,000, so that the real decrease on the charge for this year is £210,000 or £211,000. The Estimate for the Navy in the present year, as laid on the table and voted by the House, is £11,800,000; last year it was £12,276,000 including a sum of £250,000 voted towards the close of the Session for building iron ships. There is thus a reduction on the Navy Estimates of £476,000.

I come next to the Miscellaneous Civil Services, the apparent charge for which will probably amount during the present year to £7,890,000. Of this sum Estimates for £3,500,000 have been already presented to the House, and others for about £4,500,000 still remain to be presented. The total Estimate for these services last year was £7,693,000; but in the Estimate for the present year there are included sums amounting to £357,000, which relate to matters not lying within the previous control of the Treasury, nor within the ordinary scope of the expenditure under the head of Miscellaneous Services. There are, in point of fact, Votes which will be asked from the House to defray an expenditure already incurred abroad. There will be a Vote of £218,000 in respect of the loss upon the exchange in China between British and Chinese currency; there will be £35,000, or only part of a Vote—for I am sorry to say it is not the whole sum that will have to be taken—for tracing the British North American boundary; £79,000 in like manner has already been paid abroad on account of British Caffraria; and there is a sum of £25,000, forming a portion of a Vote of £55,000, on account of Vancouver's Island, which has also been already paid. £357,000 is the total amount of the several sums which we are obliged to ask for the Miscellaneous Estimates, to satisfy, in fact, charges which have already been incurred in various quarters of our extended empire. I do not attempt at present to enter into a particular explanation of these Votes, because it would lead to too great an expansion of the statement I have to make. I leave them to the proper opportunity; and, no doubt, they will attract due attention on the part of the House when they come to be discussed. They are, however, partly in the nature (to use the technical term) of excesses; and though they must appear in the accounts, they do not form part of the effective charge of the year. In truth, there is, with regard to prospective charge, a small decrease on the Miscellaneous Estimates.

The Estimate for the Revenue Departments is £4,754,000, while the Estimate for the Packet Service is £916,000. China, I am sorry to say, will again appear in the accounts of the year. I do not know that I shall have again, in point of form, to ask for a Vote of Credit; but China will make a further claim upon our funds, on account of the war expenditure to an extent which we estimate at £500,000. I will revert to that subject before I sit down, but my statement of our expenditure has already advanced so far that I think it well at once to gather into one view the material facts connected with it. The total estimated expenditure fo 1862-3 is £70,040,000.

I have now to call the attention of the Committee to our estimates of the revenue; and in speaking of those estimates I will also mention in passing that I include in them certain small sums which will probably accrue from some minor changes, of no great importance, which I have to propose to the Committee, and which it is not worth while to bring separately into account and thereby to confuse and complicate the figures. The Estimated Revenue for the financial year 1862-3 stands thus:—The Customs we reckon will yield £23,550,000; the Excise, £18,340,000; and the Stamps £8,625,000. In this revenue from Stamps is included, for the first time, a payment of £60,000 from the Bank of England on account of their composition in respect of the Stamp duty on their issue of notes. The Land and Assessed Taxes we calculate will produce £3,180,000; the Income Tax is estimated in all likelihood to yield £10,000,000; the Post Office, £3,650,000; and the Crown Lands, £300,000. The Miscellaneous Revenue will be exceedingly large, mainly because it is swelled by bringing to account what has hitherto never appeared in our accounts at all, and what I have already charged on the expenditure side. There is the payment for the Indian effectives—namely, £730,000, and there is also the share which the Government receives of the profits of the Bank's circulation of notes, or £130,000. Neither of these items have ever appeared in the balance-sheet of income and expenditure before. Then there is a sum of £255,000 for the Indian non-effectives, the whole of which, except £60,000, appears for the first time in the account of the year that has just expired; and there is a remaining sum of £1,160,000, which may be taken to represent our ordinary receipts under the head of Miscellaneous Revenue. The gross amount of these various sums is £2,275,000. We come next to the Chinese indemnity. From that indemnity, in the year on which we have now entered, I do not think it is safe to anticipate a net sum of more than £170,000. I will state very briefly the grounds of that computation. Whereas we took the quarterly payments last year at somewhere about £100,000, we cannot take them now—seeing they have come in at a slacker rate than was expected—at more than £80,000. And as we paid last year to the merchants a sum of, I think, £193,000 as one moiety of their substantiated claims, we shall have to pay them not less than another £193,000 during the present year in full satisfaction of those claims. This will make the net receipt for the year which has begun very low, and I do not think we can reckon it at more than £170,000, although if we were to take as sanguine a view as appears to have been taken in the budget on the other side of the Channel in respect to the probable receipts of France from her share of the Chinese indemnity in the coming year, we might venture to place our return from this source at a somewhat higher figure. Calculating it, however, Sir, at £170,000, the total probable revenue of this country for the financial year 1862-3 will be about £70,190,000, against an estimated expenditure of £70,040,000. [*Sensation.*]

Under these circumstances, although it is impossible for me to interpret into articulate sound and meaning the general buzz I have heard around me, yet it is not difficult to define the general purport of the question which each man has put to his neighbour, and that is, whether new taxation is to be proposed? That is a question, I need not say, which it has been our duty to put to ourselves; and it is a question with respect to which, during the course of the past year, my mind, at least, has undergone material fluctuations, in obedience to changing and fluctuating circumstances. Four or five months ago I should have ventured to entertain, not an anticipation perhaps, but a hope of being able to propose to the House fresh remissions of taxation. It would not be true, indeed, to say of the coming year that it will be totally without the benefit of a remission of taxation, because with respect to some portion of the taxation which was repealed last year the full practical effect of such repeal will only be felt this year for the first time. Again, about three months ago there was a universal anticipation in this country that we were about to be involved in largely-increased expenditure, and that new taxes to a considerable extent would have to be proposed.

Her Majesty's Government have endeavoured to give the most careful consideration in their power to the question, what would be their duty in the circumstances which they have foreseen for about two months—namely, the circumstance of a close balance between the coming revenue and the accompanying expenditure. The first point to be taken into consideration before deciding upon the course which it behoved them to follow was the nature of the cause which had exercised a depressing influence upon the revenue. That cause is at once expressed in the single word "America." Everything else is rising, growing, flourishing; but America, both with regard to trade, and still more as to the supplies of raw material for our manufacturing industry, exercises a depressing and lowering influence upon the vital circulation of capital and labour in this country. This subject is of such moment that it may deserve more particular notice.

If we look simply to the export trade of this country with America, it is material and not unsatisfactory to see that the case is improved and improving; and here I will give the Committee the latest accounts it is in my power to present—namely, down to the end of February last, or within five weeks of the present time. Our exports to America during the month of September amounted in value to only £483,000; in October, they were £709,000; in November, £739,000; in December, £805,000; in January, £1,086,000; and in February, £1,253,000. Thus, as far as mere trade is concerned, there has been a very considerable recovery. But the main question, as I ventured to state—and I cannot too strongly impress it upon the Committee—the main question is not the decrease of our export trade, vast as it is, not even when £9,000,000 or £10,000,000 have been taken from it—that is an evil, but an evil within bounds—the main, the grand question is this, whether a large portion of the population of this country is, or is not, to be supplied during the coming year with the one raw material of its industry without which that industry is brought to a standstill, and that portion of the population deprived of the means of subsistence. I am sorry I cannot represent that there is any improvement whatever in that respect.

Our condition, notwithstanding, in all other respects is healthy. And here I must refer for one moment to another subject. As this is the first occasion upon which I have addressed the House of Commons since the commercial treaty with France came into full, or what may be called full, operation, I may take the opportunity of stating what thus far, and without any prediction as to the future, have been the results of the treaty. I will take the same six months to which I have already referred in the case of America, because they are the latest in respect to which it is in my power to make any statement. I make the comparison between six months in 1859-60 and the same six months of 1861-2. I pass over the six months of 1860-1, because that was a period during which the treaty was in partial operation—that is to say, it had taken effect on the side of England only. I compare six months of the first year of the full operation of the treaty with the same period of the very last year before that treaty came into operation at all. In these six months I include September, though the new duties only began with October, because September, as the immediately foregoing month, represents the shipments of goods in anticipation. Well, Sir, the exports of British produce from the United Kingdom to France in the six months from September to February in 1859-60 amounted in value to £2,196,000, and in the six months of 1861-2 they had risen to £6,091,000. The apparent increase from these figures is £3,895,000, being, in fact, not far short of 200 per cent. But it is fair to bear in mind that there is one important item which ought to be deducted—the item of corn, because the extraordinary necessities of France, from the failure of the last harvest, led to a demand for corn from this country that was quite exceptional. In general, our exports of corn to France are altogether insignificant, but in these six months they rose to a value of between £800,000 and £900,000. But after deducting the article of corn, in order to get a fair comparison, what may be called the real increase in the exports to France of British produce stands at £3,039,000. There is also, I am glad to say, an increase in the export of Colonial and foreign produce from this country to France, which adds to the trade of this country, and adds also really, although not immediately, to the exercise of our productive power. When I put together the gross amounts of the exports to France of British, of foreign, and of Colonial produce, I find that in the six months of 1859-60 they amounted to £4,572,000, and in the same period of 1861-2 to £10,312,000, showing an increase of £5,740,000, and giving rise—I will not say to a certainty, I will not even say to a confident expectation—but, at least, to a hope that the commercial relations between these two great countries, valuable as they are in themselves, and still more valuable as they are the pledges, guarantees, and mainstays of those friendly feelings between England and France which must always be the best security for the general peace and tranquillity of the world—these figures give rise, I say, to a hope that the commerce between these two great countries is at last about to approach a scale something like what nature intended it to be, and something like what it was intended to be by that greatest of all Peace Ministers, Mr. Pitt, but as unlike as possible to what the obstinacy, the follies, and the prejudices of other men had made it.

Of course, this increase is unequally distributed, and the benefit of it has been felt in some portions of the country more than in others. The most remarkable instance, perhaps, is in the woollen trade, including in that term worsteds; and it would appear as if that trade had been actually created by the change that has taken place, for whereas our exports of woollens of all kinds to France in the six months of 1859-60 was only £134,000; in the same months of 1861-2 they have risen to the value of £1,181,000. Perhaps it is a secondary fact which I am now about to mention, but it is neither unsatisfactory nor unimportant, because the more intercourse we have with other countries the better the feeling that will prevail between us; I am apprised by the Post Office that in the number of letters which pass between this country and France there is an average increase from year to year of 4 per cent, but that since the treaty came into operation the increase has been 20 per cent. It is not necessary for me, Sir, to reiterate in his presence to the author of this treaty, my hon. Friend the Member for Rochdale, the congratulations which have so repeatedly been paid to him in his absence, for the history of that transaction, I may venture to say, is written in the history of the world.

Now, Sir, it has been material for the Government to consider what would be the fate of any proposal they might make—if they determined to make it in the present circumstances—for increased taxation. Suppose the Government were to ask the House to give them, instead of a mere equal balance, or little better, a surplus of half a million or a million of money—and in many respects it would be desirable that they should have such a surplus—I should like to know what probability there would be of their succeeding in any such proposition. Nay, even suppose that we had a surplus, and that we did not need to ask the House to make one for us—suppose that we had a surplus actually in hand, what probability would there have been of our keeping it? I think I need not go far back for an illustration of this question. One glance, passing no more than forty-eight hours backward by the clock, will suffice to demonstrate what I say. For within that limit of time, a majority of this House, wholly unaware whether there would be a surplus or not, sanctioned by their votes, in opposition to the strong appeal of the Government, a Bill for the abolition of a portion of an existing tax. I am sorry to reflect that in these circumstances the only security for a Chancellor of the Exchequer lies in his utter destitution—

> "Cantabit vacuus coram latrone viator."

If he does not possess a surplus, you cannot take it from him; or, according to an old proverb current in the northern portion of this Kingdom, which I will translate for fear of offending Scottish ears by a defective accent, "It is difficult to deprive a Highlander of a particular garment which he does not wear." Now, Sir, what is, perhaps, more material, and what certainly touches deeper topics, is this. I have referred to the one threatening and ominous circumstance in our position—namely, the deficient, the increasingly deficient, supply of cotton. No surplus that we could ask for from the House would enable us to encounter the evils that may arise from a further and greater privation of that supply; and therefore if, on account of the prospect of that deficiency, we made a demand upon the House, even if we succeeded in obtaining that demand, we still could not feel the slightest confidence that we had made an adequate provision for the deficiency that might be, that may be, impending. Considering therefore that, on the one side, if that cause of difficulty be removed, we have not the slightest reason to despond or to fear concerning the ample sufficiency of our means; and considering, on the other hand, that any provision which we could in propriety and decency ask the House to make, might fail to meet the contingencies which connect themselves with that one particular difficulty,—Her Majesty's Government have come to the conclusion that it is not their duty, in the circumstances of the present juncture, to ask the House to impose any new taxes. At the same time, in the event of a great change, and a great aggravation of a pressure which is now still tolerable, they reserve to themselves a full discretion to consider in what mode it may be right to meet the exigencies of the public service, according to the circumstances which may then present themselves.

There are other reasons to which I shall presently advert, but which I shall pass by for the moment, which lead me to the same conclusion. In the mean time I may observe, that the years through which we have been recently passing have, in point of fact, been exceptional years. It is impossible to regard them as subject to the ordinary financial conditions of the country. In years of war, which are recognised as years of war, you do not think of the balance of your revenue and expenditure, but you get what revenue you can, and make large loans to meet the exigencies of the public service. And in years of peace, which fully answer the description of years of peace, you expect, on the other hand, to have, and if finance is prudently conducted, you usually have, a considerable surplus of revenue available for the reduction of taxation. But between these years of peace, on the one hand, and years of war on the other, fully and justly so described, there are certain intermediate years, in which you have war in remote quarters of the globe, and in which you endeavour to avoid going into the money-market for loans, though the national expenditure is almost too heavy to be met entirely by taxation. That is the category to which the present and the three years last past belong, and in these years it seems well to struggle as long as we can against the necessities of borrowing, even though we may not be able to present to the House such a balance-sheet or such a prospect of a surplus revenue as, in ordinary circumstances of expenditure and of prosperity, it is considered, and justly considered, to be the duty of the Government from year to year to present.

I have said thus much about the imposition of taxes. Is there any one who will put the question whether there is to be a remission of taxes? It is quite plain that there can be no remission of taxes upon the figures which I have laid before the House—that is no remission by new legislation, although in virtue of the legislation of last year the burdens of the present year will be lighter by about £800,000 or £900,000 in respect of paper duty and income tax than they were in 1861-2. There can be no remission of taxes; and yet at the same time it is necessary that I should refer to various demands which have been made upon the Government; because, as we live in a country where happily it is free to all men to urge their particular claims, so the right and convenient course is, that these claims should be brought into the face of day and discussed in the free Parliament of England, in order that, whether we give or whether we withhold—whether we act, or whether we refuse to act—we may do so under the cognizance of our countrymen and under all the circumstances and conditions of free discussion and of perfect publicity, which carries with it the assurance of fair play.

Now, various changes have been demanded from the Government. They form that kind of residue of questions to which I adverted at the commencement of my statement as usually remaining after periods of active legislation in matters of finance, and which may, perhaps, be compared to the swell upon the sea when the tempest has subsided. It is urged, for example, by those who are interested in the distilling trade that the duty upon spirits should be reduced. It is urged by a certain portion of those connected with the sugar trade that the duties upon sugar should be altered—I do not speak of a general reduction, but of an alteration in the scale and adjustment of the duty. Again, it is urged by those who are engaged in the most useful occupation of making malt, that we should give back to the maltsters a portion of the credits which in two successive years we withdrew. It is urged by those connected with the export trade of the country that we should remove from that trade the minor charges upon imports and exports which were imposed as matter of financial necessity two years ago. It is urged by those who are connected with the wine trade that we should make some alteration in the system established in 1860; and, besides some minor changes, it is also urged from year to year that the duty upon hops should be reduced.

I shall refer to these various topics if the Committee will permit me; but in the first place I will dispose of what I would describe as the minor changes which we propose to make in our fiscal laws. I hope the Committee will not think it a very serious matter that we propose to reduce the duty upon playing cards from 1*s.* to 3*d.* per pack. This change is not at all with a view to extended consumption; the object is to obtain the duty and put an end to a system of evasion, which it is totally impossible to stop as long as the duty continues at its present rate and in its present form. Then we propose a change in the inventory duty in Scotland, which corresponds with the probate duty of England. There is at present a peculiarity in the law, under which it appears that if a person residing in England or Ireland owes money upon bond to a Scotchman, and if the *locus* of the bond happens at the time of death to be in Scotland, no inventory duty is payable upon it. That is an anomaly which ought to be removed. We propose also to apply to foreign and colonial bonds and loans of all descriptions the moderate charge of one-eighth per cent, which is at present generally applicable to loans raised in this country for English purposes, and which is also chargeable upon loans raised by the Government of India. The Committee will perceive that this is not a very important measure financially, but it is, in point of fact, a corollary to the measure by which we removed from foreign bills of exchange the exemption which they had long enjoyed to the prejudice of British bills of exchange. Foreign bills of exchange now pay the same charge as British bills, and we propose to place foreign loans upon the same footing as loans contracted in England for English or Indian purposes. I have no doubt that this change will commend itself to the approval of the Committee. The only other change we propose is one of no great fiscal importance, but which is rather important as a question of policy. We are given to understand that it is desirable by a supplemental licence to permit publicans to supply their commodities at various public gatherings, for which there is now no legal provision. Such a measure will bring the publicans under the cognizance of the police, and we propose, therefore, to allow them to take out a supplemental licence, for a period limited to three days, and thus give the trade at those places a regular character, and subject it to the same control as in other cases.

With respect to the spirit duty, that is a fiscal question of very great interest and importance. I have stated to the House the results for the last twelve months, and those results, as they appear upon the gross figures given, are but partially satisfactory. I estimated that we should receive £10,000,000 of revenue from British spirits. We have only got about £9,600,000. It is true that there is an increase of £359,000 upon the previous year; but still it is not so large an increase as we thought we might receive. Now, Sir, the question is, from what cause has this revenue fallen short? Is it from illicit distillation, or is it from diminished power of consumption? If it were from illicit distillation, I think the wisest and easiest course would be for the Government to propose a return to the 8*s*. duty; but if it arises from diminished power of consumption, we have no cause to retrace any of our steps. Now, all the evidence before us—absolute demonstrative evidence is difficult to get—but all the evidence before us shows, as far as it goes, that this diminished consumption arises not from an increase of illicit distillation, but from a diminished power of consumption, from the temporary and local prevalence of distress combined in some degree with the increased and increasing sobriety of the people. I will endeavour to illustrate this in the best and simplest manner I can. If the partial failure of the spirit revenue arise from diminished power of consumption, it is manifest, under the circumstances which I before described, that the diminution or the failure will be most visible in the latter part of the year through which we have just passed; because the pressure upon the people, undoubtedly, has undergone a great increase in the latter part of the year. Now, how does the case stand? It stands thus:—In the first quarter of the financial year we had an increase of £218,000, which was perfectly satisfactory. In the second and the third quarters we had an increase of £118,000 and £147,000 respectively, showing some tendency to give way. In the fourth quarter there was an actual decrease of £101,000, so that the decrease of revenue exactly corresponds with what we believe to be the increasing pressure upon the consuming power of a considerable portion of the population. We will now look at the several parts of the United Kingdom. The pressure of distress has been much less in Scotland than in England; and Scotland gave us a revenue in 1860 of £2,754,000, but in 1861-2 of £3,065,000 from British Spirits. In like manner Ireland in 1860-1 yielded £2,269,000, and in 1861-2 £2,461,000. Both of these returns in a fiscal sense would be perfectly satisfactory, but England on the contrary, shows no increase whatever, having yielded in 1860-1 a revenue of £4,462,000 and in 1861-2 only £4,442,000. It will be obvious, that if illicit distillation were the cause, it would be more in Scotland than in England, and more in Ireland than either, that such a cause would operate. Whereas, on the contrary, even in Ireland; which is the dangerous and weak point of any system of high spirit duties, we have an increase from spirit revenue which is perfectly satisfactory. It is, indeed, quite true that at a certain period of the year—I mean during the last months of 1861—there was a considerable increase in the number of prosecutions and convictions for illicit distillation in Ireland; but the constabulary authorities tell us that this symptom was only temporary, and that an effectual stop has now been put to their growth. I will not trouble the Committee with the details, but that is the clear upshot of their report, and the clear deduction from the figures, which show a positive increase of consumption in Ireland. Now, with respect to the effect of distress upon this consumption. I have endeavoured to obtain such information as could be had by inquiry from the manufacturing districts. I find that in Liverpool, where there has been considerable distress connected with the slackness of the cotton trade, a certain number of rectifiers—six large rectifiers, who sent out in 1861, under the increased duty, 429,000 gallons, this year only sent out 321,000 gallons—a decrease of 25 per cent. In London a very large rectifying house, which has an immense connection in the manufacturing districts, sent out in 1861 853,000 gallons, but in 1862 sent out only 645,000 gallons, showing a decrease of 25 per cent. Nay, I am able to state that the real decrease is much larger, because the London portion of their trade has greatly increased, while an aggregate decrease of 25 per cent on their entire trade is produced by the diminished power of consumption in the manufacturing districts. Under these circumstances, it appears to us plain that it would be quite an error if we were to feel the slightest doubt or hesitation in maintaining the spirit duty at the present rate.

With respect to the duties on sugar, that is a question into which I need not minutely enter. The Committee is aware that in old times, when we were wholly dependent on colonial sugar, the range of differences in the intrinsic value of that colonial sugar was not very great. There were, of course, differences, but they were on the whole within certain moderate limits. It was at any rate found practicable to levy one single rate of duty on all descriptions of unrefined sugar, and one other rate of duty on refined. But when a freer trade in sugar was established, and when a stimulus had been given by the introduction in various places of improved machinery, then we had to deal with every possible variety of quality and value in unrefined sugar. About the year 1846, I think, it was found necessary to have two rates of duty for unrefined sugar instead of one, and in the year 1853, when I was Chancellor of the Exchequer, with the aid of our lamented Friend Mr. Wilson, I introduced a further modification into the law, and established a system by which there were three rates of duty on unrefined sugar. This being done by classification, of course, like all classifications, it is, to a certain extent, unequal in its operation. It appears to bear with not inconsiderable hardship on certain qualities of sugar which happened to come near the dividing line, and there the difference of duty sometimes absorbs, or more than absorbs, the difference in price. On this account a certain portion of the sugar growers, particularly those interested in the Mauritius and the East Indies, demand of us that we should abolish this difference. But we are encountered by a variety of other interests. We have the growers of the Mauritius and the East Indies from one point of the compass, the West Indian growers from a second point, the refiners from a third; and the interest of the consumers may be found to stand apart from any one of these. The West Indian growers are perfectly satisfied, and are protesting parties against any change, and I venture to say they have on principle much to urge in support of their protest. The refiners are equally a protesting party against a change, and these parties urge that the revenue thrives under the present system, and that the consumer obtains a supply increasing from year to year. The conclusion, therefore, which I draw is this, that if a change is to be made in this matter, it must be made after careful deliberation and a protracted investigation, in which all interests should be represented. If those who are connected with the Mauritius and the East Indies call on the Government to give their sanction to an inquiry by a Committee of this House for the purpose of ascertaining the operation of the present system, to that proposal I should not have a word to object; but it is plain to me, from the statements laid before me within the last fortnight or three weeks—for it is only within that period that any representation has been made—that it would be impossible, or, if possible, most improper, for the Government to make any precipitate proposal in regard to a question so complicated, and where such a variety and diversity of interests are concerned. Therefore that question may for the present moment go by.

I am afraid that I must discourse also, but very briefly, of another question—that of the malt credits. The maltsters, or those at least, who call themselves the maltsters, and who, at any rate, represent a considerable portion of the trade, demand that we should give them six weeks' longer credit for the payment of the duty than they now have allowed to them. I really must say that that is a question which ought to have been considered when the old credit was first withdrawn. Whatever disadvantage was to arise from the withdrawal of that credit was just as plain when it was done as it can possibly be now. Further, the members of this trade are divided upon it among themselves. A portion of them wish us to restore it, and a portion of them say it is better that it should remain as it is. The maltster, it is true, labours under some peculiar disadvantages. The manufacture of the article is confined to within seven or eight months in the year, whereas the consumption is spread, with more approach to equality, over twelve months, and it follows that at certain periods the maltster must have a larger stock in hand than suits him. But, on the other hand, he has a compensation in the fact that he has an average credit from the Government all the year round of from nine to ten weeks after the malt is charged. That, I think, is a fair compensation all the year round for the particular inconvenience which at a particular portion of the year he undergoes. My hon. Friend the Member for Hertford shakes his head; the Hertford maltsters, I know, have been very active in asking for this extension of credit; but if I could only see the representatives of other malting interests—if I could catch the eye, for instance, of my hon. Friend the Member for Newark—he, I know, would encourage me with a nod of assent as emphatic; at least, as the nod of dissent I have just received from the hon. Member for Hertford. There is another practical mode of putting the question, which for the time may, perhaps, be thought of itself conclusive. To restore the six weeks' credit to the maltster would deprive the revenue of the coming year of £1,300,000, and I apprehend the Committee would not give its countenance to the Government in making any proposal of the sort which would have that effect.

In like manner, I shall be brief with regard to what are called the minor charges. The penny levied upon imports into this country is a charge which I feel entails on the trade of the country an amount of labour more than is fairly commensurate with the fiscal benefit derived from the impost. I think there is no claim upon the Exchequer — when once it is in a condition to yield to any claim — which ought to take precedence of the claim which may be made for the repeal of this charge. But this charge, together with the charge of 1*s.* 6*d.* on bills of lading, amounts to £182,000: of this sum the penny inwards produces about three-fourths; and with the accounts which I have presented to you—which only leave us a surplus of £150,000—I need not say it is impossible to propose the repeal of this charge on the present occasion. With regard to the charge made, not on imports, but upon exports, in the shape of an imposition of a duty of 1*s.* 6*d.* on bills of lading, I must state that the question is not so much fiscal as statistical. The authorities of the revenue department declare it to be the result of their experience, as it was their original expectation, that great advantage has resulted to the statistics of our trade from the imposition of that charge, by the means it gives of obtaining most valuable and comparatively at least most accurate information. But here, again, I must say that if there be a desire, as far as that charge is concerned, that there should be an inquiry—and though I do not know that a Committee of this House would be the best organ for such an inquiry, on account of the extremely technical character of the subject, yet I think an organ of inquiry could easily be devised composed partly of representatives of the Executive Government and partly of some gentlemen of high commercial standing in this House, whose assistance I do not doubt could easily be procured—I should be perfectly willing that an impartial examination should be made into the charge, and into the amount of statistical and fiscal benefit obtained compared with the trouble which it gives.

Thus far I have stated cases, in which

we do not make a financial or legislative proposal; but the next point which I shall mention to the Committee is one with regard to which I do not feel any difficulty. I have done now with those matters on which I propose no change; and I have now to propose some changes which, as the Committee will see, are not without importance, though, of course, after the description I have given of the state of the account, it will be readily believed that they are not of much fiscal importance. That which I have first to mention is the existing scale of wine duties. And here, Sir, I may begin by stating that, according to the conviction of the Government and the experience of the revenue department, the difficulty of introducing a fundamental alteration into our system of wine duties by allowing what may be called natural wines—though, of course, I use the word only in a popular sense as distinct from highly brandied wines—to enter into our market at a low rate of duty—by which I mean one shilling per gallon—has been in substance solved by the introduction of what is called "the alcoholic test;" and I have no doubt that the alcoholic test will continue to be a permanent and satisfactory basis for the administration of our system of wine duties. The proof of this is to be found in a very few figures. I take the mean deliveries and the mean revenue from wine in the last two years under the old system, and compare them with the new. This comparison is, in fact, unfair to the new system, because in one of what I have called the two last years of the old system are included two months following the date when a 3*s.* duty had just been established; and, consequently, there was a rush of wine into the market. Therefore the new system stands in reality somewhat better than it would seem to do by this comparison. With this preface, I proceed to state that the mean deliveries during the last two years of the old system, 1858-9 and 1859-60, were 6,552,000 gallons, and the mean revenue derived from wine amounted to £1,697,000. The actual deliveries during the last financial year, 1861-2, were 9,732,000 gallons. Those figures are not precisely accurate, because a day or two at the end of the year has been taken by estimate only; but they are substantially accurate, and they show an increase of 3,180,000 gallons, or about 50 per cent. I think that fact is conclusive as to the following points:—that a great stimulus has been given to the trade in wine; that increased facility of access to that valuable commodity has been afforded to the people; and that an immense extension has been imparted in a short time to the commerce in connection with the article. When we look at the fiscal effects, we find, that whereas the mean revenue of the last two years of the old system was £1,697,000, the revenue of the first complete year under the new system was £1,105,000. That is to say, there has been a decrease of £592,000; but the estimated loss was £890,000, so that the real loss is very much less than the loss which was estimated. But, while considering that the general results are entirely satisfactory, that state of facts does not absolve me from the duty of also considering whether the application of the scale of duties is not capable of being materially improved in detail. What we want under a system of this kind is to attain, as far as possible, the greatest simplicity of operation; the most extended application we can manage to secure of the low duty of 1*s.* to what I have called natural wines; and, finally, a most material object—the protection of the great revenue of £12,000,000 which we derive from British and imported spirits. Those are the objects which we must desire to attain, and the question is what changes can be introduced into the system compatibly with their attainment.

In the autumn, with a view to the solution of this question, we despatched several intelligent officers of the Department of Customs to the wine-growing countries of Europe; to France, Switzerland, Germany, Hungary, the Peninsula, Italy, and Sicily. The object was to ascertain, as far as possible, the most material facts as regards the natural strength of wine in those places where it is produced at its greatest natural strength. When I speak of natural wine, I mean wine with only so much spirit added as is necessary to make it a merchantable commodity for the general markets of the world; and the distinction which I draw between that and another class—a brandied wine—is, that in the latter class considerable quantities of spirits are added to certain wine to produce peculiar qualities, principally for the purpose of adapting it to the English market. I do not wish to speak of those strong wines with any disrespect. Brandied though they be, the makers have generally, or at least often, succeeded in producing a very excellent compound. But as it is an essential part of the new system to defend the spirit revenue; and, indeed, to defend our distillers against an unfair and indirect competition, it is absolutely necessary to impose a higher duty upon these highly brandied wines, containing a much larger quantity of spirit, than we impose upon weaker or natural wines. The result of the inquiries, which we directed to be made in the countries I have named, is rather curious and interesting. The information to be had from the trade in this country, though as far as it went, it was first-rate, was confined within somewhat narrow limits; it was, naturally enough, to the few wines brought into this country, and to the few districts where those wines were grown. We obtained, in the course of our inquiries in every quarter after the strongest wines in their natural state, about 125 carefully selected samples. Of those 125 samples, 103 were below 26 degrees of alchoholic strength; 22 only were above 26 degrees of strength, and out of those 22 15 belonged to Spain; and I have no doubt, as regards those 15, that they do not so much represent the natural strength of the wine at the time when it was first made, as the strength attained by some considerable period of keeping, because it may be within the knowledge of the Committee that white wines gain in alcoholic strength by keeping, while red wines do not. Under those circumstances it appears that 26 degrees of alcoholic strength is the point and marks out the limit where, upon the whole, we may safely distinguish between the two classes of stronger and weaker wines. And this proposition is illustrated in a remarkable manner by the recent experience of our fiscal system as to the admission of wine into this country at several strengths. The entries at the several strengths since the scale of duties was established, have been as follows:—

Degrees of alcoholic strength.	Gallons.
Between 17 and 18	918,000
" 18 " 19	467,000
" 23 " 24	48,000
" 24 " 25	30,000
" 25 " 26	48,000
" 26 " 27	52,000
" 27 " 28	147,000
" 28 " 29	171,000
" 29 " 30	344,000
" 34 " 35	2,225,000
" 35 " 36	2,019,000
" 36 " 37	2,373,000

Thus it will be observed that about 26 degrees we find the *minimum* of imports, while almost exactly from that point upwards there is a large and rapid increase in the quantites admitted. The result of this state of facts is, that by taking our division of duty at 26 degrees of alcoholic strength we shall attain these several objects—we shall admit at a shilling duty almost everything which can be properly called natural wine, and we shall insure the power of abolishing the practical application of the test in a very large number of instances, because the great proportion of the stronger wine which will be offered will at once be offered by the parties at the highest duty, and being offered at the highest duty, it will not be necessary to apply the test, although it must be distinctly understood that we shall still require the samples, which can be given with perfect facility, and we shall retain and exercise the power to apply the test whenever necessary.

What we propose to do under these circumstances is as follows. At present there are four rates of wine duty. Under an alcoholic strength of 18 degrees wines pay 1*s.*; from 18 degrees to 26, 1*s.* 9*d.*; from 26 degrees to 40, 2*s.* 5*d.*; from 40 degrees to 45, 2*s.* 11*d.* Wines above 45 degrees of strength cannot be entered. I propose to reduce the four rates to two. I propose to admit at 1*s.* duty all wine up to 26 degrees of strength. There I draw the great dividing line. From 26 degrees up to 42 I propose to place the duty at 1*s.* 6*d.*, and above 42, where we have really attained the limit beyond which we may fairly say that no legitimate wine is introduced, to impose a virtually prohibitory duty of 3*d.* for every additional degree of alcoholic strength. That will be the nature of the Wine Duties Resolution which I shall propose, and the financial result of it will be as follows:—By carrying the 1*s.* duty up to 26 degrees the revenue will lose £20,749; but by the additional penny—by the rate of 2*s.* 6*d.* instead of 2*s.* 5*d.* per gallon—upon wines above 26 degrees it will gain £36,458. Of course I propose that bottled wines shall pay the same rate of duty as wines between 26 and 42 degrees of alcoholic strength. The total net gain will be about £15,800. That is the proposal which I shall have to make with respect to the wine duties, and I feel the greatest confidence that it is a proposal affording a combination of advantages which it is very seldom in the power of fiscal legislation to attain—namely, a change which is highly beneficial to the public, and at the same time eminently acceptable to the great body of the very intelligent and able men who are engaged in carrying on the wine trade.

The only other subject which I mentioned just now under the head of changes either proposed or to be adopted, is the subject of the hop duties. My hon. Friend the Member for Sussex (Mr. Dodson), who with so much ability has led so many campaigns, followed, I must say, by a gallant army, which he has proved himself on all occasions well worthy to command, against successive Chancellors of the Exchequer, has not this year anticipated the Budget by forcing on his Motion. But, at the same time, I apprehend it is a safe opinion to give, that if the Government could have said or done nothing upon the subject, it would not be very long before we should have heard some note of assault from the same or from some other quarter. The case against the hop duties is, I think, very much exaggerated, and naturally so, by those who plead the cause of the hop-growers. But I have never denied that there is a considerable amount of strength in their case. I recognise the force of arguments founded upon the unequal amount of the duty in different districts; the severity of competition with foreign hops brought upon a trade which had been the child—the darling child of protection and monopoly; the aggravation of an uncertainty in itself and from natural causes extremely great, and the anomaly in some degree of imposing an excise upon the growth of a raw material, that too being one which is of old standing in the country. And, lastly, I must admit the great evil on principle of committing to the Executive Government—what has been forced on them from time to time in this matter—the decision on constant applications for postponement of payment. I find myself from time to time discharging functions more fitting for the Home Secretary—I mean more fitting his functions of advising Her Majesty upon the exercise of the prerogative of grace and mercy, because it is absolutely necessary for the revenue departments to push for payments of the duty, and I am ever and anon besieged with applications for the remission of legal proceedings which, as well as I can, I have to take into consideration. But that is not a description of duty which it is desirable to place in the hands of any Chancellor of the Exchequer.

Another argument which my hon. Friend, the Member for Sussex is fond of urging, is founded upon the uncertainty of the amount receivable by the Exchequer from year to year. Now, this is inconvenient, as far as it goes; but if we do not get the amount one year, we get it the next, and, considering the large scale of the revenue accounts, we do not suffer from that course as much as is supposed.

Again, Sir, I must in candour admit that the opinion of this House has been shown on many occasions to be one eminently favourable to the removal of this duty, if it could by any means be effected. We have every desire to respect the opinion of the House of Commons, whenever circumstances place it in our power to show our respect for that opinion, not by hollow professions and mere high-sounding and empty phrases, but by measures in their nature practical, and not injurious to any weighty interest of the State. But the Committee must have been convinced, by the great eloquence of the figures which I have already submitted to them, that we have no means to remit the hop duty; that is to say, we want the money it produces. With a surplus already entirely nominal—a surplus, taken at the outside, of not more than £150,000, we cannot part with the proceeds of a duty which even at the reduced rate yields us, between Customs and Excise, £300,000 a year on the average. [Sir JOHN SHELLEY dissented.] I beg my hon. Friend's pardon but in the year just concluded—a year of marked failure—the duty produced £260,000—namely, £150,000 from Excise and £110,000 from Customs. I am naturally unprepared, having regard to the slenderness of the surplus, to part with the proceeds of a duty which produces £260,000; but the question arises how far it may be possible to substitute, with equity to all parties, some other form of impost, by way of commutation, which would secure to the revenue the greater part of the money it now gets, constitute a relief to the growers from the payment of the duty, and entirely set free the foreign trade, as well as the British trade, in hops. That is no easy matter; but I wish to state to the Committee in the most distinct and unmistakable terms that we have before us but one option. Let us commute the duty if we can; but if we cannot commute it, we have no option but to keep it, unless we mean to rush with our eyes open into a manifest deficiency. *Aut Cæsar, aut nihil*—it is either commutation, or standing as we are.

I will now communicate to the Committee the proposal which we think it worth while to make, and which may meet with the approval of the Committee; but to make it intelligible I must refer for a moment to another subject, not immediately connected with the hop duty. That subject is the anomalous state of the present scale of charges for brewers' licences. As it now stands, the charge for brewers' licences is arranged on an ascending scale; but the ascending scale is adjusted in a manner which, on the slightest inspection, will be seen to be eminently burdensome to the small tradesmen, and in favour, I must say, beyond all bounds, of the larger. If a brewer brews for sale less than 20 barrels of beer, he pays 10*s.* 6*d.* for his licence; and that licence imposes on his 20 barrels of beer a tax of 6¼*d.* a barrel. If he brews 50 barrels, his licence costs £1 1*s.*, or a tax per barrel of 5¼*d*; and if he brews 100 barrels, his licence is £1 11*s.* 6*d.*, and that is a tax of 3¾*d.* per barrel. But if he brews 1,000 barrels, he pays for his licence £2 2*s.*: and so, instead of being taxed at the rate of 6¼*d.* or 3¾*d.* a barrel, he is only taxed a halfpenny per barrel. If he brews 80,000 barrels, he pays £78 15*s.*, being only a farthing a barrel; and if, brewing beyond all bounds, he mounts up to 300,000 barrels, he only pays the quarter of a farthing. That is a state of things with respect to which common justice and fairness call on us, or at any rate, warrant and justify us in making an alteration. What we propose as an admissible commutation for the hop duty, in the present circumstances of the revenue of the country, is contained under the following heads. That we should re-adjust the scale of brewers' licences on the principle of including in them generally an equivalent, or nearly an equivalent to the charge in respect to the present hop duty from which they will be released. The charge would be fixed so as in the first place to relieve the small brewer as compared with the larger one, who is now hardly dealt with, by putting on him an additional sum considerably less than the *minimum* of hop duty paid by him in the price of his hops. Speaking generally, the charge would be fixed on the basis of imposing on brewers, in respect of each barrel of beer, the sum of 3*d.*, an as equivalent for the hop duty, from which the article they purchase will be released. Those who have examined the technical details of this trade are aware that a duty of 3*d.* represent 2 lb. of hops; and 2 lb. of hops—the smallest quantity which, so far as I am able to ascertain, is ever used with two bushels of malt—represent in a fair way, together with the two bushels of malt, a barrel of beer, containing 36 gallons. Threepence in the form of hop duty is the *minimum* which the brewer now pays as an element in the price of his hops; and that *minimum* we propose to charge in the shape of licence duty, but with a certain deduction with regard to the lower portion of the scale. In the case where, in lieu of 3*d.* which I take to be the *minimum* duty, a greater amount of hop duty is now paid by the brewer—as for example, when, in the manufacture of that incomparable and most wholesome article which we term bitter beer, he uses more, perhaps even very greatly more, than 2 lb. of hops—the difference must, of course, be borne in the shape of a loss to the revenue. By such means as I have now summarily described, we shall get, not the whole amount of the tax, but by far the greater part of it; and while we place on a solid footing, as I hope, a branch of revenue which has heretofore been perpetually in question, we shall establish at the same time perfect free trade in British and foreign hops. I must observe, however, lest some should think that this must be hard on the brewers, that there is no doubt at all that the brewer, the consumer of hops, has already received a very great boon from the changes in the law which have already taken effect. We lowered the hop duty from 20*s.* to 14*s.* per cwt. Whatever may be thought of that reduction as a boon to the growers, it was, beyond all doubt, an important boon to the brewers. But we did much more than that on their behalf, for we admitted the foreign article on the same footing as the British. There is not the smallest doubt that a thoroughly active and effectual competition has been established; for, whereas the excise duty on the article of hops for the last year amounted to £150,000, the Customs duty reached no less than £110,000, being more than two-fifths of the whole of the duty on hops taken for consumption in this country. There are few, indeed, of the articles in our tariff list with respect to which, on the establishment of free trade, the foreigner has obtained even, in a year of scarcity, so large a share of the British market. No doubt the brewers will obtain, though not, perhaps, at the very moment, the whole further benefit of the reduction of the hop duty which we now propose.

Under freedom of competition the amount of a duty must go to the man who buys, and not to him who produces. To illustrate this I might, if it were necessary, refer to the evidence taken before the Committee in 1857, where one of the most competent witnesses—the hon. Member for Derby (Mr. Bass)—stated explicitly in answer to a question, that which is a sound principle alike of political economy and of common sense. He said that there could be no doubt whatever that in the long run the consumer would have the full benefit of the reduction of duty, and by the consumer he evidently in this case means the brewer. There is also another boon which in this way we are enabled to give the brewers. I will proceed to explain a hardship under which they at present labour. The brewer makes an article in which hops and malt, on both of which there is an excise duty, are included; and, on exporting his beer, he receives a drawback compensating him for the malt duty, but not for the hop duty. We propose to add *3d.* per barrel to the amount of drawback on the export of beer, in order for the first time to compensate the exporting brewer for the duty on the hops entering into the composition of his beer. In the new scale of brewers' licences we propose, in respect to a brewer under 20 barrels, to add to the price only *2s.*, or about 1¼*d.* (the hop duty being *3d.*) per barrel; under 50 barrels the addition to the licence would be a similar sum of 1¼*d.* per barrel. When we come to 100 barrels, we propose to charge for the licence £2; from 100 to 1,000 barrels the charge will be 15*s.* for every 50 barrels; 1,000 to 50,000, 14*s.* for every 50 barrels; from and above 50,000, 12*s.* 6*d.* for every 50 barrels. The general principle, therefore, of our proposal is an addition of *3d.* per barrel to the brewer's licence, being the *minimum* of hop duty he now pays. It is, however, as I have said, qualified by two considerations. First, as regards the lower portion of the scale, we have thought it right to propose, considering the anomalous condition in which we find it, a considerably smaller addition than *3d.*; while, in the second place, we have somewhat reduced, with respect to the upper portion of the scale, the sum to be imposed in addition, in order to maintain the principle that we shall not impose on the brewer a larger amount than he now pays in the aggregate, partly for his brewer's licence, and for the whole of the hop duty included in the hops he purchases.

There is one other point which is material, and which I must mention. It refers to the date at which this proposal is to come into operation. If the Committee does not approve the plan of commutation which I have just sketched, we must, of course, remain as we are, and commit the hop question, with others, to the contingencies and vicissitudes of future years; but if, upon the contrary, you accept our plan when we submit it in the shape of a preliminary Resolution, imposing the new scale of duty on brewers' licences, then we shall propose in the Bill we shall subsequently have to introduce, a clause to repeal the Customs and Excise duties on hops. That repeal we propose should take effect from the 15th of next September, by which time the greater portion of the hops now in the country will, we calculate, have passed into consumption. If any of the holders of these hops are not satisfied to retain them, and sell them in open market after the duty is abolished, of course we cannot object to their exporting them in the mean time, under the powers they now possess, with a drawback, to foreign markets; we shall, however, ask the House to make provision that no hops thus exported on drawback shall be reimported for consumption during the six months following the repeal of the duty, except upon payment of a sum equal to that duty; and further I have to state that we do not think this is a case in which either public expediency or justice to individuals calls us to admit the principle of being bound to give anything in the nature of a drawback on the stock in hand, the commodity we are dealing with being a commodity produced, and in the main passing off, from year to year; and a considerable time, moreover, being allowed before the repeal of the duty is to take place.

There is yet one other point to which, although it is a matter of detail, I wish to advert. I allude to the mode in which we propose to deal with private brewing. It would not, I think, be quite just to the regular brewer when called upon to make an equivalent payment in respect of the hop duty, that the private brewer should be allowed to go scot-free. To institute minute investigations in connection with private operations of the kind would, I feel, upon the other hand, be extremely obnoxious. I need not say we desire to do justice as far as we can. What, therefore, under the circumstance, we propose to do is, in the first place, to exempt from the necessity of being carried on under licence all private brewing carried on by the labouring classes or very small farmers; we consider that we should not, in short, call upon any person to take out such a licence who lives in a house, not being a farmhouse, of less than £20 annual value, or, if a farmhouse, situated on a farm of which the rent is less than £150. If, however, a person occupying a house above £20 in value, or being a farmer paying above £150 rent, should brew privately, then we must call upon him to take out a licence uniform in amount; because to make any distinctions in the amount in such cases would be scarcely worth while, and would, perhaps, be open to exceptions, owing to the necessity which might in consequence be created of instituting an inquisition into private arrangements. What we propose, therefore, is that every person inhabiting a house or farm of the value and under the conditions I have mentioned should be bound, if he intends to brew, to take out a licence—as a man is now bound to take out a licence to shoot, if he intends to shoot—and that he should pay for that licence the sum of 12*s.* 6*d.* [*Laughter.*] I do not understand why the mention of the particular sum of 12*s.* 6*d.* should have so magical an effect in exciting the risible muscles of some hon. Gentlemen; but if it should appear to be the universal opinion of the Committee that that is too small an amount, I am bound to tell them that the Government will by no means absolutely insist on closing the door against its increase.

According to such calculations as we are able to make, the financial effect of the proposed plan would be as follows:—I have stated that the average receipts from the Excise duty on hops, taking a period of ten years, and reckoned upon a duty of 14*s.* per cwt., were £250,000 per annum; the average receipts from the Customs duty, similarly reckoned at 15*s.*, the rate now payable, have been about £30,000; and the amount derived from brewers' licences at present scale is about £70,000; making a total of £350,000. The cost, however, of collecting the present duty is £5,000 per annum, and therefore the real product of the two duties—the Customs and Excise duties, together with that derived from brewers' licences—as paid into the Exchequer, on an average of ten years, must be taken to be £345,000. The brewers' licence, on the other hand, on the scale on which we propose to place it, together with the licence to be taken out by private brewers, will, we anticipate, yield a sum of £300,000 annually, so that there would be a loss to the revenue, under the circumstances, of £45,000, while a further sum—I do not think it would be very large, but the amount cannot be defined by estimate—would have to be paid in the shape of drawback on such an extra exportation of hops as may take place between this time and the 15th of September, when the present duty would cease and determine.

Sir, I have now occupied the Committee for a lengthened time in going through the details immediately connected with the operations of the present year, and I trust I have been enabled to place hon. Members clearly in possession of the views of the Government and of the proposals which we desire to make. I feel, at the same time, that the prominent features in my statement are, in the first place, the announcement of an intention to commence the year without a real surplus of revenue over expenditure; and, in the second place, that we have recently been passing through a period which must be regarded as in many respects exceptional. I have for the last half-hour been dealing with matters which are extremely dry and technical—except in the eyes of those who for particular reasons take an interest in them—but I will now, with the permission of the Committee, call their attention to questions of larger concern and to a more comprehensive view of our position. I wish to do so because I am anxious the Committee should understand that, when we propose to them to proceed on the year that we have just begun without an evident and considerable surplus of revenue, it is because we think such a course, upon the whole, adapted to the present state of our Revenue and expenditure, inasmuch as that state is in many respects a state wholly exceptional. The better to accomplish the pur pose which I have in view I would ask the Committee to recollect what has already taken place, and to bear in mind that the last two or three years have been years of important financial changes, and of an expenditure never before maintained in this country in what we term a time of peace. Now, I am anxious to give the Committee, if they allow me, a view as comprehensive in its outline and as impartial in its character as it is in my power to present of the financial results of, if I may so call them, the last three years taken together;

for when we come into circumstances of difficulty such as recently beset us, when we are called upon not only to maintain vast establishments in deference either to the wants or to the feelings of the nation, or to both, but likewise to meet very considerable charges of an extraordinary character; and when, as the result of these operations taken from time to time in obedience to immediate necessity, there ensues a deficiency in the revenue at the end of the year, it is, I think, most important that the facts of such a period should be gathered into a focus for the inspection of the House of Commons — that we should take stock, if I may use the phrase, of our condition, and ascertain how we stand; for nothing can be of so much advantage to us as information derived from experience in order to enable us to determine the course which it is our duty to take for the future.

Now, Sir, an impression prevails that the public expenditure of the country is growing. That is not true at the moment when I speak. I have, indeed, already shown that the expenditure of last year was very considerably less than that of the year which preceded it. Let me now compare the expenditure of the year last past with the estimated expenditure of the year coming. The actual expenditure for 1861-2 was £70,838,000. The estimated expenditure for 1862-3 is £70,040,000, showing an apparent estimated decrease of £798,000. That, however, is not the whole decrease, for we have a charge in the estimated expenditure of the coming year of £920,000 which has never appeared in our accounts before now, and which forms nominally, but not really, a portion of the expenditure of the country, inasmuch as it is balanced on the other side by an equivalent receipt. If, therefore, you wish to institute a fair comparison between the estimated expenditure of the year before us and the actual expenditure of last year, you must take both as follows:—Actual expenditure for 1861–2, £70,838,000; estimated expenditure for 1862-3, £69,120,000, showing a total estimated diminution of expenditure to the extent of £1,718,000. Now, I have been anxious to say thus much, because although I deemed it to be my duty to make the Committee fully aware of the liabilities which it might be incurring and the vast scale of our charges, yet I thought it but just to make you likewise aware that we seem to have established at all events the commencement of some downward movement in our expenditure.

While, however, I do not hesitate to make this statement, I am bound also to say that the present high level of our expenditure is such a level as ought to attract the serious and careful consideration of the House. It is a higher level than can be borne by the people even in their present state with comfort and satisfaction. It has been borne with exemplary patience, but it is too high to be borne with comfort. It is higher than is compatible with perfect health and soundness in a financial point of view, because if it were compatible with perfect health and soundness, I should now be asking you to let me begin the year with a sensible surplus, and not with a barely equalized income and expenditure. Whether there is a fault chargeable on any one in the state of things which I am describing, and to whom that fault belongs, are matters which it is entirely unnecessary to examine. But as to the causes I take them to be the following:—In the first place, it is due in some considerable degree to the growth of real permanent wants of the country—wants which it is desirable to supply, and to which if you were to deny fitting supply, you would be doing great public mischief. In the second place, it has been due to apprehensions prevailing with respect to the security of the country, and to a natural anxiety to make full provision for that security. In the third place, it is impossible that there should not be some description of relation between the state of establishments and expenditure in other countries generally, and the state of establishments and expenditure in this country. In the fourth place—and this is the point to which of all I am most anxious to call the attention of the Committee—it is due to special demands, which are in substance, and in everything except the name, war demands, demands of such extent as to give them great significance, and lying altogether and entirely outside of the ordinary demands and exigencies of the public service.

The two last points are matters upon which I wish to make a few remarks. With respect to the state of establishments and expenditure abroad, I do no know whether hon. Members, in their perusal of the journals, and in their observation of the condition of other countries, have fully comprehended what a race the Governments of the world are running, and at what a fearful pace outside of England national obligations are now in course of accumulation. It would be invidious to mention a particular country if it were not that nearly all countries are in the same predicament—nearly all the great countries in the world. The fact is, indeed, that the only flourishing Budget I have recently seen — the only Budget showing a considerable surplus at least upon paper in a prospective estimate of the revenue and charge for the coming year—is the Budget of the Ottoman Empire. If we look to other countries, the circumstances are really extraordinary, considering that the period is not one of general war. Look at the great and magnificent country of France, with resources perfectly equal to the discharge of any obligations and the enduring of any burdens. France, in the last twenty years, has added more than £250,000,000 to her debt. If we put down £70,000,000 of that for war expenditure in Italy and the Crimea, there is still the sum of £180,000,000 which cannot be ascribable to either of these causes. Austria has added to her debt a sum short of that which France has added, but not very far short, amounting probably to £200,000,000, and while absolutely less than the addition made in France, yet were greater than that addition if estimated with reference to the wealth and resources of the country. Italy, of necessity, labours at this epoch of her reconstruction under heavy financial deficits. Russia has added to her debt, in consequence of the Crimean war and otherwise, to a very large amount, which I am not able to state, but I have no doubt it may be moderately stated at £100,000,000. If we look at the year 1861, or—as the national financial years do not always coincide—if we look at the financial year which was current in each country at the end of 1861, I believe it might be asserted with perfect truth that that single financial year added to the State debts of the great countries of the world, without including the smaller ones, a sum not less than, and probably exceeding, £200,000,000. Of course, America stands for a large portion of that sum, but very large additions have been made in France, Austria, Italy, Russia, and smaller ones in other minor countries. This is not a matter, I admit, which will afford a justification for any folly of ours. It is of secondary moment in our discussions, but still it is of considerable weight and interest. We do not deserve any sort of credit for not having made a similar addition to our debt. We have sown our wild oats long ago. The state of this country with reference to its disposition to bear taxation has long warned and admonished us for all time coming that pranks like these must here, at least, not be played.

The Chancellor of the Exchequer

But let us now look at what we have actually been about during the last few years. As it has been my fortune in two successive years to present to the Committee an account showing a deficiency of income as compared with expenditure, so I wish to bring fully and clearly into view the expenditure we have borne during those years, the nature of the charges we have had to bear, and the means we have used for defraying them. In the first place, it will be interesting to the Committee that I should tell them what has been, up to the present time, the cost of the China war. The Votes of Credit taken for China up to the present time amount to £5,206,000, but we have not as yet expended the whole of these Votes. The sums we have expended are as follow: — In 1859-60, £850,000; in 1860-1, £2,600,000, besides £444,000 which belongs to a former war, and therefore forms no part of the cost of the late war; and in 1861-2, £1,230,000, a sum considerably larger than, until within the last few weeks, I had any reason to anticipate. It thus appears that on account of the Votes of Credit we have spent £4,680,000, but that does not represent the whole charge. The navy has expended for China, out of its ordinary grants, as nearly as can be estimated by the Admiralty, £2,000,000. The army charges against China only £300,000 out of its ordinary grants, but then it is fair to say that the principle adopted by the Department in the computation is as follows:—Supposing the army had 5,000 or 10,000 men in China, it has only charged the extra expense of these men, and has not entertained the question whether, if the men had not been in China, it would have been necessary to keep them on the establishment. It may be assumed, therefore, that the account I am presenting is materially less than the real charge. The loss on exchange has been in all, I believe, not less than £340,000; so that the expense to March 31, 1862, has been £7,320,000, which—after deducting the indemnity we have actually got, and which amounts to the sum of £266,000, —leaves £7,054,000. The probable addition to our debit for 1862-3 will be not less than £500,000, making £7,554,000, which, I trust, will be the end, strictly speaking, of the charge for the China war.

Let me now more at large, present to the Committee, gathering together the transactions of the last three years, the amount which in those years we have had to defray of what may fairly be called war expenditure. The account for China up to March 31, 1862, as I have just stated, is £7,054,000; but, in addition, we have had to pay for a former war £444,000, making a total, in round numbers, of £7,500,000. With respect to New Zealand, we have only brought to charge at present £250,000, but that does not include any consideration of the question how far the 5,000 or 6,000 men who have been in New Zealand would have been kept on the establishment of the army, if not wanted for service there. I ought likewise to state that the sum I have named is only what we have paid up to March 31, 1862, and I am bound to say it does not cover the whole of the direct charge for war expenditure in New Zealand. Again, the despatch of troops to British North America, which alike answered the necessity of the case and the feeling of the country, cost £850,000. Hence, the total of the war charge we have incurred in the last three years is £8,600,000 even when estimated upon a principle which I think undoubtedly places it below its real amount.

Sir, I now wish to bring into one view the real extent of our transactions during the last three years with respect to extraordinary charges and extraordinary resources, because, if we have had a great deal of extraordinary charge to bear, we have likewise used a great amount of extraordinary resources to meet the demand, and it is only when we see the bearing of the one upon the other that we can either estimate the financial history of the past three years or judge fairly of our resources in future years. I shall first give the figures which appear to be necessary for full information on the subject, and then I shall state to the Committee what I think is their general result. The total public debt of the country, funded and unfunded, on March 31, 1859, was £805,078,000; on March, 31, 1862, it was £800,757,000, showing a difference of £4,321,000 in our favour. The total annual charge of the debt on March 31, 1859, was £28,170,000; on March 31, 1862, it was £26,043,000, making a difference of £2,127,000 in our favour. That difference, however, is due to the lapse of the Long Annuities, which terminated in 1860. Then there are the public balances. The public balances on March 31, 1859, were 7,789,000; on March 31, 1862, they were £5,288,000, showing a reduction of £2,501,000; in other words, we have applied out of the public balances thus far a sum of £2,501,000 towards meeting expenditure. The debt on account of fortifications, up to March 31, 1862, for these three years, is £1,170,000: the whole residue of what was granted by Parliament in 1860, or £830,000, remains yet to be expended. That debt is created in the form of an annual charge, but I have estimated it, for the convenience of the Committee, by the amount of the capital we have raised. Again, Sir, we have taken up two malt credits, and the produce of this head of extraordinary resources, which were applied to meet extraordinary charges, was £1,972,000. On the hop credit I need not dwell, because at the time when it was taken up the crops were so defective that the proceeds of two years were not equal to the average of one. We further obtained from Spain a payment of £500,000. And there is yet another item that must be taken into view—I mean the item of what are termed advances and repayments. The advances are made under established legislative machinery, and they go, within certain limits and conditions, out of the Exchequer from quarter to quarter; while the repayments, in like manner, come back into the Exchequer from quarter to quarter. When they have thus returned, they simply form part and parcel of the Consolidated Fund, and become applicable, like all other monies standing to the credit of that Fund, to meet all legal demands upon it. Now, the amount of repayments during the last three years has exceeded the amount of advances by £1,554,000, the advances being £3,364,000 and the repayments £4,918,000, and that excess, therefore, has been a further addition to the extraordinary resources, or monies not dependent on the taxes of the year, which we have consumed during those three years.

Now, Sir, I am anxious at this point to remove a misapprehension. There is an impression abroad that we have been guilty of a very unwise and excessive squandering of public revenue by the repealing of taxes; that a great number of taxes have been repealed over and above what have been imposed, and that this is the cause which has made us so poor at the present moment. I therefore wish to give the Committee roughly, as it needs must be, but as well as the nature of the case admits, the balance of the taxes imposed and repealed since 1859. First comes the income tax. In 1859 the income tax was virtually 6*d.* in the pound—that is, it was one half of the year at 7*d.*, and the other half at 5*d.*, which yielded at the mean a 6*d.* duty for the year. It is now 9*d.* Each penny per pound produces about £1,100,000. We have therefore imposed under the head of income tax £3,300,000. We have imposed on spirits an additional tax which may be taken at £1,400,000, and in various minor duties about £650,000 —making a total of taxes imposed of £5,350,000. Then I come to the taxes reduced. The taxes reduced in the Customs Department may be taken at £2,840,000. In the Excise Department and Assessed Taxes—between paper, hops, and some minor duties—we have reduced £1,460,000. The taxes reduced, then, have been £4,300,000. The taxes imposed have been, as I stated, £5,350,000; so that we have imposed, in fact, these three years £1,050,000 of annual taxes over and above those we have reduced. I do not at this moment defend the policy which has been pursued; my object is simply to state the facts.

Now, let me endeavour to present in very few words to the Committee the balance of these various operations. I make a debtor and creditor account. I take credit, on the one hand, for the war charges we have defrayed, and for the debt we have redeemed. I debit myself, on the other hand, with the whole of the extraordinary resources we have consumed; and I cannot say how important it is that the Committee should have the matter of the account clearly in its mind, because these extraordinary resources are at an end. They exist no longer. I know not where to find any more of them except it be in the China indemnity, which will come in, I hope, to a certain extent, sensible, but limited, after the present year. It is, I say, most material to have these things in full and clear view, in order to consider with effect what is to be our position for the future. First I take the debit side of the account. The extraordinary resources consumed within the last three years stand thus: taken from the balances—£2,500,000; excess of payments over advances, £1,554,000. Technically, it would be more accurate to put these two together, for in reality there is no distinction, but I separate them for the information of the Committee. Further, there are the malt credits, £1,972,000; Spanish payment, £500,000; in all, a total of £6,526,000 of extraordinary resources applied in aid of our charges during the last three years. Now, I credit myself with the charges we have met and the balance of debt we have redeemed. The extra war charges amount to £8,600,000. The debt redeemed is £4,321,000, the debt created £1,170,000, and the balance or excess of debt redeemed is £3,151,000. Added to the war charges, the total I am entitled to put down to the credit side is therefore £11,751,000. Of that £11,751,000 £6,526,000 has been met by extraordinary resources, and the balance, £5,221,000, has been levied from the people, who have, it must be remembered, likewise been sustaining establishments of unusual magnitude, in the shape of taxes. That, Sir, is the state of the case, and when I think of those extensive changes in taxation that have taken place, perhaps I may be permitted, by way of relieving a monotonous discussion, for the purpose of illustrating a more important subject, to quote an author whose very name gives life and animation to every subject on which he wrote—I mean Mr. Sydney Smith, one who, in a rare, perhaps in an almost unequalled degree, mingled wisdom with his wit. He placed on record forty-two years ago a passage that enables us in some degree to judge of the immense transition we have effected with regard to our fiscal system. In 1820 Mr. Sydney Smith wrote an article in the *Edinburgh Review*, since published in his works, in which he warned theAmericans of what would happen to them if, for the sake of glory, they were induced to rush into war; and certainly, when compared with the very letter of what was now passing—looking to the particular items and clauses of that Tax Bill, which in some of its stages, I do not exactly know what, is or is supposed now to be under the consideration of Congress—a more remarkable prediction I cannot conceive. I cannot quote the whole passage, it is too long; but the general spirit and purport of it is this—he warns America by pointing to the then state of England. He says—

> "We can inform Jonathan what are the inevitable consequences of being too fond of glory,—taxes upon every article which enters into the

mouth, or covers the back, or is placed under the foot; . . . taxes on everything on the earth and the waters under the earth—on everything that comes from abroad or is grown at home—taxes on the raw material—taxes on every fresh value that is added to it by the industry of man—taxes on the sauce which pampers man's appetite, and the drug that restores him to health—on the ermine which decorates the judge and the rope that hangs the criminal—on the poor man's salt and the rich man's spice—on the brass nails of the coffin, and the ribands of the bride."

I believe that that passage, which was literally true in England at that moment, is, if what we read be true, about to be verified in a country hitherto almost exempt from internal taxes for the purposes of its general government. Let us see how that passage, so just, so vivid, and so accurate, applies to our present state. There were then written on our statute-book taxes on the raw material; now there are no taxes on raw material. There were taxes on every fresh value added to it by the industry of man; now there are no taxes on the fresh value added to it, in any branch of industry, by the industry of man. There were taxes on the sauce which pampers man's appetite; now there is no tax on sauce, and man may pamper his appetite as he pleases. There were taxes on the drug that restored him to health; now there is no tax on drugs, and he may get well as quickly as he can. There were taxes on the ermine which decorates the judge; now ermine is free. There were taxes on the rope which hangs the criminal; now that rope is free. There were taxes on the poor man's salt; now that salt is free. There were taxes on the rich man's spice; now that spice is free. There were taxes on the brass nails of the coffin; now those brass nails are free. There were taxes on the ribands of the bride—and let her wind up the procession—and her ribands also are free. Such have been the changes effected in our indirect and protective taxation; changes which, in setting free our industry, have left our revenue from Customs and Excise larger than it was when we began the process of abolition and reduction.

Let us see, then, what has been the condition of the revenue during the last three years, and how far it illustrates the policy which has aimed at giving it elasticity and reproductive power. As respects Customs revenue, we parted in 1860 with £2,420,000 more than the amount which was laid on, but the deficit of Customs revenue in consequence of these reductions is only £743,000, so that out of £2,420,000 we have in two years recovered £1,677,000, and that, I think, is satisfactory, taking the very trying circumstances of the country into account; but if we make our comparison with the revenue as a whole, it stands as follows; and these are the last figures with which I shall trouble the Committee:—The revenue of 1858-9 was £63,920,000. The estimated revenue for 1862-3 (after deducting £1,125,000, with a view to a just comparison, for items that did not appear at all on the other side of the account in 1858 9) is £69,065,000. Of that there is certainly I think not more than £1,050,000 due to new taxes. I therefore deduct that amount; and I find that from the sources of revenue in operation in 1858-9 we have derived £68,015,000. That is, the revenue of the country, fairly and accurately compared, in a great degree under the effect of remissions of duty, as I think judiciously made, has risen, without extension of the sources, from £63,920,000 to £68,015,000, or by a sum of £4,095,000 in four years: that is, it represents an annual average improvement in the revenue, apart from the change of taxation, of upwards of £1,000,000. I do not pretend to say such results will continue. I do not believe it is in our power to repeat these operations. I am convinced it would be a gross and most dangerous mistake to generalize the principle, that whatever taxes you choose to reduce, you will have equal benefits. The reduction of any tax is without doubt more or less beneficial to those who pay it; but the fact that the revenue has not decreased, notwithstanding the large remissions that have been made in some taxes, is attributable to the fact that the particular taxes which have been selected for abolition or reduction were peculiarly impolitic taxes.

Now, Sir, I have endeavoured to bring to the mind of the Committee clearly these facts, we have been passing through exceptional years—we have got through them in a manner which has provided for the public demands, besides maintaining a high rate of general charge, and we have avoided going into the market for loans. This is the bright side of the case. But in order to provide for all this charge we have exhausted what I may call our casual resources. They remain no longer. If you look into the future, and ask yourself how provision is to be made for it, you must make your reckoning without them. It is most material that you should keep this truth in view. Bad harvests, distress in the country, great complications abroad, may bring upon us the evil of fresh taxation, or the far worse evil of loans. On the other hand, good harvests, favourable circumstances at home and abroad, may carry us level with our expenditure. With favourable circumstances, our revenue will maintain itself, and will do more than maintain itself. One word more, and it is the last I will speak to the Committee. What I have to say, in concluding my general review of our finance, is this; if we really hope to effect remissions of taxation, those remissions are not to be had, compatibly with maintaining the financial credit of the country, except by the cautious, the judicious and gradual, but yet resolute, application to all the departments of our public service of the principles of a true and strict economy.

The course, Sir, which I propose to take to-night, is this—to move at once the Resolutions on the wine duties, without meaning to pledge hon. Gentlemen in any way to a final judgment; but, inasmuch, as the new duties ought to be levied to-morrow morning, I think it necessary to submit those Resolutions without delay. I propose also on the part of the Government to go on, as early as possible, with those other measures upon which—if I am right in presuming so—no great amount of difference of opinion is likely to exist. It will be necessary to have a Resolution for the renewal of Exchequer bonds—£1,000,000 of which will fall due in May. That Resolution I propose to take on Monday, and on Monday, likewise, the Resolutions on the income tax. My hon. Friend the Member for Buckingham (Mr. Hubbard) has given notice of some Motion relating to the reconstruction of the income tax; but I am sure he will perceive that it would be impossible to mix up the general reconstruction of the tax with the re enactment of a law which has reference simply to making provision for the public service during a single year. At all events, if he should consider it his duty to fasten his plan for the reconstruction of the schedules of the income tax upon the present proposal of the Government, then, however much as a salaried officer I might be obliged to him for the handsome present he would make me if his scheme were adopted, it would be my duty to resist it. But I think I can trust my hon. Friend's judgment and good sense to permit the necessary provision for the year to go forward without interruption. There will, of course, Sir, be a Resolution for the renewal of the tea and sugar duties during the year; and there will be three Resolutions relating to occasional licences, to playing cards, and to foreign loans. All these Resolutions, if time permits, I propose to move on Monday. With regard to the three Resolutions relating to brewers' licences, as they will require a little longer time, I propose to take them on Thursday, and when the Resolutions have passed, to bring in a Bill to give effect to the whole of them. With these observations, which have been greatly protracted, but have been protracted with the sincere desire to give the best information and make the clearest exposition in my power to the Committee, I beg to place, Sir, the Resolutions in your hand.

Mr. HUBBARD said, nothing could be further from his wishes than to propose the Resolutions, to which the right hon. Gentleman had referred, with a view to embarrass Her Majesty's Government, or to delay the necessary work of the country; but the question was one of immense importance. The tax which would expire within forty-eight hours had taken from the taxpayers of the country £11,000,000 sterling in the course of the last year, and, as it stood on the estimate of the right hon. Gentleman, it was to be productive of £10,000,000 for the year ensuing. It was of importance that such a tax should be levied upon something like equitable principles, and therefore he felt he should be wanting in his duty if he did not take the earliest opportunity of enabling the House to pronounce its opinion on the inequality of the existing tax. Up to the last moment he had waited with some hope that the right hon. Gentleman would have intimated that he intended to give some relief from the inequalities of the tax; but as he had not done so, it must be assumed that the right hon. Gentleman proposed to renew it in all its deformity. He had, therefore, no alternative but to bring his Resolutions before the House at the earliest opportunity.

Mr. BUXTON said, that as a brewer he thought that nothing could be fairer than the proposal of the right hon. Gentleman with respect to the hop duty. It left the brewers pretty much where they were before. As the representative, however, of a Kentish borough (Maidstone), he thanked the right hon. Gentleman for the compromise, which he believed would conduce to the prosperity of the country. He was very glad that private gentlemen were about to be brought into the confraternity of licensed brewers.

Mr. CRAWFORD said, he regarded the statement they had just heard as a fair and honourable statement on the part of the right hon. Gentleman the Chancellor of the Exchequer, and he thought it was not the less fair and honourable that an hon. Gentleman who would be largely affected by it should get up and express his assent to the scheme. He had never heard a financial statement in which the principles upon which it was founded were more clearly or more eloquently expressed, and in a manner to carry conviction to the minds of all, than that which the right hon. Gentleman had that night presented. On the part of his constituents he begged to say that the proposed arrangements with respect to the wine duties would be received with great satisfaction, as they would have the effect of doing away with the necessity of the alcoholic test in almost all cases. That sort of wine to which the alcoholic test would be applied was imported in so limited a quantity that practically the test would be abolished. With regard to the sugar duties, representing, as he did, the Mauritius, the East and West India interest, and the interest of the refiners, he thought nothing could be more fair than the proposal of the right hon. Gentleman that they should have an opportunity, if any hon. Member should move for a Select Committee, of stating their case before them. He begged to offer his congratulations to the right hon. Gentleman and the hon. Member for Rochdale (Mr. Cobden) on the effects of the French Treaty. On the whole, the Budget would, he believed, be received with satisfaction by the country, although, perhaps, it might be considered in some respects rather an immoral budget, when it was seen what facilities it offered to card-playing and tippling at fairs. Exceptions might, perhaps, be taken to those propositions; but he thought any objections to them on the ground of immorality would be purely imaginary, and that, upon the whole, the budget would, he believed, give great satisfaction and content throughout the country.

Sir STAFFORD NORTHCOTE said, the best wish which he could offer to the Budget was that it might be the only one that year, for his right hon. Friend had dropped some expressions which seemed to show that he himself felt uneasy as to possible contingencies. His right hon. Friend began with a very small surplus, and they could not but feel that the revenue was in jeopardy in consequence of circumstances which all must lament, not only in a fiscal point of view, but on account of the suffering in this country which they would create. There were two questions which he wished to put. In the first place, he did not understand with regard to the Vote of Credit. Something like £5,200,000 had been voted; £4,608,000 had been spent, leaving about £600,000; and yet they were told they were to have another Vote of £500,000, and that thus the whole expenditure of the China war would be brought to a close. He wanted some explanation upon that point. Another matter with respect to which he desired some explanation, was as to the grounds on which the right hon. Gentleman had made his calculations of the Excise. With regard to the Customs, the right hon. Gentleman had taken a very sober and moderate estimate, setting them down at £100,000 less than was produced last year; but as for the Excise his estimate was something more than that for the previous year, and he made no allowance for the amount which he would lose by the paper duty. Last year the Excise was estimated at £18,788,000, and they were then told it would be probably less this year by £525,000, owing to the repeal of the paper duty. That would give £18,263,000 as the estimated Excise revenue of this year. But the Excise last year actually produced only some £18,330,000, so that, if they deducted £525,000 from it, the Excise revenue this year ought to be £17,800,000. He wished to know on what grounds the right hon. Gentleman expected a larger Excise revenue than during the past year. He had proposed nothing to increase it, and the repeal of the hop duty, even with its equivalents, would rather diminish it than otherwise. Perhaps, the right hon. Gentleman the Chancellor of the Exchequer would be able to give the House a revised estimate when allowance had been made for all the changes that were proposed. It was needless at present to refer to the other points of the right hon. Gentleman's financial statement, and he could only express a hope that the Committee would find the same surplus at the end of the year that they began the year with.

Mr. BALL said, he could have wished that the right hon. Gentleman the Chancellor of the Exchequer had taken into his consideration the claims of the very numerous and important class of the community which he more especially represented. They had made many applications to the right hon. Gentleman for relief, but he had always found when the right hon. Gentleman had a Budget to frame that he had to thank him for nothing. He could not comprehend why the right hon. Gentleman could never be induced to consider the great difficulties and hardships of the agricultural interest, especially as regards the malt duty. When the right hon. Gentleman diminished the period during which the duty was payable he gained for present use £1,000,000 sterling, and there would be no positive diminution of taxation if he assented to the requests made to him to postpone the payment of the duty. He felt too high a respect for the right hon. Gentleman to charge him with obstinacy, folly, and prejudice, and he could only, therefore, conclude that the fault was in his own advocacy of the claims of the agriculturists. He could not but differ from the right hon. Gentleman in his opinion that our increased trade with France had a tendency to insure peace and good feeling between the two countries. He thought, on the contrary, that it was more likely to generate ill-feeling than otherwise. ["Oh!"] His language must not be mistaken: he meant, that if this country increased its exports of manufactured articles, to the prejudice of the manufacturers of France, it would create ill-feeling. The right hon. Gentleman the Chancellor of the Exchequer said, he could not understand the buzz which prevailed in the Committee when he proposed to levy a licence duty of 12*s.* 6*d.* a year upon persons who brewed their own beer. It was not an expression of surprise at the smallness of the sum; but, if his own feelings were shared by others, it was a manifestation of astonishment that, in addition to the burden laid upon the producer of malt, an additional impost should be levied upon those who brewed it for their own use; and, further, that the right hon. Gentleman should propose anything so inquisitorial as a tax on what was done in a man's own house and for his own family. He could not sit down without again expressing his regret at the right hon. Gentleman's immovability and impenetrability.

Mr. DODSON said, that on behalf of the hopgrowers, he begged to tender their sincere thanks to the right hon. Gentleman for proposing the abolition of the hop duty. He congratulated him on taking this step, for seldom had any tax been repealed

which would give so much relief to the producer and confer so much benefit upon the consumer at so slight a sacrifice to the revenue. He was sorry the necessities of the Exchequer had compelled the right hon. Gentleman to couple with the repeal of the hop duty an alternative proposition. According to the old saying, he perhaps ought not to "look a gift horse in the mouth;" but the commutation proposed was so fair and reasonable that it would commend itself to public approbation. He was glad the present scale of brewers' licences was to be adjusted, because the existing system operated in favour of the large and against the small brewers. The right hon. Gentleman expected to raise £300,000 by his licences on brewing. [The CHANCELLOR of the EXCHEQUER: That includes licences for private brewing.] He believed that the new duties, taken in connection with the repeal of the hop duty, would be no detriment, but rather a benefit to the manufacturer and consumer of beer. The expense and vexation of collecting the hop duty would be done away; and if the Exchequer derived less from the licences than the hop duty, the receipts would be more uniform and regular. The right hon. Gentleman calculated that there were annually brewed in this country 5,000,000 quarters of malt, which should give 20,000,000 barrels of beer. Adopting the calculation of 2 lbs. of hops to each barrel of beer, the consumption of hops to those 5,000,000 quarters of malt would be 40,000,000 lb. During the last two years there were brewed in this country 40,000,000 barrels of beer, and there ought, therefore, to have been at the rate of 2 lb. of hops per barrel a consumption of 80,000,000 lb. of hops. Now, the produce of hops in 1860 was 11,000,000 lb., and in 1861 23,000,000 lb. and there were further imported into this country during those two years 12,000,000 lb., making a total amount of 46,000,000 lb. of hops grown or imported into this country, whereas upon the moderate estimate of 2 lb. per barrel, there ought to have been consumed 80,000,000 lb. He might be told that the unsold produce of former years had been brought into use, and this was true; but after two years hops became colourless and flavourless, and, according to the Reports of the Board of Inland Revenue, were then sometimes tickled up with grains of Paradise and other compounds.

The old stocks had no doubt helped us us out hitherto. But there was the prospect of another short crop of hops this year, and the crops abroad were as precarious as those grown at home. It was most desirable that the difficulties of procuring supplies of hops, whether at home, or from abroad, should not be aggravated by taxation. The Reports of the Board of Inland Revenue, and other authorities, stated that in the brewing of beer various deleterious ingredients were used in place of hops; and it was a remarkable fact, that while all those noxious substitutes were untaxed, a heavy duty was imposed on the legitimate article. During the last forty years the hop duty had been forty times reduced, increased, suspended, postponed, or altered in some way or other, in a vain endeavour to make it work beneficially to the Exchequer, and fairly towards the cultivator. The only change that would prove satisfactory would be its total abolition; and to that change he trusted the House would give its unhesitating assent.

SIR WILLIAM JOLLIFFE said, he entirely concurred in what had fallen from the hon. Gentleman opposite in respect to the commutation of the hop duty. That measure, he believed, would prove very beneficial, and be received as a boon in the country, because farmers would have the satisfaction at least of knowing that the crop which they were growing would not be taxed as it used to be even when grown at a loss. He wished he could approve equally of all the other propositions of the right hon. Gentleman; but he was one who took great exception to the proposal to grant a three-days' spirit licence, permitting publicans to sell spirits on the ground at fairs. He had seen with regret the number of fairs gradually diminishing throughout the country, and the recreation of the people in that respect restricted; but the invariable argument for their suppression was, that they were scenes of drunkenness. If that was the case formerly, it would be much more so in future, when these ambulatory gin-shops were established, and fairs would be rendered unbearable in those neighbourhoods where it was desirable that the people should be enabled to enjoy rational recreation. He was not sanguine enough, in times like these, to expect a very flourishing financial statement from the Chancellor of the Exchequer, and certainly in the present year we should start without any surplus worthy of the name. The right hon. Gentleman had spoken of the various exceptional aids which the revenue had received during the last three years, but he had forgotten one which constituted the greatest blot on his administration, and which he would one day, perhaps, see occasion deeply to regret—namely, the exaction from the taxpayer two years ago of a fifth quarter's income tax within the twelvemonth. The mode in which the income tax was now levied from tenant farmers, and proprietors farming their own land, operated most inconveniently and even oppressively. They were called upon to make their contribution just at the precise period of the year when they were least able to meet it. The Chancellor of the Exchequer came down upon the agriculturist when his rent and other heavy payments pressed upon him. The Chancellor of the Exchequer told them that in the last quarter of the last year he received an extraordinary revenue from the income tax; but its operation was not only most oppressive to the farmer, but also to the tithe-owner. The farmer was called upon to pay property tax, for instance, which was to be deducted from the landlord, in some cases six months, and in all three months, before he could come to a settlement with his landlord and get back the money. In like manner the owner of a tithe rent-charge had to pay the income and property tax four times within the year, but did not get his income a day sooner than at Lady-day or Michaelmas. The system, therefore, pressed with undue severity upon country clergymen and others, because the Chancellor of the Exchequer required the tax before the income was actually received by the person who paid it. Again, under Schedule A, those who had small tenements had to pay half a year before they could get their rent. He considered that it was a most dangerous principle to sever the payment of that impost from the actual receipt of the income by the person who was called upon to pay it. Such a system of collection pressed heavily upon many other classes besides those of landlords, tenant farmers, and tithe rent-charge owners; but if it did not, he should like to know why it was that tenant farmers should pay on a different principle to the fundholder, or the owner of railway stock or debentures. Last year the Chancellor of the Exchequer told him that those under Schedule D always paid quarterly; but there was no injustice in that, because they paid the tax out of money which they had already received, whereas in the case of tenant farmers the case was quite different, and the effect of demanding the year's income tax from them within the year was to force them to bring their produce into the market and sell, whether at a loss or not. He did not make these observations from any unfriendly feeling to the Chancellor of the Exchequer, for he could not think that the right hon. Gentleman would wish the continuance of such an anomaly in the collection of the tax to be coupled with his name. He believed the matter to be one of serious importance, and one which would cause much dissatisfaction throughout the country if this system was allowed to continue.

Mr. HORSFALL said, that he did not rise to make any comment on the general statement of the right hon. Gentleman the Chancellor of the Exchequer, which he believed, on the whole, would be considered satisfactory; but, as representing a large commercial constituency, he must express his regret, which he had reason to think would be participated in by the merchants and shippers of the various ports, that the right hon. Gentleman had not done anything to remove those minor, but vexatious, charges to which they were at present subjected. He was well aware of the right hon. Gentleman's statement that in the present state of the Exchequer he could not afford to remove them, but he hoped that their continuance would not be of long duration. The charge of one penny on what were called "units of entry" was most objectionable. The right hon. Gentleman took credit for the Government having years ago removed a large number of charges from the Customs; indeed, there was but a small number of articles now charged with Customs duty, but about 120 articles had been added to the list by the "units of entry." It was not so much the charge itself as the way in which it was collected that made the penny tax on those units vexatious to the persons who had to pay it. For instance, 1*d.* was charged on 30 bundles of basket rods, 1*d.* on 5,000 bladders, 1*d.* on 500 canes, 1*d.* on 6 cwt. of bones, 1*d.* on 1,000 bricks, 1*d.* on 1 cwt. of cheese, 1*d.* on 400 cocoanuts, 1*d.* on 1 cwt. of cork, 1*d.* on one ton of "fish, shell, including shrimps and crabs." From these samples of the "units" the Committee might judge that the charge was a very inconvenient one as regarded its collection. He supposed there could be no doubt, after the admission of the right hon. Gentleman as to the obnoxious character of the tax, that it would be removed. Under these circumstances those who paid it must submit for another year, but he trusted that it would be one of the first charges which the right hon. Gentleman would abolish next Session. Then, with respect to the 1*s.* 6*d.* on shipping bills and bills of lading, the system adopted by the Customs in respect of these dues involved an immensity of trouble on the part of owners of ships. He had been shown a manifest which the owner of a steamship had been obliged to hand in every week before his vessel went to sea. It was from fifteen to twenty feet long. He had another in his possession which was from twenty to thirty feet long. The amount of trouble caused by such taxes was utterly beyond any advantage produced by them in the shape of an addition to the revenue. He had only to express a hope that another financial statement would not be made without an announcement that those charges were to be removed.

Colonel SYKES observed, that it would be satisfactory to the right hon. Gentleman to know that information had been that day received from India of a new cotton supply. He was in a position to inform the House that fifty tons of cotton of a very superior staple had reached Calcutta from Burmah. He believed, that if the war continued in America another twelvemonth, the cultivation of cotton in India would be so extended that we should be independent of America for the supply of that article. Last year the supply from India was 258,000,000 lbs., but this year from Bombay alone it was 279,000,000 lbs., while in 1858-9 it was only 157,000,000 lbs. He would remind the Committee that the House had pledged itself to an expenditure of £12,000,000 in brick and mortar for fortifications, by the aid of a loan. If they went on spending money in that way and for such purposes, resulting from a groundless panic about invasion, there was an end of the favourable prospects held out by the Chancellor of the Exchequer. There was an outlay of three-quarters of a million for the troops in China; and it could not have entered into the mind of the hon. Gentleman that there was a probability of our being obliged to maintain our trade there by an increased armament; nevertheless such was the case. Under all the circumstances, he supposed the House must only hope that the right hon. Gentleman's anticipations would be realized.

Sir HENRY WILLOUGHBY observed, that the Chancellor of the Exchequer estimated the income of the year at about £70,190,000, and the expenditure at £70,040,000. He had some doubt as to whether there would be such a surplus as the right hon. Gentleman estimated. He had some doubt as to whether they were in posssesion of the entire of that class of accounts which came into the Miscellaneous Estimates. For instance, he would remind the Committee that the accounts from Kaffraria extended over a period of ten years; and on investigating them in the Committee of Accounts, it had been found that no less a sum that £70,000 had been expended not only without the authority of Parliament, but, as far as they could find, without authority from any department in this country. In fact, he believed that expenditure had been incurred by parties in command in that distant country without any other authority whatever. He wished to know whether there was any other account of that kind outstanding, and he asked the question because it appeared, that when they came to examine the Treasury chest, it was found that a considerable sum had been advanced on account for the troops in China, he believed some £250,000 or £260,000. Now, was that account discharged, or was it still in existence? It was quite clear, that if there were accounts of this kind outstanding, the surplus of the right hon. Gentleman, such as it was, could not be depended upon. He viewed the state of the finances opened by the right hon. Gentleman as rather a dangerous one. He did not think that with an expenditure of £70,000,000 a revenue of about the same amount could be considered satisfactory. The fire insurance duty was an objectionable tax; but he could not understand how the House could go on voting £70,000,000 expenditure with regard to the ways and means of providing the money. If the House was determined to spend £70,000,000 he was sure, that although the Chancellor of the Exchequer might tide over the year, it must end in increased taxation. He hoped the people would resist any further taxation in time of peace; but he feared that next March the right hon. Gentleman would be able to give only a Flemish account of his resources.

Mr. POLLARD-URQUHART observed, that a material point in the right hon. Gentleman's comparison of the revenue with that of 1859 appeared to have escaped notice. The year 1859 was the last of three successive years of good harvests and prosperous trade, whereas the present was the second year of an indifferent harvest and of a failing commerce. If they would only contrast the present year with 1839 or with 1848, the circumstances of which were somewhat similar, they could not help being struck with the remarkably hopeful prospects of the revenue. He was himself sanguine enough to hope that a great deal more would be done to reduce taxes which interfered with the comforts of the people, and at the same time tended to cripple commerce; but he thought the right hon. Gentleman was acting with great prudence in declining to make the attempt for the present.

Mr. PACKE said, that he thought it would be unfair to small consumers of beer who brewed at home to make them pay an equal licence duty to others who had a large consumption. The operation of the brewing licence in that respect would cause very great dissatisfaction, especially in the rural parts of the country. He hoped, therefore, that the Chancellor of the Exchequer would take that question into consideration, and at any rate so remodel that part of his proposition as to ensure its acting with equality and fairness.

Mr. J. C. EWART observed, that he quite agreed with his hon. Colleague that the petty taxes upon exports and imports operated as continual blisters on commerce. It would be very desirable if some inquiry could be made into the subject, and some better mode of raising the money might be found.

Mr. AYRTON said, he wished to ask whether the licences to brew in houses above £20 rental applied to cases where beer was brewed not for sale.

Mr. Alderman SIDNEY said, he was satisfied with the statement of the right hon. Gentleman; but he hoped, that as the income tax might now be considered as a permanent impost, the right hon. Gentleman would be prepared on Monday to state whether he could hold out any hope of introducing an improved mode of assessing and collecting it. He could assure the right hon. Gentleman that great irritation had been caused in the country by the present system. It would be more convenient for the poorer taxpayers to be called on quarterly rather than half-yearly or yearly, as at present; but he must say he did not think that much hardship had been done the tenant farmer whose case had been referred to. In the case of a farmer holding a farm worth £300 a year the whole of his tax would only be £5, and it was not probable that a man whose rent was £300 a year could be seriously inconvenienced by having to pay so small a sum as £5.

Sir JOSEPH PAXTON said, the right hon. Gentleman must have been much gratified at the reception which his Budget had that year met with. Last year his financial statement was received with strong forebodings as to the position in which the right hon. Gentleman would be placed on the present occasion. The result had, however, shown that the apprehensions of hon. Gentlemen opposite were groundless. He (Sir J. Paxton) had ventured at the time to dissent from their prediction; for the information he had received from Paris satisfied him that great things might be expected from the commercial treaty. He had not, however, anticipated the calamitous events which had taken place in America. With regard to the present budget, he must say he thought the right hon. Gentleman would probably be disappointed in the yield of some of the taxes, for his connection with railways in the midland district showed him that a general reduction was taking place in the manufactures of the country.

Mr. PHILIPPS said, the great advantage resulting from the course pursued by a Chancellor of the Exchequer in bringing forward his financial statement so early in the year was, that it enabled persons to obtain a connected view of the finances of the country. As one of those who voted in the minority on the fire insurance question the other night, he felt that he had been placed in a false position by the manner in which that subject was brought forward. If the income and expenditure for the year did not balance, it was clear that in voting for the reduction of a particular tax, hon. Members were not giving a merely affirmative vote with regard to it, but were, in fact, voting for the imposition of some other tax in its stead. Until he was in possession of a connected view of the finances of the nation, he should have felt equally bound to oppose any merely affirmative Motion for the reduction or abolition of a particular tax. The right hon. Gentleman had favoured the Committee with a quotation from Sydney Smith, in which all the taxes pressing upon the country were enumerated. But at that time there was not an income tax of 9*d*. in the pound, and perhaps, if the father of the bride had been asked whether he would rather pay duty on the riband or be subjected to income tax, he would have preferred paying a little additional duty on the riband.

Mr. Alderman Sidney

Mr. PEASE said, he believed that when the statement of the Chancellor of the Exchequer was read in moneyed circles on the following morning, the pains which the right hon. Gentleman had taken to bring forward and explain all the items of the Budget, some of which were new, would be highly appreciated by a commercial country, that relied so much on correct statements of figures; and that he would receive credit for ability, fairness, and lucidity of statement. It was quite manifest that there could be no diminution of taxation except by a careful attention to the expenditure authorized by the House of Commons. Only last year the Chancellor of the Exchequer informed the House, that notwithstanding the enormous increase of the property of the country, he found the expenditure authorized by the House had more than kept pace with it. And if that had been the case in prosperous years, it especially behoved hon. Members, in the interest of their constituents, to endeavour to keep down those expenses, which could only be defrayed by additional taxation, and as far as possible to remove such taxes as those upon tea and sugar, which pressed so heavily upon the toiling millions, who were the source of the strength and wealth of the country.

Mr. FRANK CROSSLEY said, he quite concurred in the opinion which had been expressed, that the Budget would meet with the general approval of the country; but, at the same time, he must express his regret that the Chancellor of the Exchequer had not been in a position to remit any considerable amount of taxation. The fact was, they had run into the most lavish expenditure, and it was impossible for any Chancellor of the Exchequer to produce a Budget that could be really satisfactory till an extensive retrenchment had been effected. The time was come for the application of the old watchwords, "Peace, retrenchment, and reform." With regard to peace, he would say that of late years, as evinced on the Italian question, the conduct of the Government had been more satisfactory. He also quite approved of the firm tone the Government had taken with regard to the Mason and Slidell affair; but he must say, that if the United States Government had declined the proposal of the British Government, and we had fired a single shot without having first proposed to refer the matter in dispute to arbitration, a tremendous responsibility would have rested on the British Government. He rejoiced that this country was beginning to take neutral ground in the disputes of foreign nations. But millions had been thrown away in preparing for an apprehended invasion by the Emperor of the French, which he believed from the first to be purely chimerical. Retrenchment was necessary, for the amount of taxation was too heavy to be long endured. The railway traffic returns were decreasing; the trade of one of the best customers of the country—namely, America—had fallen off, and the people of the north were suffering from the want of the supply of cotton, and enduring privations in such a manner as must win the approval of all. He was of opinion, that if countries borrowed money in time of war, they ought to pay it off in time of peace; and with that view the Chancellor of the Exchequer ought to have an instruction from the House of Commons to lay by £500,000 every year, which was little more than three times the magnificent gift of Mr. Peabody to the poor of London, in order to liquidate the National Debt. Every £500,000 laid out for this purpose would, by the creation of terminable annuities, at the end of 100 years extinguish £10,000,000 of the public debt, and in that way the whole of the National Debt would be paid off by the year 2042. He believed that the suggestion was worthy of the attention of the right hon. Gentleman, and he trusted it would receive his consideration.

Mr. NORRIS said, he could not but take exception to the proposition of the Chancellor of the Exchequer to impose a licence tax of 12*s.* 6*d.* upon domestic brewing, if the house belonging to the party concerned were above the value of £20 a year. He (Mr. Norris) submitted that the incidence of such an impost would prove just as unequal as that of the brewers' licence at that moment. He also contended that such a measure would be unjust and unfair towards the humbler classes of society. Instead of discouraging private brewing, it was the interest of a good Government to encourage it as much as possible, in order to reduce the temptation in men to enter public-houses, particularly in the rural districts, those public-houses being generally the places where the crimes of poaching and thieving were concocted, and many other offences actually committed. He believed that in proportion as they encouraged domestic brewing they would be providing against the immoralities to which he had alluded. If the right hon. Gentleman were determined to remit the hop duty, he hoped that he would not endeavour to reimburse himself by imposing such a licence as that which he proposed.

Mr. HEYGATE said, that the retrospective consideration of our policy as regarded finance was by no means agreeable. In the previous year there was a deficit of about £2,500,000, and in the present year the excess of ordinary expenditure over income amounted to no less a sum than £1,442,000, whilst the Exchequer balances were annually diminished, although they were years of European peace, and although, during all that time, the House had voted supplies with no niggardly hand. Such results as those were by no means satisfactory, and could not be defended by the allegation that the Chinese war and the affairs of the *Trent* were matters of extraordinary occurrence. In point of fact this country was always at war: our interests were so extensive, and their ramifications were so widely spread, that hardly a year passed in which some war in which we were interested did not turn up in some quarter of the globe; and such contingencies ought to enter into the calculations of our Financial Minister. Last year the right hon. Gentleman had well said—

> "I admit that the only firm and permanent foundation on which we can stand is that which has for its basis an even balance between income and expenditure."

and he hoped that in his future calculations he would keep that maxim steadily in view, and make every allowance for what were called unforeseen difficulties. He had listened with pleasure to the closing observations of the right hon. Gentleman, because if this country were to continue in a flourishing condition, we must adhere to a rigid economy. It was for the right hon. Geetleman, and the Government of which he was so distinguished a Member, to guide the House and the country as to how that economy was to be observed. It was of no use for individual Members to endeavour to prune away odd items of £5,000 or £10,000, nor did it become them to dictate to the right hon. Gentleman the measures which he should adopt. It was from that latter consideration, that although he entertained a strong opinion on the subject, he had on Tuesday evening abstained from voting in favour of the Bill for Reducing the Duty on Insurances; but, if that was the case, it was surely all the more necessary that the right hon. Gentleman should direct the House as to the means by which enonomy might be obtained.

MR. SLANEY observed, that in his opinion the able statement of the right hon. Gentleman the Chancellor of the Exchequer evinced a clearness as to the subject, and was hopeful as to the future. The increased taxation of the country was owing to a rivalry between nations. There ought to be an endeavour made by the various Governments of Europe to come to an understanding whereby the advantage of all would be consulted in the reduction of those armaments which entailed so much expense on each power. That great and powerful monarch the Emperor of the French, he believed, was peacefully inclined, as he had shown a disposition lately to reduce his armaments. He (Mr. Slaney) thought that this country ought to do the same. He hoped that the Chancellor of the Exchequer would reconsider his proposition respecting private brewing, as he believed that such an impost would prove most unfair and injurious to the moral interests of the industrial classes. In respect to the income tax, he thought it only just that the opulent classes of this country should bear the great burden of that impost, and that the humbler and industrious classes should be relieved of the weight of taxation. In regard to the sufferings of the people in the manufacturing districts from the want of cotton, he might mention that the lower parts of Italy possessed capabilities of growing that article to a great extent, and he thought it would be worth our while to encourage the people there to cultivate the growth of cotton, and to exchange it for the products of this country which they were more in want of. Having recently travelled in Italy, he could bear testimony to the prosperity that was opening in that country now that the Italians were becoming a free and united population.

Mr. Heygate

MR. BAZLEY said, that it appeared to him that the converse of what the hon. Member for Leicester (Mr. Heygate) had suggested would be the best course to pursue. Instead of bringing up the income to the expenditure, he (Mr. Bazley) believed that it would be more agreeable that the expenditure should be limited to the amount of the income. He wished to congratulate the Government upon the financial statement of the Chancellor of the Exchequer, and to express the deep obligation which he felt, and which he was sure the people of Lancashire would feel to the right hon. Gentleman for the sympathy which he had expressed with the present sufferings of those who were concerned in the cotton trade. He had truly stated that the price of cotton was then about double what it was a year before; and thus, although only about half the quantity was consumed that was manufactured at that time, the sum paid for the raw material remained the same. Twelve months ago they were paying £35,000,000 for the raw material; and although we now received only half the quantity which we obtained then, the sum expended remained the same. He calculated that the loss of remuneration to the labouring classes amounted to something like £12,000,000 per annum, or £1,000,000 per month. It was easy to see how much so great an abstraction from the funds of the labouring people must limit their comforts, and what a material effect it must have upon the revenue of the country; and unless they could obtain an abundant supply of the raw material, he should look to the coming financial year with dread. A little more than a year ago they were using some 85 per cent of American cotton, of other foreign cotton 8 per cent, and only 7 per cent of East Indian. Efforts had been made to alter that state of things, and already they were using a much larger proportion of East Indian cotton. Unfortunately, however, if our exports of cotton goods continued to diminish at the rate at which they had decreased last year, there would in the ensuing twelve months be a falling-off of some £20,000,000. He thought that the labouring classes employed in the cotton manufacture deserved the greatest credit for their exemplary conduct during this period of extreme distress; and though the House of Commons could do little to mitigate the distress, their sympathy would be grateful to those who were passing through it. The duty of the

Government was to continue removing the shackles from industry and capital. In our own colonies we had ample means to produce supplies of the finest raw material, and he hoped the Government would do all in their power to remove all impediments to the employment of capital and labour in the obtaining of it. If we had been independent of the United States for the supply of our cotton, we should have been treated with much more justice by them.

Mr. HOWES said, he rose to ask whether the 12*s.* 6*d.* licence on private brewers was intended to be a tax on all persons who occupied a £20 house, and every tenant farmer who held a farm of the value of £150? To enable such persons to brew with a profit, each of them must brew fifty barrels a year, which was a greater quantity than such persons brewed.

Mr. CRAWFORD said, he wished to know whether the simplification of the wine duties would take effect the next day; and whether the reports that had been received from those persons who had been sent to examine the resources of the wine growing countries would be laid on the table?

Mr. Alderman SALOMONS said, he lived in a hop district, and he thought that unless the duty on brewing were accepted, the hop-growers had no valid claim for relief. On the whole, he approved of the budget; and so, he believed, would the country generally. He wished to know, whether the Ottoman Loan was to be taxed? If the wine duties were to commence on the next day, it was rather invidious that the capitalists should go free. On the whole, he thought it would be rather a surprise to our friends on the other side of the water, that, notwithstanding the loss of their trade, we had got so far into the year without being utterly ruined; and it ought to be a matter of great pride to ourselves to see with what patience the sufferings caused by the disturbance in our trade and manufactures had been borne by our labouring population.

Mr. LINDSAY said, he was much disappointed by the retention of the penny charge on packages, and other minor charges. Great labour and inconvenience were caused to shipowners by the detailed statement of the cargo required on account of those insignificant imposts. As a specimen of those statements, he had with him a long roll no less than fifty-four feet in length, and which would reach half across the floor of the House. The right hon. Gentleman might be unable to reduce taxes whilst his colleagues called for twelve or fifteen millions annually under dread of invasion from France, but he might levy them in a less inconvenient manner. The amount of the Navy Estimates were far too high, and a diminution might fairly take place in them, as France was expending only one-third of the same amount on her navy. The Vote for fortifications was also highly extravagant, and he hoped the House of Commons would, by their Vote the next evening, declare that the one-and-a-half millions of pounds voted for, but not yet spent, on the fortifications, were no longer to be wasted. He thought the time had come when this country might make an effort to stop the fearful carnage which was going on on the other side of the Atlantic, and to obtain that raw material upon which so many English people depended for their very existence. He could not say that he was dissatisfied with the statement of the Chancellor of the Exchequer, but he should have been better pleased if he had proposed to take one penny in the pound off the income tax, and to repeal the small duties upon shipping.

Mr. MARSH said, he would congratulate the Chancellor of the Exchequer on his budget generally. Especially he was pleased with the abolition of the hop-duty; next year he hoped to see an end of the malt tax; and if a tax was necessary, he would like to see it placed, not on the raw material of hops and malt, but on the manufactured article, beer.

Mr. SEYMOUR FITZGERALD said, that last year he ventured to suggest that the right hon. Gentleman's Estimates, in regard to the Chinese indemnity was somewhat too sanguine. He understood that the arrangement come to between the British Government and those interested in the indemnity was, that half was to be paid in cash, and the other half in bills. The right hon. Gentleman had stated that the half which was to be paid in cash amounted to £193,000. But the sum absolutely ascertained to be due by Mr. Parkes, and assented to by the Earl of Elgin, was £650,000. Had another investigation taken place, and were there any outstanding claims beyond those recognised by the right hon. Gentleman? The facts proved that he (Mr. Fitzgerald) was almost literally accurate in the calculations he made last year on that subject. He said that about £450,000 would be received, and the actual receipts were £366,000, after making allowance for the loss on exchanges. He wished to know how the right hon. Gentleman proposed to meet the further sum which, according to the estimate of Mr. Parkes, must be due on the score of this indemnity?

Sir MORTON PETO said, he desired to express his unqualified satisfaction at the budget which had been presented to them that night. He would remind the Committee, however, that the Chancellor of the Exchequer could not be considered responsible for the enormous expenditure of the country, and could only be expected to do the best he could under the circumstances in which he found himself placed. All his efforts were frustrated by the extravagance of the Government. A glaring instance of their reckless expenditure was shown in the fact that after a neighbouring country had abandoned wooden ships altogether they had spent about £10,000,000 in building and £3,000,000 in repairing wooden ships. He had no hope that any reduction would be effected in the expenditure unless the House was prepared to take a business-like view of things, and, departing from the old line of routine, to take up plain questions of business when propounded to them in a plain, business-like spirit. He hoped the House would support the right hon. Gentleman, for they knew his mind and heart were bent upon rendering the country prosperous.

Mr. WHITE said, he should not have ventured to offer any observations to the Committee but for the reproachful glance and upbraiding words which the Chancellor of the Exchequer had addressed to those Members who voted the other evening for the Motion for the remission of the fire insurance duty. He begged to assure the right hon. Gentleman that he spoke not alone his own sentiments but those of some of his hon. Friends around him, when he said that many hon. Gentlemen were prepared to vote for the remission, not only of that tax, but of the malt tax and income tax, simply because they saw no other means of obtaining a diminution of expenditure save by a diminution of revenue. He could not join in the congratulations which the right hon. Gentleman had received on his speech, for he thought it was rather a melancholy exhibition. He missed the earnest eloquence with which he usually adorned, and the heart and soul which he threw into his speeches. It was painful to hear the tone of compunction, almost of remorse, with which the right hon. Gentleman, as the organ of the Government, was obliged to describe the deplorable consequences of the profligate and reckless extravagance to which the country had been committed. Looking to the efforts of the right hon. Gentleman, it brought forcibly to his mind the saying that a virtuous man struggling under adversity was a sight worthy of the gods. In that sense he entertained a feeling of commiseration towards the right hon. Gentleman, and he did hope that he might long continue to hold his office, but that he might be spared having ever again to address the Committee under the circumstances under which he had addressed them that night. As to the Chinese indemnity, there need be no apprehension on that account. The revenue from imports and exports amounted to about £500,000 per month; and if the Foreign Office only did its duty, the whole of the indemnity would be quickly paid up. With an income of £70,000,000 a year it seemed a step from the sublime to the ridiculous to levy a duty of 12*s.* 6*d.* per annum upon the private brewing of beer, and he hoped that proposal would be withdrawn.

The CHANCELLOR of the EXCHEQUER said, he would now reply to some of the many hon. Gentlemen who had addressed the House; and if others should refer to any isolated subjects, he should be perfectly prepared at a subsequent period of the evening to answer them. The hon. Member for Stamford (Sir S. Northcote) asked two or three questions immediately pertaining to the financial statement. The hon. Gentleman asked whether the Committee were to understand that he proposed to take a Vote of Credit for £500,000 on account of the Chinese expenditure. What he meant was, not that a Vote of Credit was necessary, for his belief was that the Vote of Credit which they already had was perfectly sufficient to enable them to make the payments, but that that was the amount of debt over and above the receipts which would probably stand in the expenditure of the year on account of China. He stated last year that probably £1,750,000 was the amount outstanding of Chinese charges, and he did not suppose that the amount would be much higher. His hon. Friend asked why he ventured to estimate the Excise for the coming year to be as much as the actual produce during the last year, when he was about to lose the remaining fraction of the paper duty.

The reason was this:—The remaining fraction of the paper duty was very small, because a considerable inroad was made on the net receipt which last year he estimated for the current year, in consequence of an excess of £200,000 in the drawbacks on stocks in hand over what had been anticipated. The net receipt from the paper duty was only about £350,000; and taking it roughly, he thought he might safely say that it would be fully counterbalanced by the improved estimate from malt. The Committee was aware that, notwithstanding the shortening of credits, they knew at the commencement of the financial year what an important part of the revenue malt would be. Last year the on-coming charge was very bad. This year the on-coming charge was very good, and the better estimate from malt made up the loss from the paper duty. With regard to the minor charges from playing cards and foreign loans, they would stand against the reduction in respect of hops, and the account would be such as he had presented to the Committee.

The hon. Member for Evesham (Sir H. Willoughby) asked whether there were any other accounts outstanding. He could only give the hon. Baronet a general answer, that when they came under his cognizance he was desirous to bring them, at the earliest possible moment, before the notice of the House. But he did not know of them until they were ascertained, and probably the hon. Baronet would obtain more particular information by putting specific questions upon specific points. The hon. Member for Horsham (Mr. S. Fitzgerald) asked a question with regard to the China indemnity. He could only speak from recollection, but his impression was that the hon. Gentleman was in error. The actual payments made to the merchants amounted to 850,000 dollars. That was certainly one-half of the ascertained claims of the merchants; and when he said "ascertained," he meant ascertained on the spot by Mr. Parkes. He thought he could give documentary information to the hon. Gentlemen which would probably be more satisfactory than an explanation given from memory. But of this he had no doubt whatever, that a sum of 850,000 dollars would be as much as would be charged in the accounts for the present year. Other claims might be substantiated, but a total of 2,000,000 taels was the amount limited for the payment of substantiated claims and interest to be paid on a final settlement.

The hon. Member for Greenwich (Mr. Alderman Salomons) asked whether they could not make the Resolution as to foreign loans applicable to the Ottoman Loan. The Resolution had no relation to current transactions. It was not like a question of Customs duty, but was intended to be entirely prospective in its character. It might depend upon a construction of law how it would operate, but it was not proposed for the purpose of catching any transaction now in progress.

He had reason to be thankful to the Committee for the general tone in which the proposals of the Government had been received and discussed, and particularly so for the dispassionate view taken by the hon. Member for Maidstone (Mr. Buxton). But several observations had been made upon the licences for private brewing. He would state how that stood. The motive of the Government was not to obtain a considerable sum for the public revenue, and probably the amount which the licences would yield would be insignificant. But it seemed extremely hard that the brewer who brewed for sale should pay 3*d.* per barrel in lieu of the hop duty, and at the same time any one who chose to brew for himself should be allowed to brew to any extent without paying any equivalent. Out of that consideration of justice the proposal arose. Two courses might have been taken. They might either have attempted to give licences adapted minutely to the quantity of beer which each person brewed, or they might have endeavoured to take it in the rough. If the licences had been adapted to the quantity which each person brewed, an inquisition into every private house must have been the consequence, and that was very undesirable. The only other choice was to take it in the rough, and therefore they took an average exempting those who were poor and imposing a charge of 12*s.* 6*d.* at a certain point. It was objected that it would operate in favour of certain gentlemen with large private establishments, but they might introduce two or three scales which would effect a greater degree of justice, and not entail any inquisition. That was a matter for consideration, but the Committee would now understand the motive upon which the Resolution was founded.

It had also been suggested that, as the income tax would be permanent, some irritation might be got rid of by taking the assessment and collection into the hands of Government. He had stated on more than one occasion that he was of opinion that it would be expedient for the public interests if the assessment (not interfering with the discretion of the local authorities, but the original amount of charge) and the collection were in the hands of Government. At the same time, an Act would be necessary, and the Government hesitated to advise that, unless they could be assured that it was likely to meet with general assent. But on that point opinion was very much divided in different districts of the country.

Allusion had also been made to the occasional licences to sell liquor, and he wished to say a word in explanation of his meaning. There were public assemblies, such as cricket-matches and boat-races, that were not periodical, at which there was great irregularity in the sale of liquor. All he proposed was to bring these less fixed gatherings under the same rule that applied to periodical fairs and markets, and subject them to the same restraints.

With respect to the charge of a penny on packages inwards, and 1*s.* 6*d.* on bills of lading outwards, and the document referred to by the hon. Member for Sunderland (Mr. Lindsay), there was no more connection between them than this—that the payment of the 1*s.* 6*d.* would require the production of the document; and it was the opinion of those who prepared the statistics for the Board of Trade that it was most valuable for statistical purposes. But he was very willing that the point should be made the subject of an impartial inquiry; but that inquiry must be made elsewhere than in that House. As to the penny on packages inwards, he was ready to surrender it at the first moment the revenue could dispense with the amount. Reference had been made to a conversion of the National Debt into annuities. That system was actually in operation every day, though only to a small extent. The fact was, it was impossible to convert such an enormous mass of debt into annuities. They might show on paper that it would be advantageous to convert it into annuities terminable in ninety-nine years; but if they went into the market to convert the debt into such annuities, they could not get such terms for the commodity they offered as they might be entitled to expect. All that could be done was to sell as many annuities as possible; and by that sale, even in bad years, like the three last, there had been some operations in the reduction of the debt. These were the principal points that had been raised in the present discussion.

He would conclude by answering the question of the hon. Member for the City of London (Mr. Crawford), whether there would be any objection to produce the reports of the officers of the Customs Department, who had visited various countries to obtain information for it. He did not think there was any objection to producing those reports, and the information they contained was of considerable interest. As to the time at which the new duties imposed by the Resolutions would take effect, the former practice was that they should not take effect till the Resolutions were reported; but the recent practice had been that they should take effect immediately the Resolutions passed the Committee. The new duties, therefore, would be in operation on the following day, subject, of course, to the ultimate decision of Parliamen.

SIR FRANCIS BARING suggested, that the duty on brewing licences might be regulated in reference to the rent of the premises; some difference ought to be made between small houses and large establishments. The duty would still not be quite equal, but the inequality would not be so great as by the proposition of the right hon. Gentleman.

THE CHANCELLOR OF THE EXCHEQUER said, that the point was one of detail. He was glad the principle was agreed to, and he would consider the matter for a day or two, to see whether the part of the Resolution referring to private brewers could be arranged to the satisfaction of the Committee.

MR. HUBBARD said, he had understood the right hon. Gentleman as suggesting a postponement of the Resolution he intended to move with regard to the income tax. He wished, therefore, to ask at what period he could submit his Resolution to the House without inconveniencing the right hon. Gentleman?

THE CHANCELLOR OF THE EXCHEQUER said, the hon. Gentleman would derive no advantage whatever from moving his Resolution before the discussion of the Bill he was about to propose. It was not a change in the Bill for the present year, but a permanent change in the tax, the hon. Gentleman wished to make. That would require a very long discussion, whilst the income tax was intended to meet the necessities of the moment. If the House were drawn into a long discussion on the income tax great public inconvenience would be created. But if the hon. Gentleman intended only to take the opinion of the House on a principle of the income tax, he would have no difficulty in proposing his Resolution, either in Committee or on the Question that the Speaker leave the Chair.

Mr. HUBBARD said, he would accept the suggestion; he would move his Resolution after Easter.

Sir HENRY WILLOUGHBY thought the Committee ought to have the Resolutions before it, in a printed form, before it passed them.

The CHANCELLOR of the EXCHEQUER: The proposition of the hon. Baronet amounts to this—that the financial measures of the Government should be published before the financial statement was made, and that would be attended with extreme inconvenience. The inconvenience to the Committee is not so great as it seems. It is true the Committee enables us to levy a certain duty to-morrow morning, or to remit a certain duty; but all those proceedings are taken provisionally, and their final adoption is contingent upon the future approval of Parliament. I am only acting in conformity with the uniform precedent.

Resolved,

That, towards raising the Supply granted to Her Majesty, in lieu of the Duties of Customs now charged on the articles undermentioned, the following Duties of Customs shall be charged thereon on importation into great Britain and Ireland, on and after the 4th day of April 1862: viz. [*See Table.*] And for every degree of strength beyond the highest specified, an additional duty of *3d.* per gallon.

No more than 10 per cent of Proof Spirit shall be used in the fortifying of any Wine in Bond; nor shall any Wine be fortified in Bond to a greater degree of strength than 40 per cent of such Proof Spirit.

		Containing less than the following Rates of Proof Spirit, verified by Sykes' Hydrometer, viz.—				If imported in Bottles, and containing less than 42 degrees.	
		26 degrees.		42 degrees.			
		s.	*d.*	*s.*	*d.*	*s.*	*d.*
Wine, Red	the gallon	1	0	2	6	2	6
„ White	the gallon	1	0	2	6	2	6
Lees of such Wine	the gallon	1	0	2	6	2	6

House *resumed.*

Resolution to be reported *To-morrow.*

Committee to sit again *To-morrow.*

SUPPLY—CIVIL SERVICE ESTIMATES.

COMMITTEE.

Order for Committee (Supply) read.

Sir JOSEPH PAXTON said, he hoped the Government would not think of going into Committee of Supply that night. The House had been sitting six hours discussing the Budget, and hon. Members were exhausted.

Mr. AUGUSTUS SMITH said, he also would press upon the Government not to go into Supply that night. They had passed the Army and Navy Estimates, which embraced two-fifths of the expenditure. The National Debt took other two-fifths, and they had now only to deal with the Civil Service Estimates, which were the remaining fifth. It was only by reducing the expenditure under that head that they would be enabled to make ends meet; and as those Estimates required careful consideration, he hoped the Government would not call upon them to go into Committee of Supply to-night.

Viscount PALMERSTON said, he trusted the House would not object to go into Committee of Supply for an hour.

Motion *agreed to.*

House in Committee.

Mr. Massey in the Chair.

1. Motion made, and Question proposed,

"That a sum, not exceeding £32,647, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for Works and Expenses at the New Houses of Parliament."

Sir HENRY WILLOUGHBY said, he wished to know whether the account for the expenditure for building in connection with the Houses of Parliament was entirely closed; and whether £32,000 might be reckoned as the average annual charge for keeping them up.

MR. COWPER said, the Vote was for the ordinary expenses in connection with the Houses of Parliament, and contained no item for building purposes. He could not say that any great reduction of the amount in future years was to be expected.

MR. KENDALL said, he wished to have some explanation of the item for lighting. There were in or about the building some 5,000 gaslights, and about 200 argand lamps. Nevertheless, while the expense of the former (which were equal to 7,000 argand lamps) was only £2,500, the 200 oil lamps actually cost £2,000.

MR. W. WILLIAMS said, he desired to ask who the two Sovereigns were whose statues were to be added to the four which were already in progress?

Mr. AYRTON said, that four statues to Sovereigns of this country had already been erected. The four selected had been Charles I., George I., George IV., and William IV. That year two new ones were to be added, and it would be instructive to know which of the kings were considered equal in merit to George IV. and Charles I.

Sir MATTHEW RIDLEY said, if it were right that Parliament should grant money for the encouragement of the arts in this country, he would submit that the Committee had not exercised a proper discretion in endeavouring to promote that object by statues of the sovereigns of this country as part of the accessories of the House. The effect was, not to hold out the patronage of Government and the authority of Parliament to genius, but to give a helping hand to mediocre talent while they obtained works which did not excite the sympathies of those who looked upon them. The production of merely mediæval statues would have no effect upon fine art in this country. But by inviting our artists to represent great incidents in our history, or noble passages in the poets, the Committee would really lend to genius a fostering hand. He regarded the annual Vote for statues produced by mediocre artists as mere waste of the public money, and he should therefore move the omission of the item of £1,600 for the two statues proposed that year.

Motion made, and Question proposed,

"That the Item of £1,600 for two Statues of British Sovereigns to be placed in the Royal Gallery, be omitted from the proposed Vote."

Sir Henry Willoughby

MR. AUGUSTUS SMITH said, he also desired to know the names of the two sovereigns for whose statues the item of £1,600 was proposed. He objected to frescoes being placed in such a position that the only light falling upon them came through painted glass windows.

MR. WHALLEY said, he would beg leave to ask whether the name of Oliver Cromwell had ever suggested itself to the Chief Commissioner. [*A laugh.*] Hon. Members might laugh, but no less a personage than Earl Russell recently stated to a deputation that there was no period in the history of England so much entitled to be remembered as that which was identified with the name of Oliver Cromwell. Why, then, he asked, should that glorious period not be commemorated in some way or other in connection with the Houses of Parliament? About a year before he escorted a party of Frenchmen round the buildings; and when he showed them the highly poetical frescoes, they asked him whether it was because the English people had nothing in their national history worthy to be commemorated that they had recourse to the imagination of their poets. They requested him to explain some of the frescoes, but he was compelled to acknowledge that he could not do so. He wanted to know whether the name of Oliver Cromwell had occurred to the right hon. Gentleman the First Commissioner; and, if not, why not?

MR. COWPER said, the oil used in the Houses of Parliament was supplied under a contract which had been in force for a long period. He had given orders, however, that it should be discontinued at the end of six months, when a new, and he hoped a more economical, arrangement would be made. Reference had been made to the statues in the Royal Gallery. The Estimate of 1860 had been so framed as to commit the House to a long series of statues from the earliest to the last Sovereign. The House was unwilling to be so committed, and the Vote was withdrawn. Last Session the House voted four statues as a portion of a chronological series of twelve, which were required for the decoration of the Royal Gallery; and the Estimate for the present year contained an item for two more statues, also a portion of the series of twelve. He believed that those two statues, which were to be executed in accordance with the recommendation of the Fine Arts Commission, would represent Sovereigns whom he was sure the House would be anxious to commemorate, since they were associated with an illustrious period in our constitutional history. He alluded to William III. and Queen Mary. [" Which Mary?"] It was not the Mary to whom the hon. Member for Peterborough (Mr. Whalley) so much objected, but the Mary who was consort to William. He thought the House would be of opinion that the Royal Gallery would be incomplete without statues, and the object of the Fine Arts Commission in recommending that the Sovereigns should be represented in marble was to gratify the feeling to which the hon. Member for Peterborough had just given expression—namely, that in so magnificent a building as the Houses of Parliament there ought to be historical recollections. The hon. Baronet opposite (Sir M. Ridley) had objected to the proposed statues in the Royal Gallery, not because he was not favourable to art, but because he was a lover of very high art. There was no reason for supposing that the statues would be low in art; and when the hon. Baronet expressed the apprehension that mediæval statues were going to be put up, he did not properly distinguish between the statues placed in the niches, and forming part of the decoration of the walls, and those marble statues which were to stand out separately on the floor. No fault could be found with the statues in St. Stephen's Hall on the ground of mediævalism. They were executed by the best sculptors whom England could produce, and were generally considered creditable to English art. They did not show any great fondness for mediæval costume. Leather breeches formed no part of mediæval costume, but they were in fashion at the end of last century, and Mr. Fox was faithfully represented in the dress of his period. He hoped the hon. Baronet would not think it necessary to oppose the Vote.

Sir MORTON PETO said, he would beg leave to suggest that there ought, without loss of time, to be placed in one of the most prominent positions the Houses of Parliament contained a statue executed by the first artist of the day of the late Prince Consort. Such a work of art, whatever its cost, would be one of those tributes which the country delighted to see paid to that virtue which so eminently distinguished the present reign, and which they were all so anxious to perpetuate.

Sir MATTHEW RIDLEY said, he altogether dissented from the opinion that the statues in St. Stephen's Hall were superior works of art. On the contrary, he affirmed that those, for example, of Fox, Pitt, Burke, and Grattan were as bad statues as were ever perpetrated. They had neither mind, speech, nor thought in them. The perpetration and repetition of such statues could do nothing whatever to promote art. They pointed no moral, and adorned no tale. They did not appeal either to the perceptions, the sensibilities, the sympathies, or the national feelings of those who beheld them. He would not, however, press his Amendment.

Mr. AUGUSTUS SMITH observed, that while the proposed Vote was for £33,000, there appeared to be on the 20th of February a balance of £54,000 on last year's Vote. For what purpose was that £54,000 required?

Mr. COWPER said, he would remind the hon. Gentleman that the Estimates last year only passed in August, and such was the punctiliousness of the Office of Works that they did not give their orders till the Estimates were passsed. The £54,000 would be paid for the orders so given.

Mr. CAIRD said, he hoped that in the chronological series of Sovereigns it would not be forgotten that they were dealing with a united kingdom, and Scotland should not be overlooked.

Mr. WHALLEY said, he regrettted that the right hon. Gentleman had neither answered his question, nor expressed any opinion respecting Oliver Cromwell. He rose, however, to call attention to the fact, that the most conspicuous place in the House of Lords had been given to a fresco depicting Augustine baptizing some Saxon king, which he understood was intended to represent the introduction of Christianity into this island, but which he could not designate otherwise than as a gross and palpable falsification of all history. It rather represented the authority of the Popes of Rome. [" Oh, oh!"] Christianity had been introduced into this country five hundred years before either Augustine or the Pope existed. He wished to know under whose direction such a perversion of our national history had been perpetrated.

Sir JOSEPH PAXTON called attention to a sum of £3,000 for racks in the Victoria Tower for the reception of original acts, records, and documents.

Mr. MILDMAY said, he wished to ask how it was that so large a sum as £1,200 was required for haircloth, &c.

Mr. COWPER said, that the records of the House of Lords were encroaching so much upon the disposable space in the passages and offices of that House that the Clerk of Parliaments had made application that they should be lodged in some other situation, and there appeared to be no other place for them than the Victoria Tower. There were at present but two rooms fitted up, and the item in the Vote was intended to fit up another floor. There were altogether sixty-four rooms in the Victoria Tower. He hoped the hon. Member for Peterborough (Mr. Whalley) would not ask him to follow him in his historical discussion. Whatever inferences the hon. Gentleman might draw from the facts, it was not to be denied that St. Augustine had baptized the Saxon King, and that important event was represented on the walls of the House of Lords. It was an historical fact which might very properly be represented. He quite sympathized with the hon. Members in their admiration of Oliver Cromwell, and he should be glad to see a well-executed statue of that great ruler in a suitable place. However, they had so little encouragement in the erection of statues that Members should not be surprised if he did not propose any more. If the House were inclined to have one erected hereafter, such a proposition would meet with no discouragement from him; but on the present occasion they could only discuss the statues in the Estimates, and they were limited to those of William III. and Queen Mary as part of a series.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to:*

2. Motion made, and Question proposed,

"That a sum, not exceeding £5,104, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for the Maintenance and Repairs of Embassy Houses, &c. Abroad."

Mr. AYRTON said, he wished to call attention to an item of £2,668 for the houses of our ambassador to Turkey at Constantinople and Therapia, and to ask how it was that so large a sum was required?

Mr. COWPER said, that the Sultan had made a present of the site to the British mission, and consequently it was natural that they should spend a little sum in keeping up the house and giving the British Ambassador the benefit of the Sultan's liberality.

Mr. Mildmay

Mr. FREELAND said, this was not "a little sum;" it was a very large item —£2,668. For the year ending March 31, 1861, the embassy-houses at Constantinople and Therapia had cost £2,350, and for 1862 the cost was £2000, so that the total for the three years would be £7,018. The item was perfectly monstrous. If a grand Turk had come over here, and thought of building a new wing to his house for a seraglio, that sum would be sufficient to build it; but, of course, in the case of the British Ambassador, no such appendage to his residence would be required.

Lord ERNEST BRUCE said, he should be glad to have some explanations with respect to the embassy-house at Paris.

Colonel DUNNE said, the embassy-house at Constantinople had been burnt down some twenty-five years ago, and had been rebuilt at enormous expense. Since he had been in Parliament large demands had been made for maintaining it. Therapia was a very bad place for carrying on diplomatic relations, but during the summer the ambassador went there from the heat. He did not know why the ambassador should not keep up the house at Therapia at his own expense.

Sir JOSEPH PAXTON said, the embassy at Paris comprised a large extent of building, and, considering the manner in which it ought to be kept up, the sum asked (£885) was not large. So also with respect to the Vote for the houses at Therapia and Constantinople, a large expenditure was required to keep them in order as they were built of wood.

Mr. MILDMAY said, he thought the salary of £185 for "the clerk of works in charge" at Paris most objectionable. Such a clerk, if kept up, would find work to do.

Mr. COWPER said, it was economical that the Office of Works should have an officer of their own residing at the Paris Embassy, otherwise they would have to be constantly sending over some one whenever repairs were wanting. He did not think the item of £500 for "casual and ordinary repairs and painting, furniture, fittings, and contingencies" of the ambassador's house at Therapia was too much. The Committee could not wish that our ambassador should not reside during the summer months at Therapia, where all the other embassies had houses, and where the Turkish Ministers also resided.

Mr. H. A. HERBERT said, the payment to a clerk of the Works at Paris of £185 was an enormous charge for superintending the repairs of a house that was nearly new. There was also an item for a surveyor to look after the clerk of the works.

Mr. MONSELL said, that the remarks of the hon. Member for Chichester (Mr. Freeland) had not been answered. During the last three years the sum of £2,500 had been spent in repairing the ambassador's house at Constantinople. He thought the Vote for the house at Therapia was nothing less than a piece of unnecessary extravagance. If they kept a clerk of the works there, they must expect he would find something to do. He would move, as an Amendment, that the Constantinople Vote of £2,668 be reduced by the sum of £1,000.

Mr. COWPER said, he had thought it better to confine himself to the Vote before the Committee, and he could state that the sum was not more than was necessary for the coming year. He could not agree with the proposition that having a clerk of the works was likely to increase the expense of repairs; for being paid by a fixed salary, if there were any temptation at all, it would be to do little rather than much. If, on the other hand, the repairs were left to local tradesmen, they would have an interest in running up a bill. It would be the most short-sighted economy to remove the clerk of the works at Constantinople, for it was not a place in which contracts to keep the ambassador's house in repair could be entered into. The ambassador's house at Paris was rather an old one, and had required very serious repairs. It was thought desirable to send over a surveyor to Paris from time to time, instead of trusting entirely to French architects, when more serious repairs were required. If the clerks of the works were removed, the Board of Works would lose the only check they now had on the expenditure for repairs in these capitals.

Lord ROBERT MONTAGU said, that the Government ought to give the Committee grounds for supposing that these sums would be required, and that they would be duly appropriated. The right hon. Gentleman ought to explain how the sums voted for previous years had been appropriated. He should vote for the Amendment.

Mr. COWPER said, the sum proposed was the amount which, judging from past experience, it was thought would be necessary for ordinary repairs. The sums which had been alluded to were, he understood, not for ordinary, but special and particular repairs. The subject of past Votes was immaterial to the present discussion.

Mr. FREELAND said, he thought those past Votes had a most important and material bearing on the question. The repairs of one year, if well done, would obviate the necessity of further repairs in a subsequent year. Not only were repairs executed at great expense when Sir Henry Bulwer went to Constantinople, but others had been executed at a later period. The Committee were now invited to vote £2,600 odd for this purpose, the corresponding charge last year being £2,000. *L'appétit vient en mangeant;* and he supposed that next year a demand would be made for a still larger sum.

Viscount PALMERSTON said, there could not be worse economy than to give a large house to an ambassador and let it go out of repair. Everybody who had a house, great or small, knew by his own experience that in proportion to its size he must incur a certain annual expenditure for ordinary repairs. There was a Dutch proverb that painting and whitewash cost nothing—not, indeed, that these things had not to be paid for, but that the money spent on them prevented the necessity for much heavier outlays. His hon. Friend said there could be no need of a house at Therapia, because when he was at Constantinople years ago the embassy residence was burnt down, and our ambassador was then compelled to live at Therapia, when great inconvenience occurred, as during a great part of the year our ambassador had to be at Pera, in order to have communication with the diplomatists of other countries. But it should be remembered that in summer not only did the diplomatic agents of other Powers, but the Ministers of the Porte itself, all go to Therapia; and it would be inconvenient for the British ambassador alone to be kept at Constantinople at that season through not having a residence at Therapia. He should really hope that the Committee would not refuse the sum estimated for the ordinary repairs of the embassy house at Pera, which was very large, and intended for the accommodation not only of the ambassador, but also of the other members of the embassy. If the money voted should not really be required, it would not be spent.

Mr. SEYMOUR FITZGERALD said, that he was fully aware of the fact that the house of our ambassador in Therapia was in an exceedingly bad state of repair, and in such a condition that no gentleman could be expected to reside in it. The money proposed for its repair was then absolutely necessary. As regarded our ambassador's house at Constantinople, understanding that the sum asked for its repair was only calculated upon an average of years, and that the money would not be expended if the repairs were not needed, he would certainly support the Vote.

Lord ROBERT MONTAGU said, that all that had been said only showed that the large sums in former years for this purpose had been wasted. That was hardly a good reason why the Committee should now vote upwards of another £2,000.

Mr. SEYMOUR FITZGERALD said, he believed that only a very small portion of the sums voted in past years were spent upon the house at Therapia.

Mr. MONSELL said, that only £500 of the present Estimates was for the house at Therapia.

Motion made, and Question put,

"That the Item of £2,668, for Repairs of the British Embassy Houses at Constantinople and Therapia, be reduced by the amount of £1,000."

The Committee *divided:*—Ayes 61; Noes 88: Majority 27.

Original Question again proposed.

Mr. AUGUSTUS SMITH said, he would move as an Amendment the reduction of the Vote by £1,500 the item for repairs to the British embassy-house at the Hague.

Motion made, and Question proposed,

"That the Item of £1,500, for Repairs of the British Embassy House at the Hague, be omitted from the proposed Vote."

Mr. THOMSON HANKEY said he would remind the Committee of the report of last year, which recommended as the best economy that the Government should take the houses for the ambassadors upon lease, on an understanding that a certain percentage should be deducted from the salaries of the ministers to meet the expenses attending them. It was well known that it was often very difficult and sometimes impossible for the ambassadors to procure houses for themselves by the year, as they were, of course, precluded from taking them on lease from a consciousness of their own uncertainty of tenure.

Viscount Palmerston

Sir MINTO FARQUHAR said, he fully concurred in the principle of the Government taking those houses for our ambassadors, and therefore he should deeply regret any such reduction in the Vote as the Amendment contemplated.

Mr. PEEL said, that the case under consideration was exceptional. A reduction of the Vote would amount to a breach of engagement to which the Government had deliberately bound themselves.

Mr. AUGUSTUS SMITH intimated that he would not press his opposition to the Vote.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *this day;* Committee to sit again *this day.*

PUBLIC ACCOUNTS.—RESOLUTION.

The CHANCELLOR of the EXCHEQUER moved that the Resolution of the 31st of March be a Standing Order of the House.

Resolution [31st March], relative to Public Accounts, read, as followeth:—

"That there shall be a Standing Committee, to be designated 'The Committee of Public Accounts,' for the examination of the Accounts showing the appropriation of the sums granted by Parliament to meet the Public Expenditure, to consist of nine Members, who shall be nominated at the commencement of every Session, and of whom five shall be a quorum."

Colonel FRENCH said, he should not oppose the Motion, although he thought the Committee would remove responsibility from the Government. On that ground he very strongly objected to the constitution of the Committee.

Mr. SPEAKER said, the question before the House was not the constitution of the Committee, but whether its appointment should be made a Standing Order.

Mr. HENNESSY said, he wished to ask whether it was intended that the Committee should deal with English accounts only, or that its operation should be extended to the United Kingdom? If to the latter, he objected to the constitution of the Committee as it was to be proposed by the Chancellor of the Exchequer. He thought that there ought to be upon it some representative of Ireland.

Colonel DUNNE said, he had to complain that the statement of the revenue from Ireland was perfectly delusive. The taxes raised in that country were only returned as £7,000,000; whereas in reality they amounted to nearly £11,000,000. The right. hon. Gentleman the Chancellor of the Exchequer, with that contempt which he usually bestowed on Irish subjects, had not only excluded Irish Members from the Committee, but refused to put a single military man upon it, though it was known that, in Ireland especially, military accounts were sadly neglected.

LORD ROBERT MONTAGU observed, that if Irish accounts were mismanaged, the fault was to some extent that of the Irish Members, who paid little attention to them.

Ordered, That the said Resolution be a Standing Order of this House.

THE CHANCELLOR OF THE EXCHEQUER said, that he would then propose that the Committee on Public Accounts in the present Session should consist of Sir Francis Baring, Mr. E. P. Bouverie, Sir Stafford Northcote, Mr. Peel, Mr. Glyn, Mr. Cobden, Sir Henry Willoughby, Mr. Howes, and Mr. Walpole. He wished to state at the same time that it had never entered into the heads of those by whom those hon. Members were selected that there could be the slightest reason for inquiring to what part of the United Kingdom any one of the Members belonged. Of the two vacancies which had arisen in the Committee, one had been filled by the nomination of Mr. Walpole and the other by that of Mr. Bouverie. Especial care was necessary in choosing a successor to Sir James Graham, who hardly ever had a rival, and never a superior, in his acquaintance with the forms and business of the House, in his intuitive perception of all administrative questions, his immense knowledge of public affairs, the comprehensive and accurate judgment which he applied in dealing with matters like this, or in his unbounded readiness to give the benefit of his acquirements, his talents, and experience both to this House and to all who were anxious to profit by them. The hon. Member for Kilmarnock (Mr. E. P. Bouverie) was chosen to fill the place of Sir James Graham, not because he was a Scotch Member, but on account of his competence and ability. Personal fitness ought to be the only guide in the choice of the Members of the Committee, and it was on that ground that he ventured to submit the names which he had put on the notice paper.

On Question, "That Sir FRANCIS BARING'S name be retained on the List of Members,"

COLONEL FRENCH said, that notwithstanding what had fallen from the right hon. Gentleman, he must assert the necessity of having two Irish and two Scotch Members upon the Committee. He must also deny the assumption of the right hon. Gentleman that because a man had served for one Session he was therefore, as a matter of course, to serve on the Committee again.

MR. HENNESSY said, that it was plain from the evidence taken before the Committee last year that the English Members did not understand Irish Accounts.

MR. O'BRIEN said, it would be considered a slight to Ireland if no Irishman was on the Committee. He thought the Government ought to defer to the wishes expressed by so large a section of the House.

MR. NEWDEGATE said, there was not one of the Gentlemen that had been proposed to whom he could object, but he protested against the idea that the House was bound by any arrangement made out of it. He should vote for all the names, but he would support a Motion for the addition of another Member.

COLONEL DUNNE said, he found great difficulty in voting against any of the names proposed by the Chancellor of the Exchequer, but he thought that the right hon. Gentleman had not dealt fairly with Ireland.

MR. WHITESIDE said, he thought that it would be well to add a Scotch and an Irish Member to the Committee.

MAJOR HAMILTON observed, that he should not be doing his duty if he did not join the Irish brigade in their request on this occasion.

LORD ROBERT MONTAGU said, he wished to ask if it was competent for the Chancellor of the Exchequer to add another name after the House had agreed that the appointment of the Committee should be a Standing Order, and that the Committee should consist of nine Members.

MR. SPEAKER said it was not.

Sir FRANCIS BARING, Mr. EDWARD PLEYDELL BOUVERIE, and Sir STAFFORD NORTHCOTE nominated Members of the said Committee:—

Motion made and Question proposed, "That Mr. PEEL be one other Member of the said Committee."

COLONEL FRENCH said, that he should object to the appointment of that right hon. Gentleman.

Sir STAFFORD NORTHCOTE remarked, that the proceedings of the Committee would be very much crippled if the Secretary of the Treasury were not a member of it.

Mr. O'BRIEN said, he should vote against the name of the Secretary of the Treasury, because his name was not on the list which had been agreed on by the Irish Members.

Question put, "That Mr. Peel be one other Member of the said Committee."

The House *divided*:—Ayes 72; Noes 15: Majority 57.

Motion made and Question proposed, "That Mr. Glyn be one other Member of the said Committee."

Mr. HENNESSY said, he would then move that the debate be adjourned, in order to give the Chancellor of the Exchequer the opportunity of considering whether he would not consent to the enlargement of the Committee.

The CHANCELLOR of the EXCHEQUER said, the House had decided, both in this and the previous Session, to retain the number of the Committee as it at present stood, and he must therefore decline to entertain any suggestion for its enlargement.

Motion made, and Question put, "That the Debate be now adjourned."

The House *divided*:—Ayes 12; Noes 72: Majority 60.

Question, "That Mr. Glyn be one other Member of the said Committee," put, and *agreed to*.

Mr. HENNESSY said, that out of respect for the leader of the House, and not wishing to keep him there longer at so late an hour, the opposition would no longer be persisted in.

Mr. Cobden, Sir Henry Willoughby, Mr. Howes, and Mr. Walpole nominated other Members of the said Committee.

THAMES EMBANKMENT BILL.

RETURN MOVED FOR.

Sir JOHN SHELLEY said, he thought that the inhabitants of the metropolis ought to have fuller details than they now possessed with regard to a scheme which was estimated to cost a million and a half of money. He would therefore move for a Return of the estimated expenditure to carry into effect the provisions of the Thames Embankment Bill.

Motion made, and Question proposed,

"That there be laid before this House, a Return of the estimated Expenditure to carry into effect the provisions of the Thames Embankment Bill; distinguishing the cost of the filling-in and the masonry of the Embankment, the gross amount of the compensation for wharfage and river frontage, the cost of each approach to the Embankment, and of each of the other streets and improvements mentioned in the Bill, including compensation and all other expenses; also the cost of the Low Level Sewer, the length of the Embankment and of each Street, together with a Plan of the Embankment, Streets, and Improvements."

Mr. CRAWFORD seconded the Motion.

Mr. COWPER said, that his objection to giving the Returns was, that all these details would be thoroughly sifted by the Committee to which the Bill would be referred.

Notice taken, that 40 Members were not present; House counted; and 40 Members not being present,

The House was adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Friday, April 4, 1862.

Minutes.]—Public Bills.—1ª Chancery Regulation; Pier and Harbour Act Amendment.

2ª Industrial Schools Acts (1861) Amendment; Whipping.

3ª Protection of Inventions and Designs (1862); Bleachfields (Women and Children Employment); Marine Mutiny.

ITALY.—PAPERS PRESENTED.

Earl RUSSELL having laid upon the table Papers relating to the Affairs of Italy, pursuant to Address of 17th March,

The Marquess of NORMANBY said, he understood that the Papers which his noble Friend had just laid upon the table were those which were moved for on the 17th of last month. He wished to take that opportunity of asking his noble Friend whether he would have any objection to lay before the House any official despatches which might have been received from Sir James Hudson at Turin, and from Mr. Bonham at Naples, with reference to those two proclamations, respecting which inquiries had been made in both Houses of Parliament; the one issued by Colonel Fantoni, the other by Major Fumel. He (the Marquess of Normanby) wished to give his reasons, of course, for making such an unusual request as that of asking for despatches on this subject. His reason was, that when his noble Friend admitted that such a proclamation as that of Colonel Fantoni was in existence, the explanation with which he accompanied that statement had been proved by subsequent information to have been far from correct. He understood his noble Friend to state that the proclamation of Colonel Fantoni had been immediately suppressed. It was also stated that it had never been issued. Now, information which had since arrived upon that head through the ordinary channels of intelligence was directly at variance with that statement. In the first place, unfortunately, there was very painful but practical proof that on the 20th of February four women were shot in one of the mountain districts, charged with one of the offences mentioned in Colonel Fantoni's proclamation—namely, that they had upon their persons more bread than was sufficient for one day's consumption. Such an unmanly proceeding had excited universal indignation; but it was in literal accordance with the terms of Colonel Fantoni's proclamation. If the proclamation had been acted upon at all, it must necessarily have led to some such results as this. The next circumstance which had occurred to show that this proclamation had been published was a statement which appeared in *The Morning Herald.* It contained a declaration from a field officer in the Piedmontese army to the effect that he had been surprised to learn the answer which had been given to Lord Derby, stating that the British Government had no cognizance of this proclamation; because he gave the names of the generals and the places where they were employed, and said that every one of these persons had been rewarded for their services. These two counter-statements had been made before the recent change in the Government at Turin. But since that change of Government, an article had appeared in the *Opinione*, which was not the organ of the present Government, but that of Baron Ricasoli, in which that proclamation was warmly approved, declaring that if it was wrong at all it was only in being too mild, and stating, moreover, that it had borne good fruits. But within the last twenty-four hours another document had been published, to which he wished particularly to call his noble Friend's attention. It was an order of the day, which, according to several continental papers, had been issued by Colonel Brianza, who was the superior officer of Colonel Fantoni, and who had been dismissed from his command in consequence of the issue of this proclamation. Colonel Brianza said—

> "I was the superior officer of Colonel Fantoni, and after conferring with the political authorities I issued the proclamation; but the publication of the proclamation having been considered inopportune, I have been dismissed."

This was on the 22nd of March, about three weeks after the change of Government at Turin. He (the Marquess of Normanby) must say he thought they must infer that since the change in Government there had been a beneficial alteration as far as humanity was concerned; and he must suppose that that change had been brought about by an authority superior to that of his noble Friend. With respect to the course of action which had been pursued by Generals Cialdini and Pinelli, whilst the Prime Minister of England was openly approving these barbarities, the Emperor of the French was saying—"Let Italy take care; she is alienating the feelings of every friend of liberty." In reference to Major Fumel's proclamation he had understood his noble Friend to state that no operation or execution of the proclamation had taken place. But he was sorry to say that here also his noble Friend had been deceived; because in a newspaper published at Bologna both the number and the names of the persons who had been executed were given. Nine were mentioned at one place and six at another; and it was stated that a noble lady was shot because she would not produce the person of her daughter, who had been charged with complicity with the alleged brigands. He hoped his noble Friend would endeavour to procure some information with regard to these events from Sir James Hudson.

Earl RUSSELL said, it was not very easy for any person in that House to answer inquiries with respect to proceedings which were taking place in remote parts of Italy. He would produce such despatches as the Government had relating to these cases; for example, the despatches received from Mr. Bonham at Naples, containing an account of an interview with General La Marmora, and the answers given by the General to questions bearing on the subject, together with the information afforded by him with reference to the state of that part of the country. His noble Friend had somewhat confounded the two answers which he (Earl Russell) had given. With respect to the proclamation of Lieut. Colonel Fantoni, he (Earl Russell) had stated that the proclamation had been printed, but that as soon as it reached the general of the district it was disapproved of. That was the statement which the Government had received from Mr. Bonham, our Consul at Naples. As to Captain or Major Fumel, he was not an officer of the army; he commanded a battalion of national guards and volunteers; and with regard to him, he believed his proclamation had never been printed, and was disapproved as soon as it was heard of. With regard to the execution of the four women, he (Earl Russell) had received only a telegram from Sir James Hudson, which he should have no objection to produce. His (Earl Russell's) belief was that the conduct of Colonel Fantoni had been disapproved, that he had been removed from his command, and that he made a bitter complaint that he was removed in consequence of the questions which had been put in that House. His noble Friend (the Marquess of Normanby) must answer that grievance, because he was, in fact, the originator of his removal. His (Earl Russell's) general statement was that the proclamation had not been acted upon, that it was intended to produce terror in the disaffected, and had not been put in execution. He should have no objection to produce any letters which had any bearing on the question.

The Marquess of NORMANBY said, that his noble Friend had stated that it was difficult for a person in that House to obtain information respecting events in the remote parts of Italy; but the noble Earl must recollect that he and his party had frequently put questions and had made statements in Parliament with respect to the conduct of the King of Naples and other sovereigns. His noble Friend had stated that the proclamation of Major Fumel was not published, and that he was not a regular officer. He wished to know whether his noble Friend was in a position to deny that there were two proclamations published by that officer—one at an interval of three weeks after the other; and that in one of those proclamations a reward of £5, or 100*f.*, was offered to any brigand who would shoot one of his comrades. Here was a distinct engagement to pay blood-money for treacherous assassination; and this could not have been merely to excite terror in the disaffected, because Major Fumel had delegated its execution to others.

Earl Russell

EDUCATION—
THE REVISED CODE OF REGULATIONS.
INDIVIDUAL EXAMINATION.
CORRESPONDENCE MOVED FOR.

The Bishop of OXFORD rose to move for the production, if it could be produced, of any Correspondence with the Committee of Privy Council on Education, or Memorials to the Committee, in which are stated the Objections of Her Majesty's Inspectors to the Examination individually of Scholars as being impracticable, as stated in Mr. Lingen's examination (Answer 425). The right rev. Prelate said, that under the present aspect of the question he should not have troubled their Lordships with any observations, but that his noble Friend the President of the Council had questioned him on a late occasion as to the accuracy of certain figures he (the Bishop of Oxford) had adduced to their Lordships when he had last the honour of addressing them on this subject. This was the first occasion on which he had an opportunity of mentioning the subject, which he thought, out of respect to their Lordships, he was bound to do. He was not himself in the House at the time when his noble Friend made that reference to the remarks which had fallen from him; but, upon referring to those organs which told them with such accuracy what took place in the course of their debates, he was surprised to find that his noble Friend had, in two instances, questioned the figures he had quoted. In the course of the remarks he ventured to make, he (the Bishop of Oxford) referred to the importance of the subject, and sought to measure that importance by showing the marvellous increase during the last fifty years in the education of the country. He stated from the evidence of the Commissioners themselves that in the year 1803 the number of scholars was 524,241, or 1 in 17½ of the population; whilst in the year 1858 it had reached 2,535,462, or 1 in 7 and a fraction. His noble Friend appeared to think that he (the Bishop of Oxford) was referring to a period of fifteen instead of fifty years; but that was an error into which it was hardly possible that he (the Bishop of Oxford) could have fallen, especially as he was at that time referring to the Commissioners' Report. The second point was that he (the Bishop of Oxford) had been erroneous in saying that so great had been the response to the movement created by the Government grant, that the sum now spent on education was £2,000,000. This statement, again, was taken from the Commissioners' Report. From that Report it appeared that the income of the elementary schools was £1,121,981, and that the Government added to that sum a grant of £800,000, making together £1,921,981. This was the amount which in round number he had called £2,000,000. But in that statement it turned out that he was really below, rather than over the mark, for by other expenses for the diocesan schools and others, the total sum spent on education considerably exceeded £2,000,000. In either case it appeared to him that there could be no doubt that his statement was substantially correct. He had been anxious to make these explanations to their Lordships.

Earl GRANVILLE was understood to say, that from what their Lordships had just heard it appeared that he had fallen into a mistake as to the number of years mentioned by the right rev. Prelate on a former occasion. It would seem that the reporters had fallen into the same mistake; for in the printed report of the right rev. Prelate's speech, he was represented to have said "fifteen years." With respect to individual examinations, in connection with the payment of capitation grants, it had formerly been proposed by the Committee of Council that there should be an individual examination. Meetings of Inspectors were held for which the Committee was in no way responsible. At one of those meetings a very general opinion was expressed, not as the right rev. Prelate had stated, that it was impracticable to examine the children individually, but that it would not be practicable to examine them individually if they were grouped according to age, as was at that time proposed. On a representation to that effect he (Earl Granville) had agreed to a modification of the rule. Afterwards he was sorry that he had done so, although he had no doubt that the representation had been made in all sincerity; because further reflection convinced him that there was no difficulty whatever in an examination of that character, and that it would merely involve more time. He was confirmed in that opinion by what had recently been stated by a venerable Archdeacon and by other competent authorities. It appeared that various experimental examinations according to the Revised Code had actually been made, in some cases with very creditable results, in others with results not quite so satisfactory. He trusted that this information would satisfy the right rev. Prelate, as there were no papers on the subject that he could lay on their Lordship's table.

Earl STANHOPE, before the discussion closed, wished to ask his noble Friend the President of the Council when their Lordships might expect to see in a tangible form the final Resolutions of the Committee of Council. A very clear statement as to the general character of these Resolutions had been made by a right hon. Gentleman in another place; but there were one or two points which that right hon. Gentleman had left in doubt:—for instance, he had left in doubt the proportion of the grant that was to be paid on inspection. Great interest and anxiety on this subject prevailed throughout the country, and he thought a detailed statement of all the provisions of the new Code—especially in reference to the proportions of the grant to be given upon examination on the one hand, and on the character of the schools from the reports of the Inspectors on the other—at the earliest moment possible would be very desirable.

Earl GRANVILLE said, he could quite understand that much interest was felt in the subject referred to by his noble Friend. The arrangement of the details of the alterations to be made in the Code would necessarily take some little time. It was not desirable to have any piecemeal arrangement of the matter; but he was very anxious to be in a position to place the proposed rules in a complete form before their Lordships; and if possible, he should do so before their Lordships separated for the recess.

The Bishop of OXFORD said, he had founded his Motion on a statement in the examination of Mr. Lingen, showing that the Inspectors had expressed a strong opinion as to the impracticability of the individual examination which they had been required to hold. He admitted that the noble Earl the President of the Council was quite borne out by the printed report of his speech on a former occasion; but the context showed that the word "fifteen" in that report was a mistake, and that what he must have said was "fifty." As his noble Friend said there were no papers that he could produce, he should withdraw his Motion.

Motion, by leave of the House, *withdrawn.*

POLAND—ALEXANDER ZAMAYSKI.

QUESTION.

LORD KINNAIRD rose, pursuant to notice, to put a Question to Her Majesty's Secretary of State for Foreign Affairs as to whether he had received any Information from our Consul at Warsaw with regard to Torture having been used to extort Evidence from Alexander Zamayski. The noble Lord said he was perfectly aware of the great distaste with which any Polish subject was received; but he believed that that was owing to a misconception of the motives which had led the people of Poland to desire that their case should be brought under the notice of the English people. Their Lordships had heard so much about nationality, that they might naturally fancy that the object of all classes of the Poles was to obtain a reconstruction of the kingdom of Poland. That, however, was a mistake. He thought that no one who had means of information on the subject could fail to perceive that ever since the violation of the Treaty of Vienna and the withdrawal of the constitution granted to the Poles, all classes in Poland had made up their minds to make the best of their position in the present state of affairs, and to forward by every means in their power the interests of their country as it now stood. They had, in fact, thrown themselves with the greatest zeal into the movement for improving the industry, the education, and the agriculture of Poand. It was remarkable that this zeal was not confined to the influential classes, but was shared even by the most humble. He had received two of the latest newspapers which had been published in Poland—published in defiance of all attempts to suppress them. These prints circulated amongst the lower orders, and might therefore be supposed to represent their feelings. He found that one of them called upon the people to manifest both patience and perseverance, adding, "If we give up any foot of ground we have gained, we shall lose all." The other advised its countrymen to make the best of what had been promised them; and then it said, "With real earnestness and goodwill a harvest may be reaped from the poorest soil." The Agricultural Society, of which their Lordships had heard something the other night, had laboured with great success for the advancement of Poland, and had effected a remarkable improvement. Many of its members had visited this country and Scotland for the purpose of obtaining practical information, and a very large trade in agricultural implements had thus sprung up between England and Poland. The society was not a political one, for a portion of its Council was absolutely nominated by the Government; but after the dreadful massacre referred to by the noble Earl (the Earl of Carnarvon) the other night, it offered its mediation. The offer was accepted, and it succeeded in restoring quiet, and it was actually thanked by the Government for its efforts, but the Government, jealous, as it would seem, of the great moral influence which the society had obtained in the country, had suddenly, without rhyme or reason, ordered its suppression. Thank God, however, the Government could not destroy the feelings which animated every class in the country. It had united every class from the noble to the peasant, and persons professing every form of religion from the Roman Catholic to the Jew, in one common detestation of the tyranny practised upon them. To give their Lordships an idea of the policy which the Government had adopted, he would detail to them some of the proclamations which had been issued. Not only, for example, were the keepers of inns required to give information to the police of all their guests, but persons living in the same street or neighbourhood were made responsible for the evil intentions of the travellers who might be staying at the inns. A circular which had been addressed to all the mayors and burgomasters in the country was still more absurd. It ordered that proprietors of houses and fathers of families must henceforth not allow their wives and daughters, governesses, servants, or any other women that might be in their houses, to wear mourning or to sing songs of a revolutionary tendency, on pain of being themselves subjected to immediate arrest at the hands of the police. Imagine for a moment any of their Lordships being compelled, under pain of arrest, to supervise the dress of their wives, daughters, and scullery maids. With regard to singing, it appeared that the new Roman Catholic Archbishop, on his appointment, ordered that in future there should be no singing in the churches, and this injunction had been implicitly obeyed throughout the entire of Russian Poland; but still the authorities were not satisfied, and at Wilna the Governor resented the regulation as an insult, and ordered the people to sing. They would not disobey the prior direction of the

Archbishop, and the Governor, therefore, hired people to sing in church. He quite agreed with the opinion expressed on a former evening by the noble Earl on the Government bench, that it was impossible for any foreign Government to judge what measures another Government ought to take for the preservation of its own tranquillity. But the noble Earl, he presumed, confined his remark to legal measures, and his complaint was that law had practically been abolished in Poland. Warsaw was in a state of siege ; there was not one of its houses which was not commanded by the citadel, and its population of 160,000 inhabitants was guarded by 30,000 troops, or a soldier to each five-and-a-half individuals. Police rule prevailed, and occurrences at Naples showed what violent measures were sometimes employed by the myrmidons of the police. It was right to state that there had latterly been some slight relaxation of severity. On the 25th of February an official order to the following effect was made :—

> "The Lieutenant Governor, taking into consideration that in the four months during which the state of siege has been proclaimed public tranquillity has not been interrupted by any serious disturbance, has condescended, therefore, to decree, among other things, that, dating from this date, there shall be no arrests, no inquiry, no court-martials for crimes committed before the proclamation of the state of siege, unless in exceptional cases."

That was the only extent to which there had been any relaxation of severity. He would, however, call the attention of their Lordships to the preamble of the order, which recited that during the four months the state of siege had continued there had been no serious disturbance. In another document it was stated that the Military Commission had not been able, with all its industry, to discover the existence of any political plots. Private accounts corroborated this remarkable statement. They represented the Russians as confounded by the unanimity of feeling throughout the length and breadth of Poland, which they attributed to the existence of some wide-spread conspiracy, forgetting that plots and mysteries need never be resorted to when the people were all of the same way of thinking. Yet he had stated to their Lordships the whole of the relaxation which had taken place in the rigorous measures which the Government had adopted. It appeared to him that this continued oppression could have but one object, and that was the provocation of revolution. At all events there was great danger that it would have that effect. Should that be the consequence, the revolution would surely not be confined to Poland, but Hungary would then shake off the yoke of Austria, which she was now only prevented from doing by fear of the Russian armies. And the North of Italy would also make a struggle to be free. However much we might desire to see this result, we did not wish to see it effected through a revolution ; and therefore, though we might not be entitled to remonstrate with Russia, yet a friendly intimation to the Emperor that we considered the peace of Europe likely to be endangered by such repressive measures in Poland would, he was sure, induce the Russian Government to view more favourably the state of that unhappy country. Allusion was made the other night to the noble conduct of the Emperor of Russia with regard to the emancipation of the serfs, and he gave him every credit for it ; but in a despotic country the head of the Empire was to some extent responsible for all the cruelty and oppression that took place in the Empire. Of course the Emperor could not be cognizant of all that occurred in Poland, but still some of these facts were necessarily brought under his notice. Their Lordships heard the other night of the desecration of the churches by the introduction of troops, and that numbers of persons were killed. He believed that under the Catholic religion where blood had been shed on the altar mass could not be again said in that church until it was re-consecrated. Now, the Archbishop of Warsaw, the head of the Catholic Church in Poland, was called upon to perform mass in the church which had been thus desecrated. He refused, because he could not do so according to the precepts of his religion ; and that old man, who was seventy-eight years of age, was dragged to prison, confined with the lowest criminals, and after being tried by a secret tribunal was condemned to death ; but—and this circumstance was material, as showing that the Emperor was cognizant of the facts—he was pardoned by ukase of the Emperor, though only on the plea of his great age and infirmities. There was another circumstance, which he mentioned only to show that any statement, however exaggerated, was likely to be believed. Their Lordships had heard of a number of women having been bayoneted by the soldiers in a church. On that occasion a number of prisoners were taken, and the

Viceroy, feeling this to be a harsh procedure, liberated those prisoners. The General Commandant attacked him for this conduct, and called him a coward. The consequence was a duel to death. They drew lots as to which was to die, and the General Commandant—he could not pronounce his name for it was Russian—after three attempts to shoot himself, blew out his brains. He (Lord Kinnaird) felt it his duty to put to the noble Earl at the head of the Foreign Office the question of which he had given notice with regard to Alexander Zamayski. He had no knowledge as to whether what had been asserted in regard to the treatment of that unfortunate gentleman was or was not true, but the statement which had been placed in his hands was to this effect:—The examination of M. Zamayski took place before a Court of Inquiry composed of five Russians, the two Poles who habitually formed part of the tribunal being absent. It was between the hours of ten at night and one o'clock in the morning that the interrogation, which lasted several days, took place. He was repeatedly stripped, by order of the Governor and Commissioners, and flogged until the blood flowed, and the body of the unhappy man was literally cut to pieces. Letters from Poland said that he was still alive, but it was not known what had become of him. But the statement as to the cruelties exercised on this unhappy gentleman was believed throughout the whole of Poland. If it were false, he hoped the noble Earl the Secretary for Foreign Affairs would be able to say so; but if it were true, he hoped that a friendly representation would be made by her Majesty's Government to the Government of Russia, urging it to some extent at least to relax its iron rule, and he felt sure that that representation would have the best effect.

Earl RUSSELL said, that as he had addressed their Lordships only a few nights ago upon this subject, he should not now enter into the general question. With reference to the case to which his noble Friend had alluded, all he knew was that there appeared in the *Gazette of Breslau* the statement to which his noble Friend had referred with respect to the cruel treatment of Alexander Zamayski. Some days afterwards there appeared in the *Constitutionnel* an article dated Warsaw, stating that there was no truth in that report; that Alexander Zamayski was imprisoned, but that he had not been in any way ill-treated. Which of those statements was true he knew not, as he had received no official communication on the subject; but he should certainly hope that the report would turn out unfounded.

Viscount STRATFORD de REDCLIFFE said, it was impossible not to feel the inconvenience which was often occasioned to the Government in being called upon to make declarations with regard to subjects which related exclusively to foreign nations; but it was one thing for the Government to be called on to interfere and another for an assembly of that kind to entertain a question so naturally interesting. He thought that in this particular case of Poland, remembering the arrangements which were made at the Congress of Vienna, and the pledges which were then given by Russia, an exception might be made to that rule; more especially as a change appeared to have taken place in the disposition of the Poles, who seemed now to be little inclined to resort to violence. There was the better hope that any exertions which we might make on their behalf would be attended with a good result, because there was now on the throne of Russia a Sovereign who showed the best disposition and the most anxious desire to ameliorate the condition of his subjects, and whose interest and the interest of whose country it must be at a time of difficulty and trial not to excite any strong feelings of discontent or hostility on the part of so important a portion of his dominions as Poland, and this, too, at a time when the Poles themselves were becoming more disposed to accept their condition in the belief that thereby the bitterness of their lot would be mitigated.

House adjourned at a quarter past
Six o'clock, to Monday next,
half-past Eleven o'clock.

HOUSE OF COMMONS,

Friday, April 4, 1862.

Minutes.]—Public Bills.—1° Stipendiary Magistrates; Bills of Exchange (Ireland) Act (1861) Amendment.
2° Police and Improvement (Scotland).
3° Sir John Soane's Museum.

COLES'S SHOT-PROOF SHIELD.

QUESTION.

Admiral WALCOTT: I have to ask the Secretary of the Admiralty whether he has any objection to lay upon the table of the House the Correspondence which might have arisen between Captain Cowper Coles, of the Royal Navy, and the Board of Admiralty, on the subject of his Shot-proof Shield; the Report thereupon of the late Admiral Lord Lyons, in the year 1855; and the Report of Captain Powell, of Her Majesty's ship, *Trusty*, in the year 1861.

LORD CLARENCE PAGET said, he would be glad to give every possible information to his hon. and gallant Friend; but the fact was that the correspondence to which he referred took place in the year 1855, during the Russian war, and there was a great deal mixed up in it which it would not be advisable to make public. The cupola which was about to be built on Captain Coles plan was provisionally proposed to the Admiralty in the year 1855, and there was no essential difference in the proposal recently adopted as compared with that made in 1855. Some improvement, however, had been introduced.

AUDIT OF JOINT STOCK COMPANIES' ACCOUNTS.—QUESTION.

MR. O'BRIEN said, he would beg to ask the President of the Board of Trade, Whether it is the intention of the Government to introduce any measure, during the present Session, for an official and effectual audit of the Accounts of Joint Stock Companies?

MR. VINCENT SCULLY said, he would also beg to ask the President of the Board of Trade, When he expects that the Returns as to Transatlantic Steamers ordered on the 25th of February and the 3rd of March last, will be laid before this House?

MR. MILNER GIBSON said, that it was considered that the present system of audit, in reference to the accounts of Joint Stock Companies, was both official and effective, because one-fifth of the number and value of Joint Stock Companies could require an audit to take place by order of the Board of Trade, and the accounts so obtained were available to the shareholders. It was not the intention of the Government, therefore, to introduce any measure for the more effectual audit of the accounts of Joint Stock Companies. The Returns asked for by the hon. Member (Mr. Scully) were in progress, and they were only waiting for the answers of some of the owners to be sent in.

MR. O'BRIEN said, that he wished to give notice that after Easter he should move a Resolution setting forth the necessity for having a more effectual system of audit in reference to the accounts of Joint Stock Companies.

AFFAIRS OF MEXICO.

QUESTION.

MR. SEYMOUR FITZGERALD said, he would beg to ask, Whether the Government have received official information relative to the Convention said to have been entered into at Soledad between the Allied Powers and the Government of Mexico; whether the British Force has been, or is about to be, withdrawn from the territories of the Republic; and whether instructions have been sent out to the British Minister approving the terms of the Convention?

MR. LAYARD replied, that the Government had received official information that a Convention had been signed—not between the Allied Powers and Mexico, but between the Commissioners of those Powers and the Government of the country. It was true that the British Force—if it might be called a force—might probably have been withdrawn from Mexico by the present time, with the exception of a small body of men. That force originally consisted of 600 marines, but a reference to the papers which had been laid on the table on the House, would show that it had never been the intention of the Government that those marines should take part in any expedition into the interior of the country. They would, therefore, be withdrawn, with the exception of 100, who would be left to carry on the ordinary duties at Vera Cruz and San Juan. As regarded the Convention, he might add that Her Majesty's Government had approved of it as a whole; for although they could not approve all the articles, yet they believed that the general spirit carried out the intentions of Her Majesty's Government. The Convention distinctly disclaimed all desire, on the part of Her Majesty's Government, to interfere in the internal affairs of Mexico, and encouraged a hope that the present differences would be satisfied by negotiation and pacific means, and that any hostile measures would be unnecessary. It was to be hoped that these expectations would be fulfilled, and that it would not be necessary to go to war with Mexico.

MR. SEYMOUR FITZGERALD asked, whether papers on the subject would be laid on the table immediately?

MR. LAYARD said, the hon. Gentleman had given notice of his intention to move for those papers after Easter. He could not at present say whether there was any objection to lay the Convention on the table, but he should probably be able to inform the hon. Gentleman on Monday.

MR. SEYMOUR FITZGERALD said, it was for the purposes of his Motion that he was anxious to have the papers.

CONVICTIONS IN KILDARE.—QUESTION.

COLONEL DUNNE said, he wished to ask the Chief Secretary for Ireland, When the Returns of Convictions at the Curragh Court House and Petty Sessions of Kildare, in Ireland, ordered by the House, will be laid upon the table of the House.

SIR ROBERT PEEL said, that the hon. and gallant Gentleman appeared to overlook the fact that the Returns which he applied for were presented on the 28th ultimo and ordered to be printed.

SUPPLY.

Order for Committee (Supply) read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE NELSON COLUMN.

OBSERVATIONS.

ADMIRAL WALCOTT: Sir, in the year 1858 a vote was obtained from the House of a sum of £6,000 towards the completion of the Monument of Lord Nelson in Trafalgar Square. The design of the granite lions, which are indispensable to the adornment of the base, was subsequently intrusted, not to a sculptor, but to a very distinguished artist; and although nearly four years have elapsed, they have not been completed. During the present year we may expect a very large concourse of foreigners as visitors in London, and I cannot but think that the sight of the incomplete memorial to the greatest of our Admirals will be regarded as a national reproach. I remember reading in the works of one of the greatest of Roman historians (Sallust) that his nation—a nation of conquerors—in their palmiest days would say that the sight of the statues of their distinguished men wonderfully inflamed their minds to the love of virtue; that it was not the speaking brass, the likeness or the figure, which possessed such intrinsic power, but that the memory of their exploits was revived in their hearts, and kindled a flame which was not to be quenched before they had striven to rival their fame and glory. Such are the motives with which we raise statues to the departed: not only to express gratitude and admiration, but to quicken in the minds of their successors the type of excellence, and animate them to like imitations. The monument of Nelson, I regret to think, was not completed even in its present state without the aid of a munificent foreign Emperor. We may be unable to afford a parallel to the splendid buildings, the magnificent collections of art, and the richly-stored galleries of the continent; but at least we may show that we have the will and purpose to attest an equal reverence with them for the memory of the men who have deserved well of their country. It is distressing—it cannot be otherwise than distressing to every Englishman—to see in the grandest portion of the capital—in the greatest thoroughfare, leading to the wealth of the City, the chambers of legislation, and the palace of the Sovereign—the monument of the first and noblest of our Admirals left incomplete, owing to a remissness which I cannot think excusable. I therefore will ask to what quarter we are to attribute the lamentable delay which amounts almost to neglect? If ever there was a man of whom there was but one opinion, that man is Nelson: endeared to the nation not only by the devotion of a life, but by the sacrifice of the body, pale and mutilated in his country's service. Kept alive for years, as I may say, only by the undaunted spirit within. One of whom, as Tacitus said of his great countryman, Agricola, "we may reiterate, what we loved, what we admired, in him dwells, and will ever abide in the hearts of men with the eternity of time and the glory of it." I hope that hon. Members on each side of the House will respond to the appeal I will now make to the Government no longer to permit this disgrace, but at once determine, with justice and prudence, to complete the Nelson Monument in a perfect state, agreeably with the original design.

PAPER MONEY IN INDIA.

ADDRESS MOVED.

MR. H. BAILLIE said, he rose to move an Address for Copy of the Agreement entered into by the Government of India with the Bank of Bengal, for the issue of Paper Money in India. The establishment of a paper currency in India was a question of importance. It had excited considerable interest among the commercial classes out of doors; and, naturally enough, some difference of opinion had arisen on the subject. A paper currency would, no doubt, be a great advantage to the commercial and mercantile classes in India. It would enable merchants to pay sums of money in distant parts of India with far less trouble and expense than at present. So far it would be a great commercial convenience; but that commercial convenience would be very dearly purchased if the currency to be established were not based on sound financial principles. A very general feeling prevailed, that if there was to be a paper currency in India, the paper to be issued should proceed from a bank authorized by the Government, with a separate department of issue, like the Bank of England, but that the paper should not be issued by the Government itself. The reasons for that were sufficiently obvious. India was a country peculiarly sensative and peculiarly liable to sudden commercial and monetary panics. Those panics sometimes occurred in India without any assignable cause; and if during one of them a run for coin or bullion should take place, which it naturally would do, to such an extent as to induce a suspension of cash payments as a temporary expedient, it would be far better that such a course should be taken by a bank rather than by the Government itself. In the former case the Government might come forward to assist the bank, to proclaim the frivolity of the panic, and to offer to accept the notes of the bank; but in the latter case, where the notes were issued by the Government itself, the Government, being unable to meet its engagements, would stand discredited in the eyes of the people, and would be practically insolvent. It might be said that that could hardly occur to a Government which usually kept from £14,000,000 to £15,000,000 cash balances in its treasury. That, however, was a delusion which prevailed in this country, even among those who professed to instruct the public on matters of Indian finance. Those persons seemed to suppose that the cash balances in the Indian treasury were as available resources to the Indian Government as the cash balances in Her Majesty's treasury would be to the Government at home; and that therefore they might be used as a security for an issue of paper money. To a certain extent that might be true, but to a certain extent also it was fallacious. What were called the cash balances in the Indian treasury were cash balances in about 300 treasuries, scattered over every part of the Indian empire. Some of these treasuries were 1,000 miles from the seat of Government, and, with the usual modes of conveyance, it would take two months to bring the balances from those distant treasuries to the treasury at Calcutta. It was obvious, therefore, that these cash balances could not be made available at the seat of Government for any sudden commercial panic, and that the only cash balances which could be made available under such circumstances would be those that might be found in the treasury at Calcutta. Now, the cash balances in the Calcutta treasury usually amounted to about 10 per cent of the whole; so that if they calculated the cash balances in all the Indian treasuries at £15,000,000, they might assume that there was about £1,500,000 in the treasury at Calcutta which might be made available for a commercial panic. It was useless, however, to discuss that question; because, by an arrangement to which he was about to call attention, the cash balances were made to disappear and vanish altogether from the scene. When Mr. Wilson was first appointed Financial Secretary to the Government of India, he left this country fully prepared to carry out a system of paper currency in India. He had the advantage of consulting the right hon. Gentleman the Secretary of State for India, than whom there was no one either in or out of that House who, from his previous studies or his great knowledge of the subject, would have been able to give him better advice; and he also consulted the Governor and the Deputy Governor of the Bank of England, who expressed themselves favourable to his views. Accordingly, Mr. Wilson did not lose much time after his arrival in India before he published his programme which was contained in a minute dated from the camp at Meerut, on the 25th of December, 1859. That minute had been justly characterized by the right hon. Gentleman the Secretary of State for India as a very able document. Mr. Wilson did not conceal from himself the difficulties with which he would have to contend in first introducing into the Indian Empire that great invention of modern civilization, the abuse of which had caused such incalculable evils in almost every country in Europe, as well as in America. He understood the character of the people; he knew how suspicious they were of modern innovations; and therefore he endeavoured to take every possible precaution to secure the confidence of the people in the convertibility of his notes. How, then, did Mr. Wilson propose to carry out his plan? He proposed that a paper issue should take place, the security being two-thirds of Government Stock and one-third of coin. That plan came home to this country, and was submitted to the right hon. Gentleman the Secretary of State for India, who disapproved of it, being of opinion that it did not give sufficient security for the convertibility of the notes. The proposal of Mr. Wilson, therefore, was disallowed, and very properly. The right hon. Gentleman had not left them in doubt as to what were his views on the subject. They were expressed in a despatch to the Governor General after Mr. Wilson's minute; and the despatch might be considered as the answer to that minute. In that despatch it was stated by the right hon. Gentleman that so indispensable was it in the first instance to establish confidence in the notes, that beyond the reserve of coin and bullion in the hands of the Currency Commissioners it should be provided that the cash balances in the Indian Treasury should be available to meet any unforeseen demand in payment of the notes. The plan of the right hon. Gentleman was briefly this:—that there should be an issue of £4,000,000, on Government Securities, but all beyond that should be secured by coin; but he was so anxious to secure the convertibility of the notes that he further provided that the cash balances of the Indian Government should be available to meet any unforeseen demand for the payment of the notes. But, in spite of these instructions, the Indian Government had devised, and actually carried into effect, a plan, he presumed under the presiding genius of Mr. Laing, far more dangerous than the scheme of Mr. Wilson—providing, as it did, that Government notes should be issued on the security alone of Government Stock. He referred to the agreement of the Indian Government with the Bank of Bengal for keeping the cash balances. That agreement, which came into operation on the 1st of last March, provided that the Government should open an account with the Bank of Bengal for keeping its cash balances there in place of in its own treasury; that the bank should have an allowance of £4,360 yearly, besides being reimbursed by the State for all its expenses; that the State should retain at the Bank a monthly average balance of £700,000; and that the Bank should be at liberty to employ it for its own commercial purposes, just as it did the money of other customers. That privilege would be equivalent to the payment to the Bank of no less than £42,000 a year. When the balances were under £500,000, the State was to pay the Bank on such deficiency the same rate of interest as the Bank charged its other customers. When the average balance exceeded £700,000, the directors were to keep the excess in cash or to invest it in Government Securities. The Bank would adopt the latter course, as it was to receive the dividends. The Bank would thus be always selling and buying Government Securities, and receiving the dividends, whilst the Government would pay any loss there might be upon the transactions. He did not pretend to calculate what might be the loss of the Government under the agreement, but the gain of the Bank would be large indeed. That consideration had caused the enormous rise of £10 per cent which had taken place in the shares of the Bank. He wished the House to observe that the cash balances of the Government, which the Secretary of State deemed so necessary to give security and confidence to the notes, were made entirely to disappear, for they were invested in Government Securities; and that the notes were to be issued upon the security alone of Government Stock. He could not understand how Government Stock could be a security for notes that were convertible and payable on demand.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of the Agreement entered into by the Government of India with the Bank of Bengal, for the issue of Paper Money in India,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. PEACOCKE seconded the Motion.

Sir CHARLES WOOD said, that the hon. Member had correctly enough stated the early proceedings with reference to the establishment of a paper currency in India. He believed that a paper currency there, resting on sound foundations, would tend much to develope the resources of India, and promote its commercial interests. The late Mr. Wilson had proposed a plan for that purpose, which in some respects had not been deemed satisfactory. Directions had therefore been sent out from this country on the subject, and an Act had been passed in entire conformity with those directions. It did not provide for the issue of notes for £4,000,000 without any deposit of bullion or coin; but £4,000,000 was the limit beyond which such issue was not under any circumstances to be carried. He had heard with surprise of the arrangement which had been made by the Government of India with the Bank of Bengal. It was not in accordance with the instructions which had been sent out, and it undoubtedly was one such as he should not have been disposed to sanction. But the hon. Gentleman would see that in this case, as sometimes happened in Indian matters, they were in this difficulty—that an arrangement had been made in India, on the faith of which persons were acting, and it would not be fair now to disturb it. The arrangement was, however, only temporary, and must come to an end in five years; and he could assure his hon. Friend that there would be little chance of its being renewed if he had the honour of holding office when the time arrived. The hon. Member was under a mistake in saying that the notes were issued upon Government securities. For every note issued by the Bank coin had been deposited, and at this moment there was coin deposited to the full extent of the paper issue. The temporary arrangement with the Bank could not, as he had stated, very well be overturned. The terms on which it should hereafter be renewed would require very careful consideration, and the hon. Gentleman would allow that he was only exercising a sound discretion in refraining from entering upon that point. As to the production of the papers now asked for, he would suggest that the hon. Member should postpone his Motion for a short time to allow of the receipt of further despatches from India.

Amendment, by leave, *withdrawn.*

THE NELSON MONUMENT.—REPLY.

Mr. COWPER said, he wished to answer a question that had been put in his absence by the hon. and gallant Admiral opposite, who had called attention to the incomplete condition of the Nelson Monument. Like the hon. and gallant Member, he greatly deplored that that monument was unfinished. The order for the execution of the lions was given in 1858 to Sir Edwin Landseer, a man of great genius in the representation of animals. But genius was not to be commanded at all seasons, and Sir Edwin Landseer had not yet been able to satisfy himself as to the work of art which he was to place upon that monument, and could not yet name any time when the lions would be completed. All he could say was that Sir Edwin Landseer was now very accurately studying the habits of lions, and was to be seen in the Zoological Gardens making himself thoroughly acquainted with their attitudes. It was to be hoped that all the delay would secure their ultimately having a work of art of still greater perfection than if it had been executed as rapidly as had been expected. Sir Edwin Landseer was quite aware that a great monument was in a very imperfect state while the portion of the work intrusted to him remained unfinished.

AFFAIRS OF POLAND.—ADDRESS MOVED.

Mr. DENMAN said, he rose to call attention to the condition of Poland, and to move for certain papers relating thereto. Those who might be prepossessed against the discussion of the question to which his Motion referred at that time would, he thought, if they only patiently listened to the facts which he had collected, be convinced that it was a fitting occasion for the British House of Commons to entertain it. Indeed, if he wanted any justification for the course he was about to take, it would be found in the numerous petitions from different parts of the kingdom which had been presented to the House that very day, signed by persons of all classes in society, and anxiously entreating that the subject of Poland should be brought under its notice, and that the Russian Government might be reminded of its duties and obligations towards that country. He wished to approach the question in the spirit breathed by that memorable declaration of Lord Lyndhurst, who, when speaking on the same subject some years ago, said, that it was the duty of every person placed in a position where his voice could be heard to raise that voice in denouncing injustice, tyranny, and oppression; that if to commit injustice was a crime, to treat it with silence was to participate in its criminality. He did not intend to enter upon the early history of Poland, but he wished to call attention to the basis of our relations with the Government of Russia and with other Powers of Europe, which gave this country the right on any occasion to raise its voice on behalf of the kingdom of Poland. All our great statesmen and great writers had been of opinion that the partition of Poland was the origin of all the mischief that had since existed in that country, and that it was a standing reproach to Europe. Lord Macaulay had described it as that kind of partition which consisted in tearing a living man limb from limb. The Treaty of Vienna provided that Poland should remain in possession of its nationality, and should have given to it, by the countries among whom it had been partitioned, institutions which should be national in their character. They were not to be deprived of their language, their education, their religion, or their nationality. The Treaty of Vienna offered a certain latitude of construction, which had been taken advantage of by the Powers who were parties to it—except England and France—to place a construction upon that treaty which had been repudiated by our greatest statesmen, and especially by the noble Lord at the head of the Government. The spirit of the Treaty of Vienna was best expressed by the words of Alexander I., who in 1815 promised a constitution appropriate to the wants of Poland, preservation of the language and institutions of that country, the restriction of public appointments to Poles, freedom of commerce and navigation, and free communication with other portions of the ancient kingdom which were under the government of other Powers. There was, however, another and a peculiar feature in the Treaty of Vienna to which reference had been made in many of the petitions that had been presented that evening, and to which he wished to call the attention of the House. By that treaty England bound herself to pay a certain sum, which at this time was £75,000 a year, to Russia, on account of the Russo-Dutch Loan, and Russia bound herself to observe the stipulations of the Treaty; and some of the petitions suggested that it was the duty of this Government to withhold payment of that money until Russia had complied with her obligations under the treaty. And it was for the House to consider how long they ought to continue to pay Russia for stipulations which had never been fulfilled. In 1815 a sort of constitution was granted to Poland, which from that time to 1830 was systematically violated. In 1830 the insurrection of Warsaw occurred; and when the outbreak was finally extinguished, the constitution was completely abolished, and another so-called constitution given by an organic statute, creating a Council of State under the influence of the bureaucracy of Russia, and making Poland a mere province under the despotic sway of the conquering Power. In 1833 the state of Poland was brought under the notice of the British Government, and a correspondence took place, in the course of which Russia contended that the insurrection of 1830 had relieved her of all previous obligations to grant a constitution. The noble Lord now at the head of Her Majesty's Government opposed that view, contending, with all other English statesmen, and proving conclusively, that this was not a fair or statesmanlike way of dealing with the case, but that it was a shirking by Russia of its treaty obligation. And it was important to state, that the Earl of Derby, then Lord Stanley, emphatically concurred in the view taken by the noble Lord. If, however, the treaty was violated in 1833, it was still more violated in 1842, when the Supreme Court of Justice was transferred to St. Petersburg, the Russian language became the authorized language, and the Catholic clergy were deprived of their property. From that time to 1860 the condition of Poland had been as bad as it could be. The country was practically in a state of siege, and the people were subject to be transported, without trial, to Siberia. But none of these violent proceedings had succeeded in destroying the national feeling in Poland, which now burned more ardently in the public mind than even in the days of the greatest prosperity of that kingdom. From 1848 to 1856 the events which occurred in other parts of Europe had their natural effect upon the Poles. They could not witness the recovery of liberty by the Italians without hoping that a good time was coming for Poland to recover her liberty, and her institutions. There was a growing love of liberty in Poland, encouraging hopes which he trusted the turn of events would realize, by making Poland, as it once before was, one of the great nations of Europe. In

1856, at the close of the Russian war, the relations of Russia towards the other nations of Europe, as laid down in the Treaty of Vienna, were considered. The discussion turned on what should be done with Poland. And how did it come to an end? The Earl of Clarendon was assured by Russia that certain things would be done for Poland; and we had it upon Lord Clarendon's own authority, that upon this assurance only the English and French Governments abstained from pressing the matter further. Her Majesty's Government were probably in possession of some correspondence which took place then on the subject; and, if so, he thought they would do well to publish it as an act of justice not only towards Poland, but also to this country, as showing that they had not been slack, when opportunity arose, in endeavouring to bring other countries to an acknowledgment of their duties under the Treaty of Vienna. He therefore should be disposed to move that the despatches relating to Poland, which passed in 1856, should be laid on the table. In 1860 it became more apparent than ever that the Poles still cherished a national feeling; and Russia then, for the first time, seemed to apprehend with something like uneasiness the real condition of the public mind of Poland. Then followed those demonstrations and subsequent collisions with which the House was familiar. In November, 1860, the anniversary of the revolution was celebrated, and the Russian authorities made no objection to the assembly of the people. There was, in fact, no intimation that the proceeding was at all offensive. In February, 1861, the people of Warsaw announced their intention of celebrating the anniversary of the battle of Grochow, in which the people of Warsaw had held their own so bravely against the whole Russian army. But the Russian soldiers were ordered to meet and celebrate the event on the same spot, and the intention of the Poles was therefore frustrated. After that, there being few troops in Warsaw, the Agricultural Society, which had been encouraged by the Russian Government and consulted by them as to the best mode of putting an end to the soccage tenure which prevailed throughout Poland, took part in trying to prevent disturbances. At the head of that Society was Count André Zamoyski, and it was chiefly to his influence that the prevention of a collision on the occasion to which he had alluded was owing. On the 27th of February, 1861, one or two funerals took place, and happened to be numerously attended, though there was no pretence for saying that they were got up for the purpose of political disturbances. The troops, however, regarded these funerals as a political movement, and fired on the people, several of whom were killed. The affair was magnified to an insurrection. It was telegraphed all over Europe, with the usual addition, that order had been restored. The leading Poles attempted then to show that the friends of order and of liberty in Warsaw were one; and they sent to the Viceroy a petition to be presented to the Emperor, in the name of the people of Warsaw, in which they referred to the deep expression of the unsatisfied wants of the country, and declared the attachment of the Poles to the principles of nationality. Permission was obtained to forward the petition to the Emperor. It was idle to say that that was contrary to Russian law. It was the right of every people to make their grievances known to their governors. Prince Gortschakoff, the Russian Governor, having but few troops, took a wise course on the occasion. He made an arrangement with Count Zamoyski for the preservation of order. That arrangement was that the people themselves should be intrusted to keep order. And the people kept order. Before the Emperor replied, it was announced throughout Europe that concessions would be made, that there would be a Council of State, that public instruction should be given in the Polish language, and that the municipality should be elected by the citizens—reforms which, if carried out, would have been of some importance and would have been gladly accepted by the people. Afterwards came the Emperor's answer, which spoke contemptuously of the petition—a most moderate, earnest, and constitutional document—designating it as the act of a few individuals, as an act of *entraînement;* expressing no regret for the loss of life which had taken place through the misapprehension of the troops, and saying nothing calculated to allay irritation throughout Poland. This description of the petition, as the act of a few individuals, was not calculated to gain a favourable reception for the Emperor's answer, as the petition had been signed by the President of the Agricultural Society, the Roman Catholic Archbishop, the Chief Rabbi, and other persons of the highest character in Warsaw. Between February, 1861, and April, the garrison was greatly increased; troops were brought into the city in such numbers that by the beginning of April there were from 30,000 to 40,000 soldiers in Warsaw, a city containing only 160,000 inhabitants. On the 6th of April the Agricultural Society was suddenly dissolved. That measure naturally excited great discontent; and on the following day, the 7th, there was a popular demonstration, the inhabitants merely marching about the streets. But on the 8th the people wished to enter the court-yard of the Viceroy's palace, to ask him to present another petition to the Emperor. What was the result? The people assembled were charged by the military, and by the Russian account 10—by the Polish accounts, from 30 to 100 of the citizens were killed. This was the state of things at Warsaw on the 8th of April last year. Had matters improved since that time? In 1861, on April 1, a circular was issued by Prince Gortschakoff announcing the improvements that would be made. But the people, when they learned what the council of state was to be, found that it gave them nothing more than they had had fifteen years before; and which had been of no use to them: it gave them no representative power. Then the provincial and municipal councils were supposed to be more satisfactory, because it was hoped they would be representative in their constitution. The House knew what those councils had turned out to be. He could find no indication on the part of the Russian Government to give the Poles anything like representative institutions. Then the most childish orders had been issued by the Russian Government; for instance, the people were not allowed to be out after nine o'clock; no person was permitted to carry a stick, or to wear boots of a particular description; and other orders of a similarly puerile character were made, and were carried out with remarkable and absurd, if it were not cruel, severity. For instance, a man who could not walk without a crutch was on that account imprisoned for waking in the streets with a stick. A doctor, while visiting his patient, was imprisoned because his visit necessitated his being out after nine o'clock. Another man was imprisoned for the same reason, while going to fetch a midwife; and while he was hurried off to prison his wife, and the child to whom she gave birth, both died for want of attendance. While these things were going on, the Russian Government took umbrage at the singing of a national hymn, which had become a universal practice. The practice was forbidden. These demonstrations of national feeling in such matters as costume and singing had sometimes been called childish. But were they so? If the Poles were to be condemned for thus showing their feeling of nationality when no other mode of expressing it was left to them, some of the noblest passages in history must be regarded as childish. Then, there were certain hymns the people used to sing in the churches. The Archbishop, when he was called on to prohibit them, refused to do so, as the hymns were those which had been sung in the churches for many years and had no exclusively political bearing. It was then said that the Pope had condemned the conduct of the Archbishop in thus refusing to forbid the hymns the people had been accustomed to sing. But the statement as to the Pope's interference was utterly unfounded. The Pope never disapproved what the Archbishop, as a good Churchman, was bound to do — to resist the dictation of the Viceroy as to the services in the Church. In May, 1861, Prince Gortschakoff died. His successor adopted the practice of riding about Warsaw with a guard of cavalry, and making an ostentatious and offensive display of the military power. In July, 1861, the Council of State was appointed, and no unwillingness was shown on the part of the Poles who were asked to serve upon it to take part in the proceedings, but nothing resulted from the institution of that body. On the 28th of August General Lambert was appointed Governor, and seemed to be instructed to act upon the policy of conciliation. The troops were withdrawn, arrests were diminished, and the people again began to wear the national boots and the national costume, such as had been previously allowed. That was a wise policy, for it was impossible to keep a kingdom in a state of siege when no acts of violence were committed by the people. On the 25th of September the elections for the great Municipal Council which was to constitute such a mighty improvement in the state of the Polish people took place, and the electors chose respectable, worthy, well-conducted citizens, and not firebrands or revolutionists. It seemed as if the Russian Government were disappointed at the order with which the elections were conducted and at the class of persons elected, for without further notice the state of siege was proclaimed in Warsaw. The reasons for that proceeding, as given by General Lambert, were, that at the funeral of the late Archbishop a banner with the arms of Poland had been displayed, that the Municipal Elections had resulted in the election of persons hostile to the Government, and that persons had signed a petition to the Czar in reference to the elections, which was characterized as an act tending to the overthrow of lawful authority. The state of siege had been continued, allowing the Cossacks, though there might be no disturbance, to arrest and drag to prison whom they pleased, and then, without form of trial, the unfortunate persons were liable to be sent to Siberia. On the 15th of October it was intended to keep the festival of the birth of Kosciusko by closing the shops and having funeral services in the churches; but the Russian troops assembled, and the people as they left the churches were attacked, many received fatal wounds, and a great number were arrested. Taking the lowest estimate, the number of persons arrested amounted to 1,657, and among them were many highly-respected members of the Municipal Council. An incident then occurred which gave great umbrage to the Russian Government. The head of the Church at Warsaw, feeling discouraged by what had taken place on the 15th of October, and deeming it to be only a useless proceeding to keep the churches open if the people were not allowed to worship according to their consciences, caused them to be closed; and consequently they remained closed for a considerable time. He knew that that had been regarded by some as an act of Popish pride, but the same thing occurred at the synagogues and Lutheran churches, for one and all felt that the Russian soldiery might take advantage of their meeting in church and singing their national hymns, and might attack them and drag them to prison. What did the Russian Government then proceed to do? When he spoke of the Government, he did not mean to say that the Russian Emperor was aware of all that took place; he was not attacking any individual, but only the system, which was in contravention of the Treaty of Vienna, and on which this country ought to keep its eyes. The head of the Catholic Church, a man 78 years old, infirm and sick, was condemned to death by court-martial, and then credit was claimed for the Russian Government, because that sentence was commuted to imprisonment in a fortress for one year. The churches remained closed during Christmas, and the people were deprived of the rites of religion during that holy season. In February, 1862, a new Archbishop was appointed, who had since fortunately turned out to be a man who had the heart of a Pole, and had not acted so subserviently to the subordinate Russian authorities as it at first appeared likely he would. He began by re-opening the churches, and issued a conciliatory address, in which he spoke of rendering to Cæsar the things that were Cæsar's, and to God the things that were God's; and he implored the people to give up singing the national hymn. They obeyed, and he believed it had not been sung since. He further said that he had a positive assurance that the promises of the Emperor in behalf of the people would be fulfilled. He would fain believe that the Emperor of Russia was humane and sincere, and wished to fulfil his promises; but if so, there must be between him and the Polish people advisers who prevented him from giving effect to his wishes. What was the actual state of things at that moment in Warsaw? In illustration of that, he might refer to two letters which he had received, giving an account of the oppressive conduct of the Russian authorities. One day two gentlemen were brought before the judges—who were Russian Generals—and sentenced to pay a fine of 150 silver roubles and to be imprisoned two days for singing in the churches. They paid the fine and were imprisoned, but the day after their release they were seized again and banished for life. Ladies were arrested because they wore black or white on some portion of their dress, as those colours were considered to be the symbols of mourning for their country, or for fallen victims of Russian tyranny. The schools were closed, and persons were not permitted to dine together even in groups of three. As many as twenty-five persons have been sent from Warsaw to Siberia in one day, and thousands were victims to the conscription. The pay of the army was increased so long as the state of siege lasted, so that the military authorities had a positive interest in prolonging the present state of things. He had received also a variety of proclamations which showed the arbitrary spirit of the Government in an equally strong light. The proprietors of all inns and hotels were obliged to give notice to the police of all strangers who visited them; they were compelled to act as spies upon them, and were made responsible for them. The heads of families were ordered not to allow any of the female members of their families to wear any portion of mourning, under pain of being arrested themselves and brought before the military authorities. He contended that no real and serious attempt had been made through such means as would alone be effectual to give the Poles that national Government to which they had a right under the Treaty of Vienna. If it was only by statements in the British Parliament that the Emperor could be made acquainted with what was really going on there, then it was more than ever incumbent to protest on behalf of a suffering people who were deprived of rights which England had guaranteed. It was perfectly plain that the bureaucracy of St. Petersburg governed at Warsaw, and would continue to do so until the Emperor saw fit to put a stop to it; and that until it was put a stop to, there could be no real remedy for the state of things which he had described. It was said that the Polish people were discontented, and would not be satisfied with the constitution which the Treaty of Vienna guaranteed them. But it was a great injustice to make that charge against men who had never been tried, and who never had the institutions which had been guaranteed to them. It was next said that imprisonment and deportation were incident to a state of siege. But the state of siege had been most wantonly imposed at a time when the Poles were behaving in an orderly manner, and had just completed the elections to municipal offices which the Government had conceded. It was not fairly to be called a state of siege, considering that the people were totally unarmed; and things were done under it he hoped without the knowledge of the Emperor; because, if not, as a humane man he would punish the delinquents for their misuse of his name. The last act of this cruel and despotic Government was stated in correspondence from Warsaw under date of March 17, and it had not been officially contradicted. M. Alexander Zamoyski, the editor of a newspaper at Warsaw, called the *Pilot*, wherein articles on the proposed constitution had been published distasteful to the authorities, was arrested, and, having refused to name any accomplices, declaring that he had none, was subjected to the question. The meaning of that was that he was flogged so that the flesh was cut from his bones, and his spine was seriously affected, and it was reported that he had since died. Unless the public opinion of this country reacted upon Russia, such events would be of constant occurrence. He believed that, so far from having exaggerated, he had understated the condition of things in Poland. He hoped he might hear some contradiction of these statements, although he believed they rested upon good authority. At all events, he trusted the noble Lord at the head of the Government would say that he still adhered to the opinion which had been often expressed, that the Treaty of Vienna had been violated. It might not be wise or right to involve Europe in war because the Treaty of Vienna had been violated; but he thought the fact should be stated over and over again in the face of Europe as long as they received such melancholy and deplorable accounts from the people of Poland.

Amendment, by leave, *withdrawn.*

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of any Correspondence relating to the Affairs of Poland,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

VISCOUNT PALMERSTON: Sir, I wish, in the first place, to set my hon. and learned Friend right upon an historical point, as to which he has, I think, been misinformed. My hon. and learned Friend stated that the engagement contracted with Russia, with regard to the Russo-Dutch loan, had reference to the Treaty of Vienna generally, and specifically to the state of Poland. The condition of the Russo-Dutch loan was this—that Great Britain engaged to pay that interest so long as Belgium remained united to Holland. And when, by the action of a conference, Belgium separated from Holland we might, according to the strict letter of the treaty, have refused to continue to pay the interest. But Her Majesty's Government thought—and Parliament, after an animated discussion, which those who were in the House at the time must remember, agreed—that, as the separation of Belgium from Holland was brought about in a great degree by the diplomatic exertions of Great Britain, and had been forced on Russia, it would be a great injustice to visit Russia with punishment for an event induced by England and France jointly, and against the wishes of Austria, Prussia, and Russia. No transactions in Poland can give us the right to refuse payment which was sanctioned by a subsequent convention and an Act of Parliament passed in consequence of the change of circumstances.

My hon. and learned Friend has brought under the attention of the House the state of Poland and the condition of the Polish people. It is not necessary to say that everybody who has turned his mind—and who has not done so?—to the history of Poland must feel towards the Poles great admiration for their high qualities and great sympathy for their misfortunes. The qualities which we admire are the highest qualities which belong to nations—great intelligence, great energy, but above all, an unconquerable, inextinguishable, and unquenchable love of country. Their feelings of nationality, indeed, remind us of the fable of the traveller and his cloak. The more the piercing blast from the north endeavoured to blow that cloak away, the more they have clung to it. There was one occasion when they may have thought a summer's sun was coming to their aid—when the First Napoleon occupied their country. But "that pale sun in distance rolled away," and faded behind the clouds which obscured it. It did not suit the policy of France at that time to render them the aid they required; and then reverses came upon France, and the condition of Poland remained to be settled by the Treaty of Vienna. The interest which the Powers of Europe felt with regard to Poland was manifested in the very first article of the great European settlement to which my hon. and learned Friend has referred, which provided that Poland was to be erected into a kingdom irrevocably attached to Russia by its constitution, and that the Polish subjects of Austria, Russia, and Prussia should enjoy a national representation, and institutions regulated in accordance with the mode which each Government might find to be applicable to the case. There can be no doubt that that article required that the link between Poland and Russia should be a constitutional link; and a constitution was given to the kingdom of Poland, not altogether bad in its details, but, as my hon. and learned Friend has truly said, it became almost from the first practically a dead letter, and from that period down to the events of 1830-1 the Poles did not certainly enjoy the full benefit of the constitution which had been accorded them. In 1830 came the French Revolution. The flame which it kindled spread, and the Poles thought a good opportunity presented itself to emancipate themselves from what they considered the intolerable condition to which they had been reduced. They then started under great advantages. They had an army numerous and well appointed. They had magazines, and, indeed, all the resources of war; but, after two campaigns, they were subdued, and the authority of Russia was re-established. The Russian Government, having quelled the insurrection, thought they were entitled to abolish the constitution, which had been given to Poland by the Emperor Alexander; and if the question had been simply one between that Government and the Poles, no other Government—whatever might be said as to the equity of the matter—would be entitled to expostulate with Russia on the fact that the constitution had been arbitrarily superseded. The engagements between that country and Poland were, however, engagements also contracted between Russia and the other Powers of Europe; and we, the English Government, thought therefore that we were fairly entitled, as parties to that European arrangement, to remonstrate against the abolition of a constitution which we held was, under the stipulations of the treaty, to form the link between those two nations. Our representations on the subject, as the House well knows—for the papers relating to it were laid on the table—were in vain; and as my hon. and learned Friend justly observed, it was not thought expedient, however deplorable the circumstances of the case might be, that we should make them a ground on which the friendly relations between this country and Russia should be disturbed or war between the two nations entered upon. The grievance inflicted upon them was, nevertheless, one of which the Poles might justly complain. Then came those events to which my hon. and learned Friend has alluded. An organic statute came into operation, far different from the constitution of which I have just spoken, and not, in my humble opinion, at all corresponding with the engagements of the Treaty of Vienna. If, however, that organic statute had been fairly and fully carried out, it might have made the internal condition of Poland tolerable, and might have been found compatible with a good deal of internal contentment and prosperity. But, unfortunately, that was not the case. There is, I may add, one circumstance connected with the relations subsisting between Poland and Russia, which ought not to be forgotten, which is, that there exists, I am afraid, a great national—I will not say antipathy, but antagonism between the two nations; and that there is a tendency on the part of Russian officials to regard the Poles with a feeling which probably prevents them from being animated by a disposition to put the best interpretation on any regulations which they may have to carry into effect. Then we must not lose sight of the fact of the absorption of the Republic of Cracow by Austria, which, although it may not exactly apply to the kingdom of Poland, yet is connected with the Polish nationality and cause. Republics, it is true, are rather at a discount at present, but still that little Republic was a respectable State; and I took the liberty of saying at the time when we remonstrated against the manner in which it was dealt with, that if the Treaty of Vienna was set at naught on the Vistula, it might possibly at some future day not be very much respected on the banks of the Po. Events have proved that my anticipations were not wholly without foundation.

I now come to those recent events to which my hon. and learned Friend has called our attention, and which are greatly to be lamented. It does not, perhaps, become any one in this House to assume the character of a judge between the Poles and the Russian Government. But when, at the same time, my hon. and learned Friend calls on the House to express an opinion on this question, it is difficult to refrain from giving utterance to those sentiments with respect to it which one may entertain as an individual Member of Parliament; and I therefore feel myself at liberty to answer the appeal which my hon. and learned Friend has made. I must admit that the Poles have, as he says, great cause of complaint; that they have been deprived of constitutional rights, which, by European treaties, they were entitled to retain; and that they have not even been allowed the enjoyment of those institutions of a limited character which their Sovereign granted them. It seems to me, however, that a nation under the circumstances in which Poland is placed ought well to weigh the consequences of the adoption of any line of conduct which it might be advised to pursue. The revolt of 1830 was intelligible. They thought at the time they were strong enough to break the bonds under which they suffered. They fought gallantly. They fought with great means. They failed, and had to submit to their fate. But in the case of those transactions to which my hon. and learned Friend adverts they did not feel—they could not feel—there existed a fair prospect that by means of any popular movement or any military insurrection they could obtain that which they desired—either better institutions or national independence. Was it wise, then, on their part, I ask, to adopt that line of offensive demonstration which my hon. and learned Friend has described? It may be said, to be sure, that there can be no great harm in a multitude of people following a funeral. We had an instance of the sort not long ago in Ireland. Great numbers of persons there followed the funeral of a gentleman who had not been particularly distinguished by a regard for the laws of the land, but no notice was taken of the fact. Those who attended the funeral, in all probability, might have seized the opportunity to add to the revenue of my right hon. Friend the Chancellor of the Exchequer by libations of whisky; but the whole thing passed off quietly, and it would have been an act of folly on the part of the Government to have interfered in the matter. In the same way the funeral at Warsaw might have been permitted to pass over quietly. But then there were emblems displayed, and hymns were sung. Now, these were acts which could produce no effect on the condition of Poland, but which were calculated to irritate and provoke the Russian authorities. My hon. and learned Friend says the hymns sung were of a national character, such as an Englishman might like to sing in memory of his country, if he happened to be in any other part of the world. They were not, however, exactly of that description. They had something of a religious character, and implied an earnest application to Divine Providence to emancipate Poland from Russian rule. They might, therefore, not unnaturally be considered offensive to the Russian Government. That being so, I cannot help thinking, with great deference, that the Poles would have better consulted their own interests if they had applied their energies to the improvement of agriculture, and the endeavour to promote the general prosperity of their country, and if they had borne as well as they could the evils which, unhappily, they endure, instead of going out of their way to do things which were calculated to irritate and provoke the Russian authorities, without being likely to produce any good result. I must, however, on the other hand say—feeling, as I do, the full force of that which my hon. and learned Friend has stated,—that I think it was totally unworthy of the Russian authorities to have recourse to those acts of severity with which they visited this in itself harmless demonstration of the people of Warsaw. Nothing can justify the cruelty and the persecutions to which they have resorted. It is not, at the same time, for us to interfere between the two nations, except so far as we are warranted in so doing by those common principles of humanity which apply to all countries, and which, I think, have been greatly violated by the proceedings of the Russian Government.

As I said before, a feeling of strong antagonism exists between Russia and Poland, and I therefore hope and believe that the acts of the Russian authorities in Warsaw, and in other parts of the kingdom of Poland, have not been sanctioned by—probably they have not even been known to—the Emperor. I had the honour some years ago of seeing His Imperial Majesty when in this country, where he remained some weeks, and I must say he appeared to me to be a most kind-hearted and benevolent man. Now, we all know that men's natures — whatever may be the case with their opinions—do not, generally speaking, much alter with the advance of years, and that those who at an early age possess kind hearts are not likely to become different in character when they have grown older. I feel, therefore, persuaded that the Emperor of Russia personally would prefer the adoption of a kind and liberal policy towards the Polish nation. But, as I said before, there are parties around a monarch who represent things their own way, and who, from love of authority and other feelings, are frequently disposed to abuse the powers intrusted them for good, and to apply them for evil. With respect to the future, if one felt called upon or had any right to give advice to the Poles, one would recommend them to trust to the future, and not to go out of their way to draw upon themselves inflictions which they could not prevent if they came upon them, and which are intolerable to bear. Recollect that which is now passing in Russia. A great political and social change is taking place in Russia, and a change which cannot be single. There is a great operation in progress—one of the greatest, perhaps, ever performed in a short space of time in any country—the emancipation of the serfs. Does any man believe that the emancipation of the serfs must not, sooner or later, lead to some extension of political privileges, and power, and authority to the Russian nation? I should advise the Poles, then, to wait for that, remembering, that though the Russians may not wish them to obtain or keep political liberty beyond that which they themselves enjoy, yet they will be disposed to extend to the Polish people everything which may be granted to themselves. The Poles will best consult their own interests by endeavouring to conciliate, and by taking advantage of what I must believe to be the kind and humane feelings of the Emperor of Russia. At all events, the matter is not one in which the Government of this country could wisely or usefully interfere. No doubt the recital here of facts which may not have come to the knowledge of the Russian Emperor may be useful, by bringing to his cognizance things which have been done in his name, but to which he has not been a party. On the other hand, an expression of sympathy for Poland must be grateful to the feelings of the Poles. It is quite unnecessary for them to make any demonstration in order to satisfy Europe that their aspirations for nationality continue undiminished. Nobody who knows anything of them could believe that their patriotic feelings are in the least degree quenched by time. Therefore, in that point of view, nothing further is required. But, as far as an expression of sympathy on the part of this House may tend to conciliation, to induce the Russian Government to mitigate the system of rule which now prevails at Warsaw, and to persuade the Poles to abstain from drawing down upon themselves any more inflictions by demonstrations which cannot do any good, but which may do a great deal of harm, I agree with my hon. and learned Friend that his Motion may not be without a useful result. I cannot, off hand, say whether there are any papers which could be produced; but I will inquire into that matter, and on some future day will let my hon. and learned Friend know how it stands.

Mr. HENNESSY said, that in rising to support the Motion, he wished to say a few words—first, as to how far England was really concerned in the Polish question; and then, as to how far that question was in truth a practical one. What hold, he would ask, had Poland upon England, and why should England mix herself up in the Polish question? The answer to that, he thought, was contained in the papers laid before Parliament at the close of the last Session. Those papers were far and away the most important that had ever been published in this country relating to Poland. He had no doubt that such hon. Gentlemen as had not read them would be surprised to learn that the important despatch communicated by Prince Talleyrand to the noble Viscount, though laid on the table in 1861, bore the date of 1831. For thirty long years a State Paper, which furnished the key to English policy with respect to Poland, had remained in the archives of the Foreign Office. The despatch submitted by Prince Talleyrand, demanding, in language not usually found in diplomatic documents, the co-operation of England on behalf of Poland, and the reply of the noble Viscount had been moved for over and over again, long before he was born; but until the close of last Session they had always been refused, on the ground, among others, that their production would tend to embroil this country with the other Powers of Europe. In 1831 the Poles were up in arms, and war was actually raging between Poland and Russia. The despatch communicated to the noble Viscount by Prince Talleyrand was written by Count Sebastiani, and dated Paris, July 7, 1831. It was as follows:—

> "The King, touched by the evils which the Polish war has already caused to two nations in which he takes so lively an interest, eager to ensure the maintenance of peace, compromised daily by so prolonged a contest, and no less engaged in preserving the West of Europe from the fearful sufferings which this war entails, has addressed himself confidentially to the Emperor of Russia in order to put an end to so many disasters, and to bring to an end blood-shedding over which humanity has only too long groaned. The King's intention was also to preserve the political existence of a people which has shown itself so worthy of it by so great courage and patriotism, and which has the guarantee of the Treaties of Vienna for its nationality. Up to the present time the King's efforts have not achieved the results which he had the right to expect. Notwithstanding their small success, His Majesty does not consider it his duty to renounce the generous and pacific mediation which his personal feelings recommend and which the condition of Europe prescribes to him. He believes, especially, that were England to act in agreement with France for giving to this salutary intervention all the force of which it is susceptible, the effect might be made certain by the combination of these two Powers. The King is sufficiently acquainted with the feelings which animate His Britannic Majesty to entertain the hope that he will not refuse to give his frank and complete adhesion to our advances, and to join his powerful action to our efforts, at a time when the question of the welfare of humanity and of the general interest of Europe transcends all others. The desire of His Majesty, *mon Prince*, is that you should make immediate and pressing overtures to the English Government with reference to this subject. We are awaiting their result with much impatience.

The latter part of the despatch contained language not often found in diplomatic documents. The reply of the noble Viscount, who was then at the Foreign Office, was dated July 22nd, 1831. It first recapitulated the demands made in the despatch from Paris, referred to the friendly feelings of England towards Poland, and then, after describing the state of things, went on to say—

> "Can it, then, be expedient to make a proposal which there is no ground to hope would be accepted; and which, if refused, would leave to the two Governments the embarrassing alternative of either aquiescing in a determined rejection of their proposal, or of taking measures to enforce it by means of a more direct and effectual interference? The British Government certainly is not prepared to adopt the latter course. The effects and bearing of the contest upon the security of other States have not hitherto been such as to warrant measures of such a description; nor has the conduct of Russia towards England been calculated to excite any unfriendly feeling; she has, on the contrary, performed towards this country all the offices of a good and faithful ally, and, in the late difficult negotiations for the purpose of effecting a settlement between Belgium and Holland, she has acted with perfect fairness in her co-operation with the other four Powers. Under these circumstances His Majesty, deeply lamenting the calamities of a disastrous and desolating contest, does not think the time has yet arrived when he could be justified in adopting a proceeding which, however conciliatory in form, could not fail to alarm an independent Power, naturally jealous of its rights, and sensibly alive to everything which might appear to affect its national honour. For these reasons His Majesty feels himself under the necessity of declining the proposal which the Prince de Talleyrand has been instructed to convey."

In that despatch the noble Viscount spoke of Russia being jealous of her rights, but he had admitted to-night that the rights in question were in reality Polish rights, "guaranted," to use his own words, "by European treaties." The Emperor of Austria suggested to France the course which the French Government took; France and Austria were willing to support Poland; the despatch he had read was written to the noble Lord; the noble Lord replied; and from that hour the fate of Poland was sealed. England, at that critical moment, refused her co-operation; she must therefore be considered a party, and he thought the chief party, to the present position of Poland; and the British House of Commons, therefore, was the most fitting assembly in the world in which to advocate the rights of Poland, and put forward a claim to more than sympathy with her in her wrongs. The question was a practical one. In France there was one European question on which no diversity of opinion existed, and that was Poland. On that subject it might be said that statesmen of every party and at every time—from the partition to the Treaty of Vienna, and within the last few weeks—had uniformly expressed the same opinion. It was Louis Philippe who awaited with impatience the answer of England in favour of Poland, and in his Government, from which emanated the despatch inviting the co-operation of England, were Casimir Perier and Guizot. Then, again, MM. Odillon Barrot, Villemain, Montalembert, and recently Count d'Ornano, Chamberlain to the Emperor, Count Segur de Aguesseau, and Count Latour, were all advocates of Poland. In fact, the feeling in France was universal. But it was not confined to France. In high quarters in Austria there was a strong feeling of friendship for Poland. Prince Metternich was an advocate for Poland. Could Austria have had her way at the time of the Treaty of Vienna, Poland would have been restored to complete independence, and the same course would have been followed in 1831. Since then an event had occurred which threw much light on the attitude Austria might assume towards Poland in the event of an European convulsion. At the time of the Crimean war the allies endeavoured to gain the assistance of Austria; Austria agreed, on one condition, that the war should be made continental, and that 100,000 men should be sent into Poland. Prussia entertained feelings of an equally friendly nature towards Poland. During the Conferences at Vienna in 1815, the Prussian General von den Knesebeck exposed in the most forcible terms the danger threatening Europe, and above all Prussia, so long as Russia was permitted to aim at making Poland an instrument of aggression. Even in Russia the people entertained very friendly feelings towards Poland, and would not be unwilling to see her restored to a state of independence. In proof of this he would read to the House a translation of some remarks which had recently appeared in a journal published at St. Petersburg. The hon. Gentleman then read the following extract from the Russian journal *Wielikorus*:—

> "All the Russians, partisans of legality, ought to demand the liberation of Poland. It is now become evident to every one that our domination in Poland is only maintained by armed force; and as long as the authority shall be maintained by the system of a military despotism in one part of the State, the Government cannot give up this system in the rest of the empire. Let us bear in mind the words which Chatham uttered at the time of the revolution of the American colonies—'Should England subdue America to despotism, she would not fail to subject herself to the same rule;' consequently, he wished, in concert with all the friends of liberty in England, the recall of the British troops from the dissatisfied colonies. In like manner the interest of Russian liberty calls for the liberation of Poland. Our national pride, our love of the country, our financial situation, demand the same. Our dominion in Poland rests solely upon violations of all the conditions by which the Congress of Vienna had consented to the union of that kingdom with Russia."

That feelings such as those should be expressed in Russia, the House would understand, was of the greatest practical importance. The question was, then, in this position. Nobody denied that the desire to be restored to their ancient independence was universal among the Poles. It was evident that France would be willing to see the independence of Poland accomplished, that Austria at the very least would offer no opposition, and no opposition would come from Prussia. The Russian people were not enemies of the Poles—the only obstacle to their progress towards independence was to be found in the Russian Government. He would not therefore hold two kinds of language to the Poles; he would not tell them to pray for reform and concession from the Czar; he would tell them simply to wait, and they would get that without which they ought not to be satisfied—their total independence. Until Poland was restored, until the ancient laws, the ancient constitution, the ancient throne of Poland were restored, the question would not be set at rest. Without using the term in a party, but in a European sense, he believed it would be an eminently conservative policy to restore the ancient Kingdom of Poland, which had been placed in its present position in consequence of European treaties. To give the alternative of maintaining those treaties or of restoring the ancient Kingdom of Poland—whichever course was taken—would, to his mind, be a conservative course, and would tend to promote the peace and security of Europe.

SIR HARRY VERNEY said, that the speeches of the noble Viscount and the two hon. Members were so satisfactory to the friends of Poland, that he should not have uttered a word did he not think that sufficient justice had not been done to the Poles for their remarkable forbearance, under the very exasperating circumstances in which they had been placed. The self-control, moderation, and wise abstinence from provocation they had shown entitled them, not only to look for the sympathy of Europe, but to expect that at no distant time their anticipations would be fulfilled. It was not merely among the Poles in their own country, but also among those who resided in foreign countries, that the opinion prevailed that it would be for the advantage of Poland, and would tend to diminish the sufferings under which she laboured, to put before the public a calm and unexaggerated statement of her position and of the feelings of the English people in consequence. It had been well remarked that they ought not to allow any interference with the Treaty of Vienna without noticing it in that House. It was for the interest of England, and of the whole of Europe, that the Treaty of Vienna should be abided by. Whenever an attempt to infringe that treaty was made, they appealed to it; and when, in the words of the noble Lord, "the most flagrant violation of any treaty in modern days" took place, it was incumbent on them to give expression to the feelings of horror and detestation which they entertained at the state of things existing in Poland, which obliged 200,000 Russian soldiers to be kept there. He denied that there was any conspiracy in Poland which could be legally dealt with, and he maintained that it was of the utmost importance, not only to Austria, but to the whole of Germany, that a barrier should be raised up between them and Russia. According to treaty, the kingdom of Poland was to be garrisoned by Polish soldiers, and Russian soldiers were not to be admitted. But treaty engagements had been violated, and therefore not only had they a right to speak, but they lay under a responsibility to do so. At the same time, it would be cruel to the Poles themselves, if they were to hold out to them the hope that there was in this country any party who would desire to plunge the nation into a war for the purpose of effecting the liberation of Poland. Such was not the case. The best policy the Poles could adopt under present circumstances was to continue to pursue that course of moderation and forbearance which they had hitherto practised.

MR. MONCKTON MILNES said, he wished to correct a remark made by his hon. Friend opposite (Mr. Hennessy), which, if allowed to pass unnoticed, might lead to a wrong interpretation of a very important point in the diplomatic history of this country. His hon. Friend would induce the House to believe that it was owing to the action of the British Government that the great Revolt of Poland, which followed the days of July, had not come to a successful termination. But if his hon. Friend would look back to the history of that period, he would find there were many circumstances which ought to have made the English Government unwilling to make any demonstration against Russia at a time when any hostile proceedings might have assumed the dimensions of a European war. There was at that time a change of dynasty in France, and the French Government were anxious to preserve their popularity with the people of that country. It was quite true that there was no question which touched the imagination of the French people so much as the question of Poland. If, however, the Government of France had offered the active interposition of that country in behalf of Poland, the result must have been a European war. He could not concur in the opinion that the great Powers of Germany would have acceded to the independence of Poland at that time, and the result would probably have been that France and England would have taken one side, and Germany and Russia the other, the issue of the conflict being that France might have got the Rhine, and Poland would have been left in the lurch. All such speculations, however, were useless. All that could be said was that Poland had preserved that permanent interest in the European mind which, so far as it was permitted to look into futurity, led to the belief that there must come, at some time or other, a solution of the question favourable to the liberties of Poland. Russia, it might be seen, was undergoing a great transformation. Not only did the liberation of the serfs agitate that country in all its territory, but questions of political freedom were slowly making their way. The very fact that such sentiments as had been quoted by the hon. Gentleman were printed at St. Petersburg was a singular proof of the progress of public opinion in Russia. It had been truly shadowed forth by the Prime Minister that the political freedom of Russia was the best guarantee for the Liberty of Poland. A desire was being expressed by the people of Russia to participate in the government of that country, and it was impossible for Russia to advance materially and morally side by side with a continually subjected and degraded Poland. The great difficulty in assisting the Poles had always been a geographical one. It was the difficulty on the part of the nations that sympathized with Poland, of getting at her. If Poland had a seaboard, the whole condition of the question would have been changed. As it was, the nations inclined to assist her could not reach her territory without either traversing in a hostile spirit the circumjacent countries, or persuading them to join in the undertaking. Every person of humanity must commiserate the destinies of Poland. But let the House also commiserate the state of Russia in regard to Poland, which obliged her to play the part of her gaoler and executioner. Vain, however, would be the attempt of Russia to govern Poland by a system of force and repression. Russia would before long see, that although her government of Poland was nominally kind and generous, yet that when she intrusted the execution of measures of policy to a body of ferocious soldiery, events of individual cruelty and scenes of riot would occur such as had lately excited the horror of Europe. If certain unwise demonstrations of the Polish people had been put down by the ordinary police, he could not say that the Russian Government had not been in the right. But scenes of such terrible dramatic interest as the twenty-seven hours' siege of the Cathedral of Warsaw by an indignant and ferocious soldiery—the people inside praying, and singing, and working themselves into a state to resist the soldiery, and the latter ultimately forcing their way into the Cathedral to the indiscriminate injury of the people—were not worthy of Russia as a great civilized empire, and Europe, he trusted, would not hear of their recurrence. Such Debates as the present were only of use in acquainting the Government of Russia of the general and, indeed, unanimous feeling of the Parliament and people of this country. Englishmen were not an imaginative people, and, as a rule, cared little for the liberties of other nations; yet the Government of Russia could not fail to see, that although the people of this country might not express the same enthusiasm for the independence of Poland as the people of France, yet that all parties in Parliament were unanimous in their sympathy with Poland. No one rose to vindicate the conduct of the Russian Government. Hon. Members on all sides lamented that so great and noble a nation, with such mighty prospects before it, and living under the sceptre of a Czar whose generosity and humanity were admitted by all, should perpetrate such lamentable scenes. He trusted that the Government of Russia would perceive that acts of repression, stained by such violence as had recently been witnessed in Poland, could do no good, and could end only in the exacerbation of one party and the degradation of the other.

Mr. DARBY GRIFFITH said, that he entirely agreed with the observations which had been addressed to the House by the noble Lord at the head of the Government, and he could not but express his gratification at the conciliatory tone which had characterized the debate. It was a great advantage that nothing had been said which could justly give offence to the authorities concerned. After the House had expressed its feelings of humanity in regard to recent events in Poland, the question arose, what was the ground of quarrel between that unfortunate country and her rulers, and what was the leading object she desired. Did she complain of the non-execution of the Treaty of Vienna, or did she demand complete independence? It was only in the former of these two cases, that this House or Government would have the right to express any opinion on the subject. Did any hon. Gentleman believe that it was possible to reverse the course of events which had so extensively altered the map of Europe during the last century, and to bring back the Poland which existed before the first partition? Lord Castlereagh did his utmost on behalf of the Poles at the Congress of Vienna, but his efforts were far from obtaining the effect for which he contended. The answer of the Czar to Prince Metternich on the subject of Poland simply was, "I am in possession of the country, and have 300,000 men there; if you do not like my retaining it, come and take it from me if you can." The Treaty of Vienna had been often referred to, but its terms were very ambiguous, and contained no trace of a specific constitution for Poland. It only said that Poland should be united to Russia "by its constitution," but it in no way laid down what the nature of that constitution was to be. Napoleon I., with all his alleged sympathies for the Poles, had never seriously proposed to restore their independence; but what he did was to unite their country to his *quasi* kingdom of Saxony, under the name of the Grand Duchy of Warsaw. The noble Viscount now at the head of Her Majesty's Government, as was shown by the papers which had recently been published for the first time, warmly pleaded the cause of Poland some thirty years ago; but the difficulties in the way of the success of his endeavours proved insuperable. He (Mr. Griffith) should not have sought to address the House upon that occasion had it not been that he was able to speak from personal knowledge and experience—from his having lately paid a visit to Warsaw, and having witnessed some of the occurrences that have been referred to. He had been present at the head-quarters of Comte de Lambert, soon after his appointment by the Emperor of Russia. Horrified at the massacres which had taken place there, the Emperor Alexander II. sent the Comte de Lambert thither with the view of carrying out a healing and conciliatory policy. He had himself the honour of holding personal conversations on these subjects about that period with the Comte de Lambert, and he could state that that Viceroy had evinced every desire to correct abuses and remedy the reasonable complaints of the Poles. He expressed, indeed, a hope that they would abstain from political demonstrations, but he assured them that they should be allowed to elect their local assemblies freely, and without interference from the soldiery. In fact, it was impossible to exhibit greater humanity or more perfect candour than he had done in conversing on these subjects with him (Mr. Darby Griffith); but, unfortunately, he did not meet with a corresponding spirit on the part of the people. The old antagonism between the different races surged up on every occasion. However liberal the disposition might be with which the Comte de Lambert went to Warsaw, it could not be expected that he would consent to sacrifice the rights of the Government that employed him. But he did not receive fair play in this matter, and was not enabled to realize his good wishes towards the Poles. The desire of the union of Poland and Lithuania was at the bottom of the whole question; and if the Poles insisted, on every occasion, on raising that question of the union between the two, that would raise a savage controversy between Poland and Russia. Russia would, he feared, resort to every barbarity rather than entertain a proposition for such a union. In conclusion he would express a hope that the painful influences that had been awakened by the recent unhappy collisions would speedily cease to be manifested, and that a hopeful future was in store for the people of Poland.

Mr. DENMAN said, that as the noble Lord at the head of the Government had said he would inquire as to what papers there were, and consider as to what papers he could lay on the table, he should not press his Motion.

Amendment, by leave, *withdrawn.*

IRON-PLATED SHIPS AND LAND FORTIFICATIONS.—RESOLUTION.

Mr. BERNAL OSBORNE: Sir, if any apology were needed for reviving a discussion which has been lately—although I think very partially—before the House—it might be found in what I consider to be the overwhelming importance of the subject, not merely as regards the enormous outlay and expense involved, but also as regards our position and existence as a naval Power. I must say, and I think the House will not be disinclined to agree with me, that the answers which proceeded from the Treasury bench upon the late occasion were eminently unsatisfactory. What was the reply made by the right hon. Gentleman the Secretary for War? The right hon. Gentleman said he could hold out no hope that the construction of the proposed forts at Spithead, for which contracts had been entered into, would be abandoned. In presuming to bring this question before the House, I do not ask that the works should be at once abandoned. My Motion goes only to suspend the construction of the proposed forts until the value of iron-roofed gunboats for the defence of our ports and roadsteads has been fully considered. I think the House will agree that this is no excessive demand to be made upon Her Majesty's Government under the peculiar circumstances of the case. But, before coming to the more immediate question, I think it right that I should take a rapid and brief review of the history of this question of national defences. I find that the question of national defences first came before this House under most peculiar circumstances. In 1786 Mr. Pitt, then in the plenitude of his power, came down to this House with a Resolution calling upon it to vote £700,000 for the fortifications of the dockyards of Great Britain. And what was its treatment by this House upon that occasion? A long debate ensued—a debate which has almost been revived in the present century—whether floating or permanent batteries were best, and the House came to the conclusion—for the Resolution, 169; against it, also 169; and your predecessor, Mr. Speaker, gave his casting vote against the construction of the forts proposed; but I hope, Sir, that upon this occasion you will not be put to that inconvenience. The Resolution was lost, and nothing more was heard of national defences until in an evil moment, and under the panic of invasion, some ingenious Minister of the day hit upon the wonderful invention of martello towers. A million was expended upon those towers, and I believe the great blunder was made, that being constructed for two guns, it was found that only one could be placed upon each, and at last they were discovered to be totally useless. Thus remained the question of national defences until 1859, when a gallant officer not now in his place, the hon. and gallant Member for Westminster (Sir De Lacy Evans) urged upon the Government the necessity of appointing a commission to inquire into the national defences. The Government, not unwilling to be urged, granted the commission, and it was appointed in 1859. Now, without wishing to criticise too closely the constitution of that commission, I must take upon myself to say that although the names of the commissioners were highly respectable, there were no men upon that commission whose opinions gave weight to the report they made and the conclusions they arrived at. However, that commission made a report to this House, which was laid before Parliament on the 7th of February, 1860, and the noble Lord the First Minister of the Crown came down to the House some time after the report had been presented, and he moved the following Resolution on the 23rd of July, 1860:—

> "That to secure the Royal dockyards and arsenals, and the ports of Dover and Portland, and for the creation in some central point of an inland arsenal, to serve as a substitute for and assistance to Woolwich——"

And he called upon the House to grant for that purpose, in the first instance, a sum of two millions to be devoted to the fortifications of Portsmouth alone, and not including in that amount the purchase of land. The noble Lord's speech upon that occasion was remarkable. The reasons given were pointed expressly to our next-door neighbour, France, with an army of 600,000 men; and altogether the noble Lord pointed to the possibility of an invasion, and that invasion not very long deferred. The House was carried away at the time—and I must say that the House generally manifests a great deal of, I was going to say, feminine fear whenever invasion is mentioned—and it it was almost prepared to pass the Resolution on that evening; but it reflected, and delayed, and the Resolution was not passed on that evening. I have said the demand was at first for two millions; but the total estimate proposed to be made for the entire fortifications of the country amounted to £11,850,000. That sum was proposed to be spread over three or four years, although we were told that invasion was imminent and was not likely to be long deferred. But I am prepared to show that the estimates given in the first instance offered no fair idea of the real sums that would be eventually expended. In the first place, to come to the question more immediately under notice—I mean the forts at Spithead—the sum of £1,192,000 was designed to be expended upon Portsmouth alone. That was the original estimate, but at that time the forts on the Spits were designed to be made of granite alone. Subsequently it was found that forts constructed of granite would not be likely to stand against the heavy guns that would probably be brought against them, and accordingly a proposition was made by one member of the Royal Commission—Admiral Elliot—that we should not be content with making the forts of granite, but that they should be covered with iron, of, I believe, 10 inches in thickness. [Sir JAMES ELPHINSTONE: Wrought iron?] Whatever the coating was to be, it is evident that the estimate of £1,192,000 was an incorrect estimate, if these forts are to be covered with wrought iron or any other material of that kind. What was the course taken in this House when these Resolutions were brought forward? My hon. Friend the Member for Sunderland (Mr. Lindsay) who on all occasions has resisted the building of wooden ships—much to his credit and, I think, his foresight—brought forward an Amendment calling for time. His Amendment was rejected by an overwhelming majority; only 39 members voted for it. Not satisfied with that result, the right hon. Gentleman the Member for Limerick (Mr. Monsell) moved the following Amendment, which is revived on the present occasion:—

> "That in the absence of sufficient engineering and artillery information, it is not expedient to incur any extraordinary expenditure on permanent works."

That Amendment met with the same fate as the other Motion; it was rejected by a considerable majority, there being only a minority of 35 in its favour. I cannot help rejoicing that the Motion is not likely to be so ignominiously defeated on the present occasion. In the course of that discussion the late Secretary for War, then Mr. Sidney Herbert—all honour to his memory—made a most remarkable admission. He gave as his reason for preferring forts to floating batteries, which he argued were not likely to be as available and efficient—

> "At present we know little of the way of making them invulnerable by iron coating, and all the works we propose will be of a lasting and permanent character."

At that time the Government, in fact, had not sufficient information to state what the structure of these floating batteries ought to be; they declared their preference for forts, being utterly ignorant that batteries could be made available to the degree lately exemplified in the Hampton Roads. I wish to show the House what was the description of the forts proposed to be constructed at Spithead. I am, fortunately, able to give the description exactly in the words of the Royal Commissioners. I ought to have said that the original intention was to construct five forts at Spithead, but on further inquiry the number was reduced to three, which were to be coated with wrought iron. The following is the description:—

> "The forts now designed for erection on the shoals at Spithead will be of peculiarly formidable description, and essentially different from any works that have been hitherto built. They will each be constructed for 120 guns, in four tiers, of iron 10 inches in thickness from low-water mark, unless it is found expedient to carry the foundations of solid granite up to high-water mark. They will be armed with ordnance of the heaviest description and of the greatest penetrating power, provided also with mortars for vertical fire. They will thus be individually in every respect invulnerable to any species of projectile, and impregnable by any force of ships that can be brought against them or by any conceivable mode of assault."

It is somewhat strange that after the description here given of these forts, as unattackable by any ship, there should be found in the report of the Commissioners such a paragraph as the following:—

> "We are, however, convinced that no practical amount of fire from batteries can be depended upon to stop the passage of steam-ships, if the Channel be sufficiently clear to allow of their proceeding at great speed."

Why, here, at the outset, is the whole case admitted. Granted that you even have the forts armed with heavy guns, the Commissioners admit that it will be totally impossible for them to stop the passage of iron-plated steamers, coming at full speed into Spithead. So struck was the late Sir Richard Dundas with this view, that after the Report was brought in and laid on the table of the House, he wrote a most important letter to the Commissioners of National Defences. The House will bear with me while I give the most material extract from that letter; for Sir Richard Dundas was himself no mean authority, having been present at the bombardment of Sweaborg. The gallant Admiral, writing from the Admiralty, of which he was then the First Sea Lord, says in his letter, dated February, 1861—

> "It appears to me important to suggest for the consideration of the Defence Committee, the expediency of modifying to a certain extent, and before it be too late, the recommendations of the Committee in so far as they relate to the construction of some of the most costly batteries; and I would suggest the possible substitution of iron-cased ships in certain localities for such of the permanent defences as can be constructed only at large cost, and cannot, in all probability, be completed for a long period of time."

I rejoice to give his reason—

> "I consider that much importance attaches to recent experience of the nature of iron-cased ships, not only as exemplified in the French ship *La Gloire*, but also in connection with many other details demonstrating the possibility of adopting movable ships of considerable power in preference to stationary forts for the defence of Spithead and other anchorages of similar character."

Let the House bear in mind that this question not only involves the safety of Spithead, but also rules many other cases. Sir Richard Dundas, in his letter, goes on to say—

> "I entertain no doubt whatever that it will be practicable, at a cost of about £60,000 for each ship, to convert ships of the line which are now available into iron-cased ships, with steam power capable of propelling them at a speed of from seven to eight knots, and with an armament of 30 guns of the heaviest and most improved description on batteries at a height of about six feet above water."

He proposes that those ships should be "constantly available for local purposes;" which is a material consideration; for the House has been led away a good deal with the notion that these ships are to be moved about. Looking to the contingency that stationary batteries alone might not be sufficient to prevent the passage of iron-cased ships, Sir Richard Dundas lays it down that—

> "Any immediate outlay of money to be expended in the course of the ensuing financial year would be more profitably employed upon the equipment for purely defensive purposes of ships of this description; and it might be proper that the attention of the Secretary of State for War should be called to the subject, in order that reports, if necessary, from the Controller of the Navy may be called for without loss of time."

That letter, I am sorry to say, was not treated by the Commissioners with the consideration to which I think it was entitled. They decided on building these batteries, and a contract has accordingly been entered into. On a recent occasion the right hon. Gentleman the Secretary for War gave a reason, or, I should rather say, indulged in a speculation, why we shall not be able to give up shore batteries; because, as he said, we do not yet know the weight of the gun which we shall get that will be able to smash the armour of these iron-sides. I would not attempt to predicate for a moment what the science of this country may achieve in the way of producing monster guns—it would be foolish and absurd in me to do so. I know that at this moment, in America, Captain Rodman is designing a gun of 20 inches bore which will throw a shell of 900lb. weight or a solid ball of 1,000lb. But still there are reasons which may be fairly adduced in answer to the speculations of the right hon. Gentleman. While the Government are considering how to arm these forts, I do not think the subject of the armament of the navy has received proper attention. I speak under correction; but I should like to hear from the noble Lord the Secretary to the Admiralty whether it is not the fact, that after we have spent £3,000,000 upon the Armstrong gun with a view of trying to pierce the sides of armour-plated vessels, the only weapon with which that result has yet been accomplished is the old 68-pounder? At the present moment the way armour-plates are tested at Portsmouth is with the old 68-pounder. Therefore, after all the money we have spent, and after all the laudation which the Armstrong gun has received, the armament of our ships is at this moment in a most unsatisfactory condition. The right hon. Gentleman the Secretary for War must also remember that the larger a gun is, the more difficult is its management, and, above all, the greater becomes the difficulty of aiming with any accuracy at a movable object like a ship. That in itself, I think, is an answer in some measure to the speculations of the right hon. Gentleman. I think there is a case in point in the old sailing days, which shows that these large guns have been tried before. In the year 1807, when Sir John Duckworth went up the Dardanelles with a fleet of eleven sailing ships, towing mortar boats, the reception which he met with was rather warm. He was fired at from both sides of this narrow strait, and his ships were repeatedly struck with marble balls weighing 750 lb. It may be said that when he was going up in February he had in his favour the very bad gunnery of the Turkish artillerists. But he returned in March, and in the mean time the fortifications had been thoroughly repaired under the supervision of French engineers, and were to some extent manned by French gunners. The fleet came down towing the mortar-boats as before, and when they attempted to force the passage, a very warm resistance was made. One of the ships was struck by a ball of 800 lb. weight and 26 inches in diameter; another, the *Windsor Castle*, was struck by a shot of 700lb., and the fleet was rather mauled. But he got through without losing a ship, and from Allen's *Navy List* I see that the English loss was no more than 46 killed and 235 wounded. This was with sailing ships, against French gunners, and it shows that a movable object is not so easy a thing to hit with a gun, however large it may be. So much for the reason adduced by the right hon. Gentleman the Secretary for War. The noble Lord the Secretary for the Admiralty rather shirked giving any decisive opinion about these forts; and probably, if we could examine the noble Lord in the lobby, we should find him altogether averse to them. However, he, very properly backing up his superior officer, said, "Look at the advantage of these forts in case a fleet of merchantmen should run in under their protection." Now, of what avail would such forts be to merchantmen running into Spithead? Let us suppose that those forts were built, armed with very large guns, and commanded by the best men in the service. One morning the telegram announces that there are six or seven iron-clad French ships at St. Helen's. They come in, running the gauntlet of the forts, as we are told they can, and get intermixed with the wooden merchantmen. What would the forts do then? Why, they dare not fire, for fear of destroying the merchantmen. And in that instance, therefore, as a protection for merchantmen, they must be totally useless. So much for the reasons given by the noble Lord. Now, I do not expect a display of Spartan virtue; but I think, that if the noble Lord were allowed to do as he liked, he would desire to retreat to the protection of some other forts, and avoid this division. I am convinced that his real opinion is, that the erection of these forts is useless, and the money spent upon them is money thrown completely away. Now, the Commission which sat upon the subject of fortifications made some curious admissions. "The mode of fortification," they say, "must advance with the development of the means of attack. Experience shows that it is less liable to fluctuation than almost any other element of defence." Of course, when the Report was written the Commissioners could not foresee what was done the other day by the *Merrimac*, or the *Virginia*, as she is now called; and, by the way, when we remember that the Southerners raised this 3,000-ton ship, cut her down, and plated her with iron from the railway, it says a great deal for their energy and ability. Well, how did the *Merrimac* deal with the forts opposed to her? I have taken some pains to inform myself on this point from gentlemen who have seen the forts. The *Merrimac* comes out of Norfolk, and steams by Fort Monroe, one of the most powerful forts in America, and provided, I believe, with two enormous guns. These guns open upon her; she is fired upon by the shore batteries, but she takes no notice of them, and goes straight towards the *Cumberland*. This wooden vessel was lying under the batteries of Newport News, which are armed with heavy Columbiads—heavier than our 68-pounders. These guns struck her frequently without producing any effect, and in spite of the batteries she destroyed the *Cumberland* in half an hour. The shore batteries were very powerful ones, but so little did the *Merrimac* care for them that she merely occupied herself in shelling the camp. It may be asked, "Why did she not shell Fort Monroe?" If the *Monitor* had not appeared on the scene, the *Minnesota* would have been burnt to the water's edge; and I think there can be no doubt that the *Merrimac* would have ended by shelling Fort Monroe. The Americans were much afraid of this themselves, and so great was the panic at New York that a meeting was called to consider whether, in spite of the fortifications at Sandy Hook, which are of a powerful description, the harbour of New York should not be blocked up to prevent the *Merrimac* from coming in. But the *Monitor* made her appearance, and saved New York from that degradation. Here is a vessel which was built in three months, at a cost of £60,000. It has been most unjustly called Captain Ericsson's invention, but it is, indeed, the invention of a gallant countryman of our own, Captain Cowper Coles, of whom I hope the country will hear much in future. As long back as 1855 this officer laid before the Admiralty his plans for the construction of such a boat. A Committee was appointed; they highly approved his plans, and—the plans were laid aside. We hear no more of his plans and of his vessel until they start up in another form under the name of the Ericsson battery; and the Americans, who believe that Captain Ericsson was the inventor of the *Monitor*, should know that the credit really belongs to Captain Coles. More recently, however, the invention has been tried here on the *Trusty*, and approved. Now, when I asked the noble Lord the other night, "Why don't you build some of those ships?" what was his reply? We know how suave and bland the noble Lord is in answering questions in this House; and he said that a ship was now being built on Captain Coles's cupola principle. I ask, where is that ship? Where is it building? There may have been a rambling intention on the part of the Admiralty to build such a ship, but I deny that at this moment any such ship is being built; and I want to know why this plan, having been approved by a Committee six years ago, has been quietly put to bed so long, and why the construction of these expensive, and, as I believe, inefficient forts, is proposed in their place? I cannot help thinking that the noble Lord has been leading the House to believe what was not exactly the fact. Of course, the Admiralty cannot resist now, and the noble Lord will no doubt tell us by-and-by that this vessel is intended to be built. The Admiralty know now that the ships must be built, though the plans have been before them for the last six years. But while we have been thinking, the Americans have been acting. They have been satisfied by the experiment, which is doubted upon the Treasury bench here, in the same way as the efficiency of the matchlock was doubted when it superseded the crossbow; of "Brown Bess," when it superseded the matchlock; and of the Enfield rifle, when it superseded Brown Bess. Our great men are very slow to be convinced; and unless the House of Commons urges them on—unless a lesson is taught us on our own shores by the burning of some of our own ships—they will be as slow as the men of former times were. In America there has been promptness of action. A Bill has been introduced into the Senate for the construction of an iron-clad steamer of 5,000 tons, and the completion of an iron-clad battery, called the Stevens' battery, in the Hudson River; and it is proposed to spend £2,600,000 in the construction of iron-clad steam gunboats for the defence of the whole Atlantic coast from Portland to the mouth of the Chesapeake. Do they appoint a commission to inquire and talk about building expensive forts? No; they come down to the Senate with the experience of the engagement in Hampton Roads, and the Senate acts upon it. They do not attempt to defend their coasts by costly forts, but construct floating batteries on the plan invented by Captain Coles six years ago. So much for the Ericsson battery, which is really the invention of Captain Coles.

But there is another consideration, also most material, which it will be well for the House to take into its consideration before it decides on this question of the erection of forts. It has been stated by the lay Lord of the Admiralty, the hon. Member for Bedford (Mr. Whitbread), that the Admiralty hesitates to increase the dock accommodation at Portsmouth, because it is only at certain periods of the month that the new class of vessels of war, such as the *Warrior*, drawing twenty-six feet of water, can get over the bar into Portsmouth harbour. What are we about to do after such a statement? We are about to lavish money on the construction of forts, when there is doubt on the part of the very Admiralty itself whether Portsmouth can be made accessible to the larger class of vessels. But should we precipitately rush into voting away money when we have such evidence as this, given by a Member of the Government intimately acquainted with the working of the Admiralty? That is a consideration the House will do well to weigh maturely. Now, it may be said that it will be very expensive to put a stop to the contracts for the construction of the forts. I do not know whether I am correctly informed, but I believe the contract that has been made extends only to the foundations of these works, not to the entire construction of the forts, or casing them with wrought iron. The Government, therefore, can stop the works at any time, of course making that compensation to the contractor for his plant which he has a right to demand. And will it not be good economy on the part of Her Majesty's Government, should the House be of opinion the forts are not likely to be efficient, to pay that compensation, and not send good money after bad? While I am on this question of economy, let me say I would never, with so grave an object in view as the defence of this country, urge merely economical reasons against it. I would only ask that the money should be well spent, and the works well built. But it has been said that, even on the ground of economy, forts are less costly, because they are more durable than ships. The answer to this is so admirably put by Captain Coles, in his pamphlet on national defence, that I will read it. He says—

> "As to the argument that forts are less costly than ships because more durable, the answer is obvious. The value of an engine of war is measured by its efficiency; and if forts will neither stop iron vessels from entering a harbour, nor prevent them from bombarding the dockyards, forts are extravagantly dear at any price. One iron ship may stop, at least, one other, while she engages her muzzle to muzzle, runs her down, or boards her but no fort will stop an iron vessel."

And that has been acknowledged by the Commissioners themselves, and therefore the argument that forts, being permanent, are less costly than ships, when we know that a floating battery can be built for less than £60,000, according to its size, entirely falls to the ground. The whole spirit of modern warfare, I take it, is this; it is mobility against permanence. That, I take it, is the whole soul and spirit of modern warfare as applied to forts and ships. I am not speaking of inland forts, but of such works as we have now under consideration—such works as the forts as Spithead and Portsdown-hill. And they have also had an unfortunate tendency to turn attention too exclusively to the construction of guns that may be placed in such forts, not guns that may be placed on board ship. In spite of the Armstrong guns, and the money that has been lavished on them, I believe the old 68-pounder is the only thing we can rely on at sea to penetrate iron plates. But the whole system of artillery is being, and must be, reconstructed; and in doing so, it will be well to insist on more attention being paid to the armament of ships. It is all very well to lead the country on this wild-goose chase, and make it believe that all difficulties may be met by the erection of forts. But there are other considerations to be taken into view. All the officers who were examined before the Commission were of opinion that the forts will be useless unless you raise your army to the extent that will enable you to garrison them; and that not with hastily raised volunteers: to work the guns, especially the Armstrong guns, will require skilled artillerymen, not volunteers with three or four weeks' training. Therefore, when these forts are erected, you must be prepared—and I do not think you are prepared—to augment your army. What was the opinion of one of the greatest naval commanders on the subject of fortifications? What was the opinion of the man who had seen more service, and done greater things with small vessels against fortifications, than any commander of ancient or modern times? What was the opinion of Lord Dundonald when speaking of the forts at Spithead? His words are somewhat remarkable. He says—

> “ Full discussion of this matter would require more space than can here be devoted to it; and should my life be spared I will, on a future occasion, enter more extensively into this and other cognate subjects. Were I now to do so, I am afraid public faith in some of its newly-cherished fortifications would be materially shaken, and will therefore refrain from so doing, in the hopes that improvements in our navy, the only true basis of national safety, will render such remarks unnecessary. In short, immovable stations of defence, as a protection against invasion, are not only costly and of doubtful utility, but a reliance on them is, in my mind, an indication of a declining state. It is little short of national imbecility to suppose that, because we erect imposing fortifications an enemy will come to them, when he can operate elsewhere without the slightest regard to them; and the more so, as the common experience of warfare will tell him, that numerous fortifications are in the highest degree national weakness, by splitting into detail the army which ought to be in the field against him, but who are compelled to remain and take care of their fortifications. Yet half the sum required for fortifications as defences in case of war would suffice to place the navy in a condition of affording far more effectual protection. There is no security equal to that which may be obtained by putting it out of the power of an enemy to execute hostile intentions.”

I hope I have fairly brought the matter before the House. I have endeavoured to avoid any highly-coloured statements. I have not been induced to introduce the subject from any Utopian ideas of universal peace, though certainly, in some measure, with a view to retrenchment. And whatever the issue of the discussion may be, I do intreat the House to give its serious consideration, and not allow the Government of the country to plunge into a useless expenditure for the erection of still more useless fortifications.

Amendment proposed,

> To leave out from the word “ That” to the end the Question, in order to add the words “ it is expedient to suspend the construction of the proposed Forts at Spithead until the value of iron-roofed gunboats for the defence of our Ports and Roadsteads shall have been fully considered,”

—instead thereof.

Question proposed, “ That the words proposed to be left out stand part of the Question.”

Sir MORTON PETO :[*] I have much satisfaction in seconding the Resolution so ably introduced by the hon. Member for Liskeard; and I must congratulate the House on the altered tone and feeling with which the subject is now regarded. When I introduced to the House last year a substantive Resolution of a similar kind, I did not get one supporter. The hon. and gallant Member for Chatham and the gallant Member for Harwich on that occasion both spoke against the Resolution; and in stating to the House frankly and candidly as they did the other evening their change of opinion, they took a course which, in my opinion, is honourable to themselves and advantageous to the country.

The Commissioners appointed to consider the Defences of the United Kingdom recommended the erection of forts on two grounds.

1st. As part of the most available and least expensive means of protecting our coasts against the landing of an enemy.

2nd. As the best means of protecting the Royal Dockyards, as a vital point, against attack from the sea.

First I would desire to consider how far their recommendation met the first condition. They stated in their Report that it is not possible to fortify the entire line of coast, as there is an aggregate of nearly 300 miles on which a landing might be easily effected. We may therefore dismiss entirely the consideration of its in any way preventing an invasion, and look simply at the second—namely, the protection of the dockyards.

I find the number of guns and men, by their Report, required for the Portsmouth Works are—guns, 1,267; men, 8,820. For the entire defence of dockyards—3,721 guns, and 30,580 men—itself a large army of artillerymen and sailors; and looking at the aggregate of our army, I must at once press on the House to consider the policy of such an abstraction.

It may be said that these forts might be manned by Volunteers; but Volunteers are understood to be a class of men to be depended upon to resist the landing of an army, and it was never contemplated that they should be placed in forts during the continuance of a war; and it is obvious, therefore, that the effect would be, as Lord Dundonald has stated, that forts only split into detail the army which ought to be in the field against an enemy, but which would be compelled to remain to take care of the fortifications in which they were placed. Lord Dundonald further states that half the sum required for fortifications as defences in case of war would suffice to place the navy in a condition to afford far more effectual protection.

But let us look at the utility of these forts at Spithead. The recent engagement in America has shown that an iron ship can pass forts within range without injury; but this is not new. The evidence before the Commissioners clearly shows this fact. Captain Sullivan in his evidence states—

> Evidence, Q. 84. "If casemated works of three tiers of guns are placed on the Horse-shoe and Noman's Land, will the anchorage at Spithead be secure?—Most assuredly not. The forts will be 2,000 yards apart, and, however strong, could certainly be passed by wooden ships at night and by iron-cased ships by day or night."
>
> Q. 87. "Have you had any experience of ships running past forts?—Yes; I have formed this opinion from what I saw first, on a small scale, in the *Parana*. However small the vessel, and however slow the speed, it seemed almost impossible to stop a vessel passing batteries, even at a close range."
>
> Q. 98. "Have you ever heard of any one instance of a ship being sunk by a fort either when attacking or running past?—I do not know of one."
>
> Q. 102. "The conclusion I draw from your evidence is that no amount of direct fire will stop even wooden ships which are determined to pass batteries?—I would not say even wooden ships, because in a very narrow channel, and with very heavy batteries, they might disable a single ship; but certainly not in the case at Spithead, which we are alluding to here. I doubt whether a single vessel, although a wooden ship, could be stopped even in the day time by the heaviest batteries you could build there."

The late Admiral Sir Richard Dundas, K.C.B., said—

> Evidence, Q. 3. "The proposed forts at Horseshoe Buoy and Noman's Land will not, in my opinion, be sufficient to prevent the approach of an enemy in force." . . .
>
> "Taking into account all the expense and all the difficulty which must necessarily attend the construction of batteries upon the shoals at Spithead; and looking also to the contingency that stationary batteries alone might not be sufficient to prevent the passage of iron-clad ships, and would imperfectly defend the entrances to Spithead against ships so protected, I am of opinion that any immediate outlay of money would be more profitably employed upon the equipment, for purely defensive purposes, of ships of this description."—Letter to Major Jervois, dated 8th Feb., 1861.

Captain Robert Hemlett, R.N., C.B., said—

> Evidence, Q, 251. "Do you consider that forts of any size or description would prevent the passage of iron-plated ships through a clear channel?—Most certainly not." . . . .

And the Defence Commissioners themselves reported—

> "We are convinced that no practicable amount of fire from batteries can be depended upon to stop the passage of steam-ships, if the channel is sufficiently clear to allow of their proceeding at great speed."

It is, moreover, evident from the report of the Commissioners, that a vessel, without approaching nearer to the Dockyard than 3,000 yards, could bombard the Dockyard with comparative impunity, and this might be done by taking such a position that the vessel bombarding would be so far out of range as to render the fire from the forts, with the most powerful artillery which we can conceive, comparitively harmless. I believe it will be generally admitted, that the effect of a ball at a mile distance of 1000 lbs. weight would be less destructive than one of 100 lbs. weight with an ample charge at close quarters.

The examples of Sebastopol and Cronstadt may be quoted as cases in which forts were available as a protection to those cities—but neither Sebastopol nor Cronstadt were attacked by heavy iron-plated ships. I must call the attention of the House, also, to the fact that the *Monitor* has no plates on her of any single thickness of more than one inch; and all who have given attention to the subject will know that four single thicknesses of one-inch plate, as it is technically termed, sandwiched together, would not give a greater strength than a solid plate of two inches. In the construction of the *Merrimac,* railway iron was first used and afterwards discarded, and the greatest difficulty was experienced in obtaining plates at all suitable for her construction. Yet, amidst these difficulties, we have it clearly shown, that a wooden vessel can never again be used by any Government to oppose an iron one; and when I reflect that, in 1855, the experience at Kinburn led the French to altogether discontinue the construction of any wooden vessels, and that in that year Captain Coles laid before the Admiralty his plans, of which the *Monitor* is but a bad copy, I cannot but wish that Captain Coles had taken them, when so coldly received by our Admiralty, to the Emperor of the French, for had His Imperial Majesty ordered one ship, and had the fact been known at our Admiralty, we might have saved at least some part of the ten millions uselessly spent since that period in the erection of wooden ships.

In a recent debate the noble Lord the Secretary for the Admiralty observed—

> "He should like to know, if they left the defence of Spithead entirely to ships, how were they to find refuge for those thousands of merchantmen, who were continually running up and down the Channel, and which, in any emergency, would make for the best of all the Channel harbours?"

And Sir Richard Dundas observes in his evidence—

> "It should be borne in mind that in all former wars Spithead has been a perfectly secure rendezvous, for the fleet convoys of 100 merchant vessels at a time have been assembled there."

Now suppose such a fleet reassembled under these batteries, could the fortresses protect them? There are good grounds for believing they could not.

1st. The iron vessel would be protected from the ball fired from the forts, even if it touched her at the distance at which she could place herself.

2nd. Considering the low angles at which the heavy guns from the fortresses must be fired, there is reason to think they would not touch her at all.

3rd. If they did not touch the enemy, they would, probably, create mischief and slaughter on board the ships to be protected.

4th. A vessel engaging the fort always has the advantage of being enveloped in her own smoke; and being a small object, the fort cannot obtain her range.

5th. This difficulty is immensely increased when the vessel, being propelled by steam power, is able to move in any direction under cover of the smoke from her own fire.

The all-important question which really arises here is the comparative value of fixature and mobility. The fort fixed and immovable has only one power of destruction, limited to the power and range of its guns. The iron-ship is practically a fort, with the advantage of being able to move out of range—to avoid action or close with its adversary, as may be desirable—to act as a steam-ram, and, by constantly moving, destroying the accuracy of the range of the fixed fort.

The noble Viscount at the head of the Government in a late debate said—

> "I defy you to construct a ship covered with iron-coating of sufficient thickness to repel the heavy shots which may now be sent from cannon, and yet be buoyant enough to float on the water."

But the answer to the noble Viscount is, that the iron-coated ship is proved to be as impregnable as the fort, with the superior advantage of mobility.

The noble Viscount further said in the same debate, "There is a limit to the resisting power of ships." This is not proved by the American action; but it is proved that the mobility of the ship gives her great superiority in action with a fort.

I would beg further permission of the House to refer on this important point to a letter from Captain Sherrard Osborne, C.B., of H.M.S. *Donegal,* 101 guns. He states—

> "The *Donegal* under steam drawing 27 feet of water shall rattle about the waters at Spithead at 8 knots an hour, hit a fixed object every time with her hundred-pounders, and that not one in 200 shots would hit her. As to mortar shells, the air will have to be filled with such falling projectiles to ensure lodging one on her decks; and all the engineers in all the forts shall fail to get her range or position for more than one minute at a time—her change of position being at 8 knots an hour equal to 16,000 yards in 60 minutes, or 266 yards per minute."

It is well known to all engineers that it is the most difficult thing possible to hit a moving object from a fixed battery; the artilleryman having not only to allow for the time taken by the projectile in its passage through the air, but for the motion of the object to be struck, and for the alteration of his elevation so as to allow for the variable increase of range. Apply these reasons to vertical firing from mortars as Captain Osborne indicates, and it becomes a mere accident to hit the object fired at.

Fixed forts, therefore, can be no protection to ships liable to be cut out by iron-cased vessels, or to be run down by the steam-ram; and therefore these Spithead forts are practically useless in protecting merchant shipping against the enemy.

The noble Lord the Member for Tiverton laid great stress on the larger guns which the forts might carry. But I would ask the noble Lord of what use is the larger ordnance, if there is so little probability of the object itself being struck?

The next point to which I would wish to ask the attention of the House is, the large cost of these forts.

They are thus estimated by the Defence Commissioners—

"Spithead Forts	£1,100,000
Needles	150,000
Isle of Wight	130,000
Portsdown Hill	650,000
Gosport and Gosport advance...	370,000
Total	£2,400,000"

and this without land, which, from all I have heard, would be a very large item indeed.

The forts now erecting at Spithead are estimated at £840,000; but I must call the attention of the House to the fact that this is only an estimate. The foundations only are let, and these are at a schedule of prices.

No Contractor would be safe in taking them with all their liabilities at a fixed estimate. My own belief is that their ultimate cost will be more than three times the amount now stated.

The noble Lord the Member for Tiverton stated—

> "The forts we propose, will not cost so much as the Fleet required to be stationed at Spithead to defend Portsmouth."

Is this so? Admiral Sir Richard Dundas states—

> "I entertain no doubt whatever, that it will be practicable, at a cost of about £60,000 for each ship, to convert ships of the line now available into iron-cased ships, with steam-power capable of propelling them at a speed of from seven to eight knots, and with an armament of thirty guns of the heaviest and most approved description, on batteries of about a height of six feet above water."

Now six such ships stationed permanently within the Isle of Wight would afford much more effectual defence than the construction of any of the permanent forts before suggested:—and if it be argued that a difficulty would be found in manning these vessels, I would point to the Dockyard Reserve, and the policy of training all the men employed in the dockyards so as to render their services available for the defence of the place where their daily bread is earned.

The noble Lord the Member for Tiverton, in the same debate to which I have before referred, said—

> "Moreover, the ships will decay or require constant repair:—they will require a large body of sailors to work them. In point of economy, therefore, the balance is in favour of forts."

This, I submit, is altogether wrong. Such ships as I have referred to would not require constant repair. They might, as I have said, be manned from the dockyards themselves; and with regard to the economy of the forts, I must further observe that even according to the Defence Commissioners themselves they admit these forts can afford no protection to Portsmouth without other fortifications to protect them. First, the enemy might enter the Needles, and attack the shipping in the Solent; therefore fortifications at the Needles are necessary to aid the forts. Secondly, the enemy might land on the south side of the Isle of Wight, and assail the forts from Bembridge; therefore it is needful to fortify the Isle of Wight;—and even the best engineering officers admit, that to obtain a cross-fire to support the Spithead forts, it will be necessary to have forts on the land called the Ryde Middle, and elsewhere.

The cost of these Spithead Forts should not be estimated simply by the construction of the forts themselves; but immense additions must be made for the works which the forts themselves entail.

For all these reasons I trust the House, and I trust the Government, will hesitate before proceeding with this expenditure without further inquiry.

I rejoice, Sir, to think that this cannot be construed by any possibility into any party question. So far as the Governments are concerned, if we go into the question who is to blame, neither can throw the first stone. But with the fact before us that between two and three millions of money is likely to be spent, and that upwards of 8,000 men are to be employed in what, after all, is a most questionable result; and considering, also, that when the Defence Commissioners recommended all this outlay, it was never committed to them to consider how far the object itself to be protected was likely, in these ever-varying phases of warfare, to be of the same value to the country in the time to come as it has been in the times that are past,—I trust the House will agree unanimously in the Motion which I have the honour most heartily to second, and thus the Government will not commit itself to the perpetration of what I most sincerely believe to be the most gigantic folly ever committed in any country and in any age.

Mr. BENTINCK: Sir, after the notice which I have ventured to put on the paper, I need hardly say that I concur with the Motion of the hon. Gentleman opposite on the subject of the forts. But when I read the notice of the hon. Gentleman, it appeared to me that it did not go far enough—that it went in the right direction, but that it stopped far short of the point which we seek to attain. Looking on this subject, not as one of the most important, but as the most important subject that could be brought before this House at the present moment, I ventured to put on the paper the Motion which stands in my name, which is—

> "That this House will, on an early day, resolve itself into a Committee to empower the Government to apply monies voted for the construction of forts to the construction of iron-sheathed vessels, or to the conversion of wooden vessels into iron-sheathed vessels."

I wish, however, before I address myself to that part of the question, to refer to one or two points in the speeches of the two hon. Gentlemen opposite. The hon. Gentleman who proposed the Motion, in a very able speech, urged one argument which will, I am quite sure, from the acuteness of the Treasury bench, be brought against him; therefore perhaps, it will be better to dispose of that at once. He quoted the case of Sir John Duckworth, who passed up and down the Dardanelles. Now, that of course is a question that is very easily answered, by the simple fact that the current in the Dardanelles always sets one way. The going up may be very difficult, but coming down is easy enough. In one case the ships would pass at four or five knots an hour, in the other fourteen or fifteeen, when of course it would be very difficult to hit them. The other point that I wish to refer to was in the speech of the hon. Baronet who spoke last. I take it for granted, that the question is—Supposing these forts to be useful; supposing them to be built, how do you propose in time of war to garrison them? That is the question that is always lost sight of, and I am glad that the hon. Baronet has prominently brought it under the attention of the House. I have always contended that the forts at Spithead, one on the Noman and the other on the Horse Sand, would be perfectly useless alone as defences. But assuming that they would be useful, we are told by the Government that it will take five years to complete them, and we are also told, that when they are completed, we must not judge of their efficiency by the modern ordnance, but that we shall have guns of such a gigantic description that they would blow everything out of the water. We are, however, at the same time told, by eminent authorities, that the success of these gigantic guns is extremely hypothetical. What, then, is the position in which you place us? You ask the country to wait five years for adequate means of defence, and you then tell us that you will use guns the success of which is a matter of doubt. Now, supposing the guns to be mounted on the forts, I ask any man who is conversant with the subject—any one who is commonly conversant with the means of defence—to say what sort of action would take place between the forts and any ships that might attempt to run through the anchorage at Spithead. Why, would not the success of those forts depend entirely on the success of one shot? I defy any number of gunners, however well trained they may be, to reload and retrain a heavy piece of ordnance in time to get a second shot at the same vessel. Supposing, then, that these forts are constructed to receive these enormous guns, the whole success of the forts will depend upon every shot being successful. I would ask, then, of what use would such weapons be against a small object passing in the night, or in very thick weather? It appears to me that the use of the forts alone will be perfectly chimerical.

The point, however, to which I want to come, is that at which I conceive the Motion of the hon. Gentleman stops short. The hon. Gentleman proposes that we should suspend the construction of these forts. Assuming for a moment, for the sake of argument, that all we have heard from the other side of the water is true, what position does that place us in? Why, you suspend your land defences without at the same time increasing them at sea. Nor are you preparing the means of defence against this tremendous agent, this new description of weapon. We have learned two most important facts from the action that has occurred on the other side of the Atlantic. We have, in the first place, learned what really are the comparative powers of forts and ships. There was an impression some time ago, and that impression was strengthened by the Russian War, that ships were perfectly harmless in front of forts; but I appeal to the House whether that idea is not now, to a certain degree, dispelled, and whether it has not been shown that iron ships can range for hours within reach of the guns of a fortress. There is, however, another and a more important lesson to be gathered from what we have recently heard. We have learnt what if two months ago any man had asserted he would have been scouted as a lunatic; we have learned that the boasted navy of Great Britain, when opposed to iron vessels, is useless as a fighting navy. There is no blinking that question. That is what we have learnt. I should be very glad if any Member of the Government, or of this House, were able to get up and disprove what I assert. I wish to refer to what is reported to have been said by a high authority in another place. I read it with very great pleasure, as it appeared to me to be a brilliant speech, entering into all the circumstances, and, but for one exception, a speech of great promise. The Duke of Somerset, in the course of his able speech, is reported to have said, speaking of the late action, "It is said that it alters everything;" and he says, "Now I should wish to state what I think it alters and what it leaves unchanged." Now, I beg leave to call attention to the next sentence, because it appears to me that the whole question hinges upon it. "It leaves unaltered the relation between iron ships and wooden ships. We knew before that iron vessels could destroy wooden ones." It is precisely because I entertain the conviction that, so far from what has occurred having left the relations of iron and wooden vessels unaltered, it has completely and entirely altered those relations, that I think we are called upon to deal with this question. The noble Duke is reported further to have said, "We knew before that iron vessels could destroy wooden vessels." Well, we knew it so far that we had that impression; but formerly it was matter of opinion; it is now matter of fact—fact confirmed by circumstances so remarkable that I was much surprised when I read the opinion, "that the relations of iron and wooden vessels remained unchanged." Suppose a man, a month ago, had told us that a first-class American frigate, fully manned, armed, and equipped, had been found to be a perfectly impotent opponent to a much smaller vessel, carrying a fewer number of guns, what would have been said? Who would have believed his statement? But what has been the double result of this engagement between the *Merrimac* and the *Monitor?* First, as to the action between the *Merrimac* and the wooden frigate; the latter was destroyed in a few minutes, without the slightest impression having been made on the *Merrimac.* The next fact we have is, that the *Monitor*, a comparatively small vessel, a shapeless monstrosity, engages the *Merrimac.* These two contend with each other for several hours, and apparently with perfect impunity. It is even now a moot question whether the one was damaged by running down the other or by shot; while we have very good evidence that the other vessel was not damaged at all. If further confirmation were wanted, what did we hear from one of the highest authorities on such a point? I allude to the hon. and gallant Member for Wakefield (Sir John Hay), one of the most distinguished members of his distinguished profession, who said that a man would be a fool to fight in a wooden vessel against such an antagonist; and further, that the man who sent another man to fight under such circumstances would be a wicked man. Can any one suppose that my hon. and gallant Friend would make such an admission without deep regret? Could any sailor, holding the high position occupied by my hon. and gallant Friend, tell the House of Commons that our navy is useless, unless he has had the conviction forced upon him by circumstances which he could not dispute? And could there be a higher authority—one more competent to form an opinion upon this question—than the hon. and gallant Member? But supposing, for the moment, that any one could be found to doubt the authority of my hon. and galland Friend, do you think it possible to find any member of his profession who does not agree with him, and who will not confirm the opinion he has expressed? I have, however, another authority—one coming from a quarter of which I think the House will not think lightly. I have here an American newspaper—not a mere gossiping journal of the day, but a scientific journal—which gives an account of these vessels, their different modes of fighting, and the different effects of their shot. I will read to the House one or two of the statements made in the paper, and then I will ask whether they do not fully bear out the opinion I have quoted from my hon. and gallant Friend. Speaking of the *Merrimac*, it says—

> "The *Merrimac's* projectiles were mostly percussion shells, fired from 10 or 11 inch rifled pieces. Twenty-three shot struck us, including two from the *Minnesota*, which during the engagement fired over our heads. The deepest indentation on our turret was 2½ inches, produced by an 150 lb. percussion shell, fired at a distance of 20 feet perpendicular with the side. Our deck received four shot, making slight depressions."

Now it may be said by those who are captious on this point, that that was only the effect of shells, which are much lighter than shot. We will therefore see what description they give of the effect of the shot. It is as follows:—

> "Now the 11-inch guns of the *Merrimac* carry balls weighing 180 pounds—nearly three times heavier than the most destructive shot ever tried against iron plates in England. These shots were fired at exceedingly short range, some of them said to be at only 40 feet distance; and 37 struck the turret of the *Monitor* without inflicting the slightest injury."

The next sentence shows that whatever the course determined on by this country our American cousins are not wanting in energy and activity—

> "This contest was the most severe test to which armour plates have ever been subjected, and it puts the final seal to the fate of all wooden ships of war. Calling upon Captain Ericsson the day after the fight to congratulate him upon the brilliant success, we found him engaged upon the drawings of a large sea-going steamer, after the plan of his battery, with the proper modifications for that class of vessel."

That shows, then, that the Northern States of America are perfectly alive to the discovery in which this action has resulted, and are fully prepared to act upon it. Now, I want to ask this question, and I put it more particularly to those hon. Gentlemen who are largely connected with our great seaport towns—I want to know what is the position of our seaboard? What means of defence have we for the Clyde, the Mersey, the Cork Harbour, and every description of great estuary of the kind frequented by large numbers of merchant shipping, when it is in the power of any country possessing even a small naval force to build at a very short notice, in a very short time, and at a very small expense, a class of vessel which is perfectly invincible because it is perfectly invulnerable? Do not let me be told that the *Monitor* cannot cross the Atlantic. I shall probably be told that; but I beg to remind the House that it is perfectly easy to construct vessels quite as invulnerable, and therefore quite as invincible as the *Monitor*, and yet possessing all requisite sea-going qualities for making a passage to any part of the world. What, then, I ask, is the position of our seaboard? I do not wish to raise any question as to the probability of war with this country or with that country. But all these speculations are based upon the probability of a war; and I say, therefore, but merely for the sake of argument, that if we find ourselves at war with France or the Northern States of America, we shall find it in the power of these countries, within a few weeks, to construct, at a very small cost, a description of vessel which would devastate and lay waste the whole of the localities to which I have alluded. Such is the position in which this country has been placed by circumstances over which neither Her Majesty's Government nor any one else has had any control; but is it a position in which this country ought to be allowed to continue one moment longer? Now, what is the converse of the remedy which I propose? It is that we are to do nothing for the present, and suspend operations; but assuming that those operations are resumed, at the end of five years we are to have a number of forts which, in the opinion of those best informed on the subject, will, as the sole means of defence, be perfectly useless. Will you, I ask, allow this state of things to exist when you have at your command means of an unlimited character over and above every other country for supplying the want which exists? Sir, I am not putting this question in a tone of despondency. So far from it, everything that we have heard and all that we know tends to show that our fate is in our own hands. Our resources are unlimited. We have the invention of the distinguished officer, Captain Cowper Coles, which I believe has been already submitted to and approved of by the Admiralty. We have several other suggestions by other scientific men. We have, in fact, everything but the requisite amount of determination and energy to make use of the means we possess. I have no wish, in putting forward the views I have expressed, other than a desire to put my shoulder to the wheel for the purpose of doing all I can to assist in remedying the defects at present existing. I say that no man should attempt to make a question of this kind a party question. Let us all work together. Let us meet a common difficulty with a warm and cordial spirit of assistance towards each other. Let no man attempt to mix up in this discussion anything that can be at all construed into an irritating or party feeling. I only ask the Government not to pursue that course which has been too often pursued, and that they will not attempt to postpone what is looked upon by all Governments as an "evil day," namely, the day of coming to a decision. No blame attaches to them. They could not have dealt with this question before, because it had not arisen. But now that it has come before us, I ask them to deal with it at once, and not to convert merely difficult circumstances into circumstances of danger by any want of the energy and spirit which has always been claimed as one of the attributes of this country. With that view I will propose the addition to the Amendment of which I have given notice.

Mr. SPEAKER said, it was not competent for the hon. Member to move the addition at that moment.

Viscount PALMERSTON: The subject which has been brought under the consideration of the House by my hon. Friend behind me, and the hon. Gentleman opposite is one the importance of which it is difficult to exaggerate, because it involves nothing less than some of the dearest and most vital interests of our common country. Therefore I trust it is unnecessary for me to say that I accept cordially and frankly the assurances which have been given by those who have made this Motion, and supported it, that they do so in no party spirit; that they do not propose this as a party question; that they do not seek to obtain any momentary party triumph; but that they are actuated by a sincere and patriotic desire that that course should be pursued which is most conducive rapidly and efficiently to provide for the defences which are requisite for the interests of the country. I can assure the House on the part of the Government that we go into the consideration of this subject upon precisely the same principles. We should be ashamed of ourselves if we were to be led by previous opinions, or if, by a desire to adhere strictly to plans and opinions which at a former period have been entertained, we were to shut our eyes and to close our ears against facts and reasonings which are entitled to mature reflection, and which may alter previous opinions or confirm them. Those facts and reasonings deserve, and not only deserve, but require, the most calm and deliberate investigation. They are not matters which turn on one accidental event, or on the opinion of this or that man, however distinguished by professional knowledge and merit either in the army or navy. These are questions involving great expenditure and great outlay, and an outlay and expenditure which the Government, undoubtedly, ought not to undertake without having ascertained beforehand, as far as experiment can ascertain it, that that which they are about to do, and which they call upon Parliament to furnish the means of doing, will be really effective for the purpose for which it is intended. I am not surprised that the public in general should have been struck with the encounter in the American waters, not having turned their minds attentively to the question as to the degree to which iron plating is proof against cannon-shot, and not aware of the degree to which the question has been investigated by the Government, or the extent to which experiments have been made. I am not surprised that the public at large should have their eyes opened, and their minds struck, by the conclusions naturally derived from the event which has taken place. But I can assure the House, although it may be unnecessary to do so after the statements and explanations made by the First Lord of the Admiralty, that these matters have occupied the anxious attention of the Government for a great length of time. Experiments have been made in order to test questions of great importance with a view to the conclusions at which we could safely arrive. Take one instance, which has been adverted to by one of my hon. Friends—the relative value of rifled cannon and smooth-bored cannon in attacking iron plating. The impression originally was that rifled cannon would be more destructive. But, on the contrary, it is found by careful experiments that within those short distances at which ships are likely to engage, the smooth-bored gun is more effective than the rifled gun. When you come to think of it, it is natural that it should be so, because a smooth-bored gun sends out a ball with much greater initial velocity than a rifled gun. The shot from a rifled gun, being longer than the spherical shot from a smooth-bored gun, and meeting with less resistance, though it goes further and straighter, preserves its velocity longer, and at a distance is more effective. But the solid sphere—the solid ball coming out of a smooth-bored gun, starting with greater initial velocity, does not get that velocity diminished within a certain limit of distance; and, the momentum being a compound of velocity and weight, strikes with greater momentum within 300 or 400 yards than the rifled shot. That is one instance in which experiments carefully made have altered the opinion which was previously entertained. Well, then, with respect to the power of the armour to resist shot. That has been tried, and very successfully tried, on a target representing the sides of the Warrior, at a very short distance—some 300 or 400 yards, or less—200 yards, indeed,—and it has been found that the largest shots we are now in the habit of using have not succeeded in piercing that target. These experiments have naturally led the Government for some time past to that conclusion to which the public mind has suddenly arrived by a knowledge of what has taken place in the American waters. But that which happened there, though a lesson in one way, is also a warning in another; because it not only shows us what armour will do, but what kind of vessel will not do for the general service which we require of our ships. In the first place, with respect to the power of that American armour to resist shot, I should say that the great part of the shots fired in the recent engagement were hollow shots; and it is well-known that hollow shots will not make that impression on armour which solid shots are enabled to produce. On the other hand, though the *Monitor* and *Merrimac* were well enough adapted for the smooth water in which they had to act, yet those who happened to look at the report which was published as coming from America, would see that the crews of those ships were very nearly suffocated, because, being very low in the water and confined below, they had not sufficient air when the action began; and, moreover, the decks were so near the water's edge that, in the case of Ericsson's vessel, the sea, in roughish weather, got over and came down the funnel, so that there was a chance of all going to the bottom. Therefore it will not do to take these vessels as your model; and when the House is told that they cost comparatively but a small sum, and were completed in a short space of time, I must say that is not ground sufficient for us to go on with respect to the ships we may construct. My hon. Friend the Member for Liskeard went through a list of improvements which have taken place in implements of war. He told us about the crossbows, the matchlocks, the flint locks, the percussion locks, the Brown Bess, and the Enfield rifles. No doubt, human ingenuity and the progress of science from time to time make great changes in the implements of destruction. So for a long time we were content with sailing ships. Not many years ago, it was found that a sailing ship was no match for a ship propelled by steam, and then the right hon. Baronet opposite (Sir John Pakington) began, with great credit to himself, what he announced as "the reconstruction of the navy"—namely, the substitution of ships propelled by steam for sailing vessels. That was a great improvement at the time. Since then other nations have covered their ships with iron sides. We have not failed to follow their example. The Admiralty is busily engaged in doing so. The right hon. Baronet led the way by ordering that very splendid ship the *Warrior*. On that model the *Black Prince* was also made, and these are sea-going vessels, which those floating batteries are not. In addition to these, my noble Friend the First Lord of the Admiralty has ordered others, and in the course of this year there will be four iron ships afloat and fit for sea. In the course of the next year two other iron ships will be afloat and fit for sea; and by the end of this year, I believe, five wooden ships will be plated with iron and fit for sea, and the *Achilles*, a large ship, is to be built next year. Besides all this, four other iron ships are ordered, and are in progress of construction, and tenders are sent out for the construction of a ship on the cupola system—that of Captain Coles—which, I believe, will turn out most effectual for coast purposes. Whether it can be made capable of going to sea is another thing, but for all purposes of coast defence we are of opinion that the construction of that vessel will turn out most effectual. The experiments made on these cupolas are perfectly successful. They have turned out proof against any shot fired against them, and I have no doubt that a ship so constructed will prove to be of the greatest possible value. I mention these things to show that the Admiralty is not inattentive to the matter, but has been actively engaged in the work, as far as the means afforded by Parliament permitted, and has already realized some means of defence of this kind; and other means are in preparation which will provide us in the year 1864 with 16 iron ships, of different sizes, but all of a very respectable and formidable character.

Then comes the question whether, with respect to the defence of Portsmouth and the anchorage at Spithead, forts or iron vessels are the best. Much has been said in disparagement of the report of the Defence Commission, but hon. Gentlemen seem to forget that the recommendation of that Commission was that both forts and floating batteries should be constructed, and that £1,000,000 should be allotted to the construction of floating defences. We felt, in considering the question of the expenditure of several millions of money for the purpose of creating defences for our chief ports and dockyards, which I humbly think are of great importance, that we were justified, inasmuch as the fixed defences were permanent works, which would last for a great many years to come, in dealing with them as improvements of the freehold, and in charging the expense on the freehold for a certain number of years, by means of a loan, or terminable annuities for a limited period of time. We doubted, however, whether we should be justified in applying the same principle to floating defences, inasmuch as, however constructed, they cannot be considered as equally durable and permanent with fixed forts. Therefore we omitted to recommend to Parliament to provide for the construction of the floating defences out of a loan, and left them to be provided for out of the annual Votes. It appears now that it is the opinion of the House that no time ought to be lost in multiplying these floating defences. If we were to follow the advice of the hon. Member who has just sat down, and to provide for all commercial ports ships on Captain Coles's principle, the expense certainly might be very considerable; but probably the hon. Member would be content with such a number as would be sufficient for the defence of our dockyards and most vulnerable ports. Some hon. Gentlemen have said that it is nonsense to think of fortifying the coasts to prevent invasion. No one ever dreamt of that. It is obviously impossible. It is said, that if you erect forts, the enemy would not come near them, but would land elsewhere; and that you cannot fortify the coast so as to prevent a landing. Well, all you can do is to take certain vulnerable points of the utmost importance, such as the dockyards, and leave the rest to be protected by the army on land, and by the navy. The navy only can prevent an enemy landing. Ridicule has been attached to the Martello towers. I do not believe that they deserve any ridicule of the kind attempted to be thrown on them. Taking ships as they were when those towers were built, and the modes of warfare then pursued, I am inclined to think that the Martello towers constituted a respectable means of national defence. They have now gone by, like Brown Bess and other things; and now the chief use of those towers is to test the power of guns to destroy. One of them has proved a very useful target, and has been employed to test the relative value of projectiles of different kinds. Therefore the real question, which the House is now considering, is whether it is desirable to suspend for a time, and until a more serious decision can be arrived at upon fuller information, the construction of the forts at Spithead, for the purpose of applying, in the meanwhile, to the construction of iron ships that amount of money, which otherwise would be spent on the forts. Well, I do not mean to deny that there is a great deal of plausibility in that recommendation, nor do I at all mean to say that the Government are indisposed to adopt that course. The contracts for these forts as already stated by my hon. Friend the Member for Liskeard, are not contracts for completing the forts. They are contracts for the foundations up to the level of low or high water, as it may be. Indeed, the Government have not yet made up their minds as to what would be the best construction of forts to be built on those foundations. It was thought at one time that a certain thickness of iron—ten inches—would be sufficient. It was found by experiment that that would not do, and that further power of resistance would be necessary. So far, therefore, from the Government having entered into a contract for the erection of these forts, they have not as yet been enabled accurately to ascertain what would be the best description of fort to be constructed. The contract simply relates to the foundations, and undoubtedly, if the House thought some delay would be advisable in regard to proceeding with those foundations—there is only one quarter in which a large amount of work is already laid down—that opinion might be acted on; but you would, of course, under those circumstances, have to make amends to the contractor for the loss of time, for the discharge of workmen with whom he may have entered into engagements, and also for the materials provided. Some expense would therefore be entailed by such a course of proceeding, but it might be prudent to incur that expense for a time, until this question can be more fully, deliberately, and calmly considered.

The state of the matter at present is this :—I proposed to the House the year before last a Bill to enable the Government to raise £2,000,000, for the purpose of erecting dockyard fortifications at Portsmouth and Dover. This was a sum, as it were, on account, for the purpose of beginning and carrying on to a certain extent, as far as could be effected in the course of that year, the different works specified in the Estimate laid before Parliament. More time was found to be necessary than was then imagined for the purpose of making accurate working drawings and arranging the purchase of land; and, though I am speaking of what took place nearly two years ago, the £2,000,000 which I have mentioned will not be payable for work done until the early part of this summer, about June or July next. It will, however, be payable at that time for works sanctioned by Parliament, and undertaken in consequence of that sanction. Well, it would then be our duty in the course of the present Session to apply to Parliament for further powers to issue terminable annuities to continue those works, among which would naturally be the forts proposed to be erected at Spithead. It would, however, be perfectly in order—and, if the House wishes it, there would be no difficulty on the part of the Government to take this course :—My right hon. Friend the Secretary for War has already instructed the Defence Commission to examine the question as to the utility of those forts, as compared with floating defences, and as combined with those defences, and has asked them to send in a report on the subject. That report will be in the hands of the Government, in all probability, before the lapse of any great length of time. No great expense would, perhaps, be incurred by desiring the contractor to suspend for a couple of months—say the works in connection with those foundations which he has laid. When that time has expired, we should have to submit to Parliament a Bill for the further issue of those terminable annuities, and then it would be for Parliament to decide whether, with the information which they would have before them, they would think fit wholly to discontinue those forts, or to suspend for a longer period their construction; and to what extent they would think it desirable to devote a portion of the terminable annuities to the rapid construction of floating batteries for the purposes of our coast defence. That floating defences can be constructed more rapidly than forts there is no doubt, and there is, perhaps, as little doubt that so long as those floating defences were not sent elsewhere—so long as they were available, and had their machinery in order, they would, in all probability, be as effectual, for the purpose of which I am speaking, as forts. There is, however, this consideration to be borne in mind with regard to the relative power of forts and iron-cased ships. A limit it set to the weight of armour and the weight of guns in the case of a ship which has to float. The whole weight of a ship's armour and guns included must not be greater than the weight of the water which she displaces. If it were greater, the ship would go down. Now, there is no such limit to the weight of guns or means of defence which you can employ in the case of forts, because it is obvious you may have in connection with a fort any thickness of rampart or bastion you please, and you may place upon it a gun of any weight you can work. But it is said that it would take several thousand trained artillerymen to man these forts. Now, I feel assured my hon. and gallant Friend (Sir Frederic Smith) will not back that assertion, because it is well known that the working of the guns in batteries is to a great extent performed by what are termed handspike-men, and two trained artillerymen to a gun are quite sufficient. It is not true, therefore, that the whole number of men required to work a gun should be necessarily trained artillerymen, or that men taken from our dockyards and militia—men not skilled in the science of artillery practice—could not discharge many of the duties which would be required. In the first place, therefore, the number of trained artillerymen which we should want to man our forts would not be so great as is represented; and, in the next place, I am convinced that the improvements in guns will keep full pace with the improvements in armour-plates. I am told that the French have already constructed a gun which has pierced their armour-plates. Their iron is, perhaps, not so good as ours; but they boast that they have a gun which will penetrate armour-plates. I have no doubt we shall have a gun of the same sort, and it is clear in my opinion, that, with a view to permanent defence, a combined fixed and floating defence is that which would most completely answer the purpose which we have in view. There is at the same time no doubt that time is a great element in this matter, and that if you can get your floating defences rapidly, you had better do that than wait for a long time for your land defences. It ought, however, to form a question for careful consideration whether you should only postpone or abandon these permanent defences, which would, I believe, be found to be of great value, especially in connection with floating defences.

This, then, is the state of the case. We are quite willing to accept the disposition which I think seems to prevail in the House, and to facilitate the more rapid organization of floating defences. A question arises in connection with this subject—the relative advantages of ships built entirely of iron, like the *Warrior*, with only wood interposed between two iron skins, and ships such as the five now being constructed, wooden ships simply cased with iron—which admits of two opinions. Each has its advantages. There is no doubt that a ship with iron ribs, and an iron skin with teak beyond it, and iron plating on the teak, is a much better sea-boat than a wooden vessel, because the iron ribs will not give way to the same extent as wooden ribs when exposed to the agitation of the sea. Upon the other hand, iron bottoms are liable to get foul, and hitherto no method of securing them from becoming so has been discovered; whereas wooden vessels may be coppered below the water-line and would not stand in need of the cleansing which iron-bottomed ships would require. It must also be borne in mind that line-of-battle ships, such as those now existing, can be more rapidly converted into iron-cased ships than you can build iron ships from the beginning. We have a great many three-deckers and two-deckers of wood, which I quite admit are not competent to meet in action iron ships. It would seem, therefore, to be the most economical arrangement to convert more of them into iron-cased ships, and that could be done more rapidly than you could construct a vessel like the *Warrior* or *Achilles* made entirely of iron.

One great change in naval warfare has not, I may add, been adverted to much in the course of this discussion. I allude to the introduction of large guns sending hollow shot and shells. It is quite clear, as was proved by the fire of the *Merrimac* on the *Cumberland* and afterwards on the *Congress*, that shells sent into wooden ships are most destructive. Now, one great advantage of iron casing is that shells, at all events, will not penetrate it, though solid shot will; and we all know that a shell bursting between decks, as in the case of the *Congress*, is a missile of a very formidable character. But, be that as it may, what we propose is, that my right hon. Friend having already instructed the Defence Commissioners to reconsider their former Report, and to state again what, with all the knowledge they have since acquired, especially from the events which happened the other day in America, they consider the speediest and most effectual method of providing for the defence of the country, we should give notice to the contractors to suspend for the present any further works upon the foundation upon the Horse Sand which has been begun. I would also propose that soon after the recess we should bring the matter again under the consideration of the House, lay the whole thing before them, and ask them to say what they think, upon the whole, would be the best course to pursue—whether we should include in the terminable annuities a sum for the more rapid and more extensive creation of armour-cased vessels for defensive purposes; and whether we should on that account, for the present at all events, suspend any further operations upon the Spithead Forts. That would be a matter which the House would have under their full consideration. Our only wish, as I am sure it is the wish of the House, is to do that which is best for the public interest. We have no personal feeling, we have no official feeling, we have no party feeling in the matter. There can be but one common object among us all, and that object is far too important to be rashly and hastily decided. It requires to be fully and fairly considered, and we are quite ready to go with the House, after the recess, into that full, fair, and calm consideration.

SIR JOHN PAKINGTON: Sir, I am sure we have all heard the speech of the noble Lord with the greatest possible pleasure; and after the announcement which the noble Lord has made, it will not be necessary for me to detain the House for more than a few minutes. I entirely agree with the noble Lord that it is quite impossible to exaggerate the importance of this question. I believe the noble Lord has only done justice to the motives of those who have brought it forward, when he has expressed his conviction that they have been influenced only by a desire to promote the real interests of the country. I think the noble Lord has exercised a very wise discretion in meeting the Motion of the hon. Member for Liskeard in a spirit and a manner which, I believe, are in accordance with the general sense of the House. The Motion of the hon. Member consists of two portions. One part of the Motion refers to the suspension of the works upon the forts at Spithead; the other relates to the construction of iron-covered ships. I think that upon the question of carrying out the construction of the forts at Spithead, recommended as that measure had been by the Royal Commission, it would have been hardly right to interfere with the discretion of the Executive Government; but upon the other portion of the Motion—namely, the building of iron-cased ships—I cannot say that the explanations of the Government have been quite satisfactory, or what we might fairly have expected. The noble Lord has alluded to the recommendations of the Royal Commission; but the noble Lord cannot have forgotten that the Royal Commission distinctly recommended, not only the construction of the forts at Spithead, but also that £1,000,000 should be devoted to the building of iron-covered vessels. I am sorry to say the noble Lord has given us no information as to the extent to which that second recommendation of the Commissioners has been carried out by the Government. The Government, as far as we know, have taken no steps in that direction. In 1860 the noble Lord came down to this House and announced the plan which the Government intended to pursue—namely, to raise by terminable annuities £9,000,000 for the construction of land fortifications; but the Commission recommended, in addition, that £1,000,000 should be devoted to the construction of floating batteries, and £500,000, I think, for armaments. The Government, however, decided that the £1,000,000 which the Royal Commission had recommended should be devoted to the construction of floating batteries ought to be charged upon the Estimates of the year. It has not been charged upon the Estimates, and up to this moment the Government have taken no measures whatever to carry out that portion of the recommendations of the Royal Commission. I the more regret the neglect of the Government to act upon the recommendation of the Commission with respect to the building of floating batteries, because I am obliged once more to remind the House and the Government of the unsatisfactory position in which we stand relatively to other Powers upon this most important point. Upon the authority of a statement made elsewhere by the First Lord of the Admiralty, the noble Lord has told us that we shall, during the present year, have four iron-covered ships in water. I think the noble Lord has rather understated the case, for, as I read the statement made in another place, we shall have five of these vessels afloat during the present year. The noble Lord has also informed us that next year we shall have two more; but in the mean time, if we may believe the accounts published in the newspapers, for I do not pretend to speak from official information, the French Government at this very moment have five iron-cased vessels ready to put to sea. They have another which will be ready shortly, and I am told that two of the largest class—the *Magenta* and the *Solferino*—might be prepared for sea within three months. It is broadly stated in the newspapers that within eight months it would be in the power of the French Government, in the event of war, to place twenty-four of these iron-covered ships in line. I have not seen that statement contradicted, and it is asserted in addition that the French Government have in preparation sixty gunboats which are more or less covered with iron. I am afraid the noble Lord will be unable to tell us that we have any gunboats at this time covered with iron, or that the Government are constructing gunboats of that description. Last year I was reproached for having wished to excite alarm in the country. I have no such desire, but I cannot imagine any greater impolicy than to shut our eyes to the facts I have stated. The noble Lord himself has justly said that the importance of this question cannot be exaggerated. I rejoice sincerely in the concession which the noble Lord has made to the feeling of the House, but I wish he had spoken more decidedly with respect to the intentions of the Government as to carrying out that which they should have carried out long ago—namely, the construction of a large number of iron-covered ships. The noble Lord has used language to-night which seems to imply that he wishes that matter to be further considered by the Royal Commission.

I submit that the Royal Commissioners need not be asked their opinion upon it. Their opinion is now before us. We know what their recommendations are. They have distinctly recommended that £1,000,000 should be devoted to the construction of iron-covered ships, and we want no further reference to the Commission upon the point. The question of forts is a doubtful one. It is notorious that the most experienced officers differ in opinion upon it. I have myself, within the last two or three days, consulted naval officers of the highest reputation, and I have received from them conflicting opinions. Some regard forts as comparatively useless; others think them of the highest importance; but as to the importance of an iron-covered fleet there is no difference of opinion, no doubt at all. I do hope, therefore, that we shall hear from some other Member of the Government that the recommendation of the Royal Commission upon this subject will be forthwith attended to, and that the noble Lord will consent to the Amendment of which notice has been given by the hon. Member for West Norfolk (Mr. Bentinck)—namely, that a portion of the money raised for defensive purposes shall be devoted to the immediate construction of iron-covered vessels, without waiting to charge the cost upon the Estimates of the year. I believe Parliament would cordially approve that appropriation of the money.

MR. LINDSAY said, the opinions expressed by the noble Lord on the subject of iron vessels had over and over again been urged upon the House by hon. Members below the gangway, and it would have been well for the country if they had been listened to many years ago. The noble Lord had intimated his willingness to refer the question raised by the Motion of the hon. Member for Liskeard and the Amendment of the hon. Member for West Norfolk—though, by the way, the latter was not before the House—to the Royal Commission. He confessed he could not see the use of referring the question to that Commission, as the members of it would, no doubt, report in the same manner as they had done before. It was upon their report that he and other Members two years ago divided the House, and protested against the grant of £3,000,000 as an instalment of £12,000,000 for fortifications. The Government were perfectly competent to deal with the question themselves; but if they did refer it, let them do so to persons who had not already expressed an opinion on the question, and who would impartially take into consideration all the circumstances which now surrounded it. The House had already voted £11,800,000 for the navy, partly for the construction of 16 iron vessels. The *Warrior* and *Black Prince* were double the tonnage of any ships possessed by any other country; and if the noble Lord proposed to turn over to the Admiralty the money voted for the construction of fortifications, in order to build more iron ships, he must protest against such wanton expenditure. What the *Monitor* and *Merrimac* had done was nothing more than was known would take place years ago. It was well known one iron ship would destroy a whole fleet of wooden ships. He had over and over again stated so in his place years ago. Yet since he had divided the House on this question they had been spending millions in the building of wooden ships. Within the last two years they had voted a million and a half for timber. Why, then, could they not appropriate some of that money in building more iron vessels, if they were necessary? He would admit that at all hazards England must maintain her supremacy at sea. But he repeated he must protest against the Fortification Vote being so appropriated.

MR. BEECROFT said, that the noble Lord had admitted that iron plates on the forts 10 inches thick would not afford sufficient resistance. The Defence Commission, however, reported that the estimated cost of these forts was £840,000, and that there was no reason to believe that this sum would be exceeded. But if iron thicker than 10 inches was to be used, the £840,000 would be quite inadequate for the iron work alone.

LORD CLARENCE PAGET: Sir, I should not have thought it necessary to say anything on this occasion, for I think the House is perfectly prepared to listen to the proposal of my noble Friend at the head of the Government—namely, that after the recess this subject shall be fairly and fully discussed, and that Government shall then be prepared with a proposal. My only object in rising is to call attention to a statement by my right hon. Friend the Member for Droitwich (Sir John Pakington) that the Government had altogether neglected that part of the recommendation of the Royal Commission which had reference to the floating batteries. My right hon. Friend must have forgotten that principally in consequence of the strong recommendation made by the Commission in regard to floating batteries, with a view to assist the forts at Spithead and other places, the Government thought it right to convert the frames of five line-of-battle ships into iron-cased ships, to be plated as floating defences. The only distinction I know between the proposal of the Commission and that carried out by the Government is, that instead of taking a part of the Vote of Credit for those ships, the Government thought it better to include them in the ordinary Estimates for the year. I will only add this, that in deference to the opinion of the House upon that most important matter, which is growing every day in importance—namely, the question of the defence of our coasts—the Admiralty have taken still further steps to augment our fleet of iron-plated ships without increasing the ordinary Estimates of the year. I may tell the House that we have ordered a considerable number of the men who were to be employed in building small vessels to undertake the work of cutting down one or more of our large line-of-battle ships. A three-decker is about to be cut down. She will be either fitted upon Captain Coles' cupola plan, or, at all events, she will be plated. [Mr. BERNAL OSBORNE: For harbour defence?] For Channel defence. Our line-of-battle ships are very superior to this *Monitor* or *Merrimac*, and they will be fit, not only for harbour defence, but for taking their part anywhere on the coast of England. Not only that, but we have under consideration the cutting-down of more line-of-battle ships. At this moment, if we chose—if it were necessary—we have twenty line-of-battle ships that we believe would make very efficient plated ships for the defence of our coasts. It is said that the Americans in the course of a few months plated the marvellous *Monitor*, and we in this country are behindhand; but supposing we were at war to-morrow, do you suppose we could not put forward our energies and create *Monitors* by the dozen in a few months? We have given large Estimates, and I believe in these Estimates we are gradually preparing and adapting our fleet to the wants of the day. The hon. Gentleman the Member for Sunderland (Mr. Lindsay) talks of timber ships. Now, I think there is a great confusion among the public in regard to this question of wooden and iron ships. It is thought that because these iron-plated ships are impervious to shot the whole navy should be built of iron. But nothing is more vulnerable than an iron ship, unless it be iron-plated. Small iron ships, with merely an iron skin, such as the *Himalaya*, and vessels in the merchant navy, are the most vulnerable of all. If a shot strikes them, it splinters the iron, and is fatal to the crew on board. For that reason and others, it is very undesirable that we should give up building small wooden vessels for the protection of our commerce. If the House should deem it necessary that a larger sum should be appropriated to the navy, all I can say is, that no opposition will be offered by the Admiralty.

SIR JOHN PAKINGTON said, he wished to ask what draught of water would those line-of-battle ships draw when cut down?

LORD CLARENCE PAGET: My belief is that they will draw about twenty-six feet.

SIR MORTON PETO said, he begged leave to ask whether it was the intention of the Government to discontinue the building of wooden vessels altogether.

LORD CLARENCE PAGET: To a very great extent. There will be scarcely any building of wooden vessels at all.

SIR FREDERIC SMITH said, he congratulated the Government upon the decision they had come to; but he regretted that the right hon. Baronet the Minister for War should propose to refer the question of defence to the same gentlemen who had reported on it before. He had the most unfeigned respect for the individual intelligence, ability, and zeal of the Commissioners; but he thought it would be much better to refer the question to another set of gentlemen; and if they also should come to the same opinion that the former Commission had arrived at, their recommendations would have great weight with the House of Commons. He wished to ask the right hon. Gentleman the Secretary for War whether, if armour-plated vessels were found serviceable for the defence of Portsmouth, it would not be well that they should supersede land fortifications in the case of some of our other great ports also. He was very much surprised to hear the noble Lord the Secretary to the Admiralty say that line-of-battle ships were to be cut down for the purpose of taking part in the defence of Portsmouth. That was not the description of vessel proposed by the Commission. He understood that it was a small vessel, possessing a small draught of water. If they were to give up the Spithead forts, as he hoped they would, he trusted they would have vessels smaller than the one Captain Coles was now about to construct, but larger than the *Monitor*, as they would effect thereby an enormous saving in cost, in men, and in guns. Hon. Members might not be aware that there were many large forts around Portsmouth already, and he wanted to know where the vessels that were to bombard Portsmouth were to place themselves? They were told that now, with guns having an effective range of five miles, batteries might be constructed on the Isle of Wight which would destroy Portsmouth. But, on the other hand, what would Southsea Castle be doing, and the other forts capable of mounting large guns along the coast? How was it that our ports were to be attacked now, when they had not been attacked in former times? They had the finest fleet in the world at present, and when the measures of the Government were carried into effect in respect to the increase of our fleet, no enemy would dare to enter the Solent. But let them not squander millions in constructing forts, putting stores into them, and garrisoning them with men, many of whom, notwithstanding what the noble Viscount had said, must be trained gunners. It is true that in sieges troops of the Line were used as assistants to the artillerymen; but in positions requiring the most rapid firing, such as coast batteries, where the guns are fired at moving objects, all, or nearly all, the men who work the guns should be expert and well-trained artillerymen; for in such cases rapid firing is of the utmost consequence. Without speed it would be as well not to have guns. He might mention that some years back he went down to Hurst Castle with the late lamented Prince Consort, and they tried the experiment, with the Royal yacht going ten knots an hour, what effect shot was likely to have on a passing vessel. A 68-pounder and 54-pounder were tried with blank cartridge, and in no one case could a second shot have been fired before the vessel had gone out of the limits of training that the embrasure allowed. It was quite evident that it was all moonshine to suppose that a vessel passing could be destroyed by heavy guns. He had received a letter from a gentleman, whose name he would not mention, but who knew more about the navy than almost any other man, and he stated that they had hardly a wooden vessel which could not be made formidable at very little cost, instead of being, as now, almost useless, but that they must make them with shot-proof bows and sterns. He was sorry to hear that it was intended to construct a large number of small wooden vessels to serve as convoys; because, in case of war, to attempt convoying large fleets of merchantmen with such vessels would be likely to be attended with great loss to the country, as they would be captured or sunk by any iron-clad ship of the enemy that might fall in with them.

Mr. FRANK CROSSLEY said, he was delighted to find that the Government had fallen in with the views of the hon. Member for Liskeard; but he thought the money voted for the navy ought to be sufficient for the construction of many *Monitors*. What was the use of discovery and invention if, instead of diminishing expenditure, they led to greater expense? He thought they ought not only to save £1,000,000 in the construction of the forts at Portsmouth, but also the money which would go to pay for the large purchases of timber. It was hard for poor men to get a living now, and for their sakes it was high time that they should have an eye to economy.

Mr. SEELEY said, that forts were being erected in the Isle of Wight, a military road was to be constructed, and land was to be purchased. He wished to know whether these works would also be suspended. It was desirable to know whether the several works at the Isle of Wight were to be suspended until the House came to a decision with respect to the forts at Spithead. The works in the Isle of Wight were mainly intended to protect the forts at Spithead, and there were other works intended to protect the protecting works. A decision on a question involving such an amount of expenditure could not be too soon arrived at.

Sir GEORGE LEWIS said, that the observations of his noble Friend at the head of the Government applied only to the Motion of the hon. Gentleman the member for Liskeard, which referred to the forts at Spithead. Those forts defended the roadstead and the entrance into Portsmouth harbour, and had no reference to the works in the Isle of Wight, which were intended to prevent a landing by boats or otherwise, and not to prevent the passage of armed ships. The intention of the Government was not to make any alteration or to extend any works that had been erected in the Isle of Wight.

Mr. MONSELL said, that both his hon. Friend (Mr. B. Osborne) and himself strongly objected to refer the question back again to the Defence Commissioners, who, with Captain Coles's pamphlet and the evidence of naval officers before them, distinctly stating that these forts would in no way impede the entrance of iron-plated vessels, had nevertheless decided upon recommending their construction. The matter ought rather to have been referred to some tribunal which had not committed itself. Granting that these forts were armed in the best manner, and manned by the most expert artillerymen, did any one imagine that either the *Merrimac* or the *Monitor* could not steam into Portsmouth harbour with perfect safety and destroy everything in the dockyard? He would admit that his hon. Friend's Motion did not refer to the Isle of Wight. But did it refer to every fort that was about to be erected for the defence of our commercial harbours or dockyards, and the feeling of the House clearly was that the proper way of protecting our dockyards or commercial ports was by means of movable, and not immovable batteries. It appeared that £3,000,000 had been spent on Armstrong guns, yet it had been stated by the noble Lord at the head of the Government that the old smooth-bore 68-pounder was still the most effective weapon in the service against iron-plated steamers. It hadcome to his knowledge that on board the *Trusty*, in October last, 146 rounds had been fired with Armstrong guns, and that not less than twelve vents had been blown out. The same thing had happened in other cases. The House might with some reason expect that after Easter the Government would give some further information about these guns. He protested for himself and his hon. Friend, the Member for Liskeard, against being bound by the Report of the Defence Commissioners, and he trusted that there would be no delay in the communication after the Easter recess by the Government of the decision to which they had come.

Viscount PALMERSTON: Sir, what I stated was that it is the intention, and it must be the intention, of Her Majesty's Government to bring the matter before Parliament early after Easter, because a further issue of Terminable Annuities may be necessary and can only be done by Parliament. I never said that the House would be bound by the Report of the Commissioners, but that the matter would be referred to them for reconsideration, and the Government and the House would then judge of the recommendations in their Report as they may see fit.

Lord ROBERT MONTAGU said, he could not agree with the right hon. Gentleman (Mr. Monsell) that the debate had left the conviction that iron-clad ships were the only means of defending our ports and arsenals. On the contrary, the debate seemed to prove that these vessels were no defence at all for such places. It was stated that the two American ships had hammered away at each other for five or six hours without inflicting much damage. They could not be run down, for the *Merrimac* had tried to run down the *Monitor*, and had only injured herself in the attempt. Neither could these vessels be boarded, for they had a deck of iron, and one had a cupola. Suppose an iron-plated French ship thus armed entered Portsmouth. If she went straight on, she might run past the *Warrior;* and what was to hinder her from sinking every merchantman she came near, destroying the arsenal, and then running out again? The proposition of the noble Viscount at the head of the Government seemed to him to be the only reasonable one—that the matter should be referred for the reconsideration of the most competent persons. It would be, he thought, invidious to choose any other tribunal at present.

Lord ADOLPHUS VANE TEMPEST said, he thought that the country would receive the statement of the noble Lord at the head of the Government with great satisfaction. It was to be regretted that the noble Lord had not been in his place on Monday night, for then the present Motion might have been rendered unnecessary. He thought the hon. Member for Liskeard ought to accept the proposal of the noble Lord, as before any further action was taken by the Government the matter must be submitted to the House. Having seen the *Merrimac*, his opinion was that there was a tendency in the public mind to be too much led away by the great success that had attended her. The *Merrimac* was a totally inefficacious vessel, except in water as smooth as the floor of that House. Nor was the *Monitor* much of a sea-going vessel. The moral of the action in Hampton Roads was that drawn by the Motion of the hon. Member for Liskeard—namely, that our old wooden ships might be cut down and plated with iron, when they would form a more effectual and more economical defence for our dockyards and coasts than the erection of stationary fortifications. The noble Duke at the head of the Admiralty had said that the *Merrimac* was covered with railway-iron bars. This he wished to correct. Taking the *Merrimac* in the state in which they found her, the Confederates proceeded to cover her with iron railway bars. As that interfered with her flotation, they next tried to make iron plates for her, and they would have heard of her achievements long before except for the want of material to fit her out. Commodore Forest, the officer commanding on the station, told him that after he returned to England he would hear of the *Merrimac*—that she would steam out of the James River and destroy every blockading ship on that part of the coast, and then shell the garrison of Fortress Monroe. Great part of that programme had been fulfilled, and the whole might have been executed but for the arrival of the *Monitor*. Now, having himself been among the Confederate officers, and received the greatest civility at their hands, he could not help stating, without entering at all into the right of their cause, that, cut off from communication with Europe, and left entirely to depend upon their own energies and resources they had shown qualities which he could not help admiring. Instead of what had been demonstrated in that case being detrimental to England, it would prove a great blessing to her. England's policy was defensive, and it had been one of her greatest difficulties how to protect her extensive coasts effectively. If recent events had helped to solve that difficult problem, the country must rejoice at that result.

Sir JAMES ELPHINSTONE said, that as the hon. Member for Liskeard had thrown some doubts on the possibility of ships getting into Portsmouth harbour, it was desirable that that point should be placed on a proper footing. He had obtained from the Tide Gauge Office of Her Majesty's Dockyard a statement of the tides at Portsmouth for the first three months of the present year, and he should move on a very early day that that document should be laid upon the table. It would show that out of 180 tides in those three months there were only forty-three in which the *Warrior*, assuming her to draw twenty-six and a half feet of water, could not have entered with a foot to spare, leaving 137 tides out of the 180 in which she could have entered with a foot to spare. He might add that out of the forty-three tides in which she could not have entered with a foot to spare there were fifteen in which she could have entered with six inches to spare.

Lord HENRY LENNOX said, that he thought that the country ought to be assured that the tribunal to which the subject of this Motion was to be referred was one perfectly free from all preconceived prejudices. The Commission had reported twice; and as the pamphlet of Captain Coles had in some sense led to their second Report, and yet the Commission had not thought fit to call that gallant officer as a witness before them previous to coming to their second conclusion, it could hardly be expected that the question would be fairly examined if its investigation were now intrusted to the same Commission. It was most indecorous, under the circumstances, not to have examined Captain Coles, who, moreover, had also been refused an inspection of the Commissioners' Report, though that Report was founded on a revision of his own work. Every reform seemed to be postponed until after Easter; but when they had had their holidays, he trusted that the House would not rest till it had taken care to have this vital question sifted by a tribunal in which the country could place perfect confidence.

Sir JOHN HAY said, he wished to prevent an erroneous impression from going forth owing to what had fallen from the hon. Member for Liskeard and the right hon. Member for Limerick with regard to the Armstrong gun. The former hon. Gentleman had made a comparison between the old Brown Bess and the Enfield rifle. He could assure the hon. Member that the Armstrong gun was as great an improvement on the smooth-bore 68-pounder as the Enfield rifle was upon the old Brown Bess. Exceptional circumstances had occasionally caused some failures, which had been much magnified. The particular circumstance which occurred on board the *Trusty* was quite exceptional, and had since been perfectly remedied. It was desirable it should be known that the initial velocity of a shot from the Armstrong gun and the old smooth-bore 68-pounder was exactly the same where the weight of the shot and the quantity of powder used were equal. The rifling of the gun made no difference whatever in the velocity.

Mr. BERNAL OSBORNE explained, that what he and the right hon. Member for Limerick had stated was that the Armstrong gun was an excellent weapon for long distances, but that the old 68-pounder was used at Portsmouth to test the strength of iron plates, against which the Armstrong gun was inefficient.

SIR JAMES FERGUSSON said, he thought the answer of the noble Lord the Secretary to the Admiralty to one of the questions of his right hon. Friend the Member for Droitwich very unsatisfactory. The Defence Commission had recommended that we should have a fleet of vessels drawing not more than sixteen feet of water. Neither that recommendation, nor what seemed to be the desire of the House would be carried out by the conversion of large wooden ships into iron vessels, which would not be capable of following vessels like the *Monitor* coming in close to the shore.

LORD CLARENCE PAGET said, he had by no means intended to convey that the Admiralty were insensible to the advantages of vessels of light draught. He might state further, that the Admiralty were preparing plans, and had under consideration plans for putting plates on vessels of a much lighter draught of water. There were vessels at present built which they thought might be converted into vessels of that class. He wished also to take that opportunity of observing that in several newspapers he had been accused of deceiving the House in a statement made by him in respect of one of Captain Coles's vessels. Instead of saying that the Admiralty were "building," he had merely said that they had "ordered" one of Captain Coles's vessels.

MR. WYLD said, he wished to know whether hon. Members were to understand from the noble Lord (Viscount Palmerston's) statement that £2,000,000 had already been expended on the fortifications.

VISCOUNT PALMERSTON: I meant to say that the £2,000,000 had been expended, or were due, for the purchase of lands or for works in progress under the provisions of the Act of 1860.

Question put, and *negatived.*

Question proposed, "That those words be there added."

MR. BENTINCK said, he would then move, as an Amendment, to add the following words:—

"and that this House will, on an early day, resolve itself into a Committee for the purpose of empowering the Government to apply any portion of the monies which shall have been voted for the construction of forts, to the construction of iron-sheathed vessels, or to the conversion of wooden vessels into iron-sheathed vessels."

Amendment proposed,

To add at the end thereof the words, "and that this House will, on Thursday the 1st day of May, resolve itself into a Committee, to consider of authorizing the application of any portion of the monies which have been voted for the construction of Forts, and not already expended or appropriated, to the construction of iron-sheathed vessels, or to the conversion of wooden vessels into iron-sheathed vessels."

SIR GEORGE LEWIS said, he was afraid it was impossible for the Government to accede to this proposal, for the simple reason that there was no part of the present loan of two millions which it would be possible to appropriate to the building of vessels. The House was doubtless aware that there was a plan, which he thought amounted to about £6,000,000 on the whole, and which was described by the late Secretary of War when he opened the plan of fortifications; but that the Bill which he introduced, and which ultimately became an Act of Parliament, merely authorized the Government to raise a loan of £2,000,000 by terminable annuities, and to appropriate that sum to certain specified works which were set out in the schedule of the Act. After taking into account the sums already expended at Portsmouth, and the amount which was virtually pledged, the House would see that it was impossible that any considerable sum should remain applicable to the building of gunboats out of the money voted last year; so that if the Motion of the hon. Member was agreed to, it would be perfectly nugatory. All that the Government could offer to do was, when they proposed an additional loan for further works, to ask the House for power to appropriate a portion of such additional loan to the building of iron-cased vessels. That would, in fact, be an addition to the Navy Estimates, by way of loan, and it was a matter entirely for the consideration of the House.

MR. BENTINCK said, he was in this difficulty, that having understood that the Government were prepared to assent to the principle of his Resolution, he had stated his belief on that subject to many of his hon. Friends, who had, in consequence, left the House. The Amendment would go a good deal further than the Motion of the hon. Member for Liskeard, and would establish a new and distinct principle. He would propose to insert after "forts," the words "and not already expended or appropriated."

Sir GEORGE LEWIS said, the Government had substantially accepted the Amendment of the hon. Gentleman, and he only raised a difficulty upon a point of form that could not be got over. The money upon the present loan was already expended or engaged to be paid, as, if the present plans were not carried out, there would be compensation to contractors and payments for land.

Mr. BENTINCK said, he only wanted to assist the Government and himself out of a difficulty. As the Government had accepted the spirit of his Amendment and only opposed him on a matter of form, he thought that the difficulty could be met by his inserting the words he had mentioned into his Resolution. As altered it would not bind the Government to spend any money which was virtually laid out already.

Lord FERMOY said, he considered that the fact of £2,000,000 having been spent upon the foundations of these fortifications, was quite sufficient to prove that this subject ought not to be referred again to the Defence Commission.

Mr DILLWYN said, he supposed that the defence of the commercial harbours would not now be proceeded with, and he would therefore suggest that the money intended for that object could be applied to the present purpose.

Mr. W. E. FORSTER said, that the proposition was virtually one that the National Debt should be increased for naval purposes. He thought that in the then state of the House such a proposition ought not to be decided.

Viscount PALMERSTON said, the Motion was only that the House, at a future day, would resolve itself into a Committee on the subject before the House. When the Motion was made for going into such Committee, after Easter —and the subject must be reconsidered after Easter—and when the Government should propose means for carrying out the work, the hon. Member for Norfolk could propose the application of a portion of the money for the object he had in view.

Mr. FRANK CROSSLEY said, he thought the Amendment would entail an addition to the National Debt for the construction of iron-cased ships, and he should oppose it.

Question put, "That those words be there added."

The House *divided* :—Ayes 74; Noes 13: Majority 61.

Amendment, as amended, put, and *agreed to.*

Main Question, as amended, put, and *agreed to* (Queen's *Recommendation signified*).

Resolved,

That it is expedient to suspend the construction of the proposed Forts at Spithead until the value of iron-roofed gunboats for the defence of our Ports and Roadsteads shall have been fully considered; and that this House will, on Thursday the 1st day of May, resolve itself into a Committee, to consider of authorizing the application of any portion of the monies which have been voted for the construction of forts, and not already expended or appropriated, to the construction of iron-sheathed vessels, or to the conversion of wooden vessels into iron-sheathed vessels.

LAW OF LANDLORD AND TENANT IN IRELAND.—QUESTION.

Mr. M. DUNNE said, he wished to ask the Chief Secretary for Ireland, If it is the intention of the Government to introduce any measure during this Session that will have for its object the alteration of the Law of Landlord and Tenant, with a view to secure to the Tenant the value of any permanent improvement he may have made in his land, if he should be dispossessed of it, or the value raised on him?

Sir ROBERT PEEL said, the Irish Government were fully alive to the great importance of the subject as well as to the difficulties which surrounded it. Both private Members and the Ministers of the day had tried their hands at it, and had failed. In 1852, for example, the Earl of Derby's Government brought forward a Bill, which was referred to a Select Committee, and there ended. The Government did not intend to introduce any Bill bearing upon the subject in the present Session. The encouragement of industry was a matter of vital importance to Ireland, but he was disinclined to see any measure introduced which would affect the rights of landlords in relation to their tenants. It was not a question to be settled by political agitation, but by the ordinary course of events.

Mr. HENNESSY observed, that he would congratulate the Government on their full consciousness of the extent of their failure in the Bill of last year.

House adjourned at half after One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, April 7, 1862.

MINUTES.] — PUBLIC BILL.—2^a Pier and Harbour Act Amendment.

MILITARY DRILL IN PUBLIC SCHOOLS.

OBSERVATIONS.

LORD CAMPBELL rose, according to notice, to call attention to the subject of Military Drill lately introduced into Public Schools; and to inquire of the Government whether the Commission on Public Schools had been instructed to report on this branch of their system. He said, there was no topic, however inconsiderable it might seem at first sight, if it bore at all on the interests of the Volunteer movement, in the House of Lords would meet with inattention. It is in that House, if nowhere else, that the movement may rely on cordiality and sympathy, inasmuch as most of those who habitually attend the House, either as officers or as lord-lieutenants, or as Members of the late Government, or as Members of the present Government, have had an active share in its formation and encouragement. And if, as we hear whispered, the movement is now exposed to some rising hazards and some temporary clouds which did not formerly present themselves, the notice of to-day has greater practical importance than would otherwise belong to it. It is not, however, requisite to discuss at length the arguments in favour of military drill in public schools at present. It is, I trust, too late to do so. So long ago as December, 1859, a few months after the Volunteer movement had commenced, deeming the time favourable, I ventured to address the editor of a great and well-known journal on the subject. Soon after, in February, 1860, at a meeting at the Thatched House Tavern, the same cause had far more powerful supporters in Lord Elcho, in the late Provost of Eton, in Lord Enfield, in Lord West, in Sir De Lacy Evans, and many other gentlemen who assembled at that place and at that time with a view to promote the change I have referred to. A few days afterwards a yet more influential advocate appeared in the editor of *The Times* himself, who, by a leading article, lent his power and authority to bring about the object of the meeting. My view rather is to counteract, so far as I am able, two impressions, either of which would be mistaken; first, the impression that nothing has been done since the agitation and discussion in February, 1860, on the question; and secondly, the impression that what has been done requires no further efforts to secure and to establish it. So far from nothing having been done, before the meeting happened, and quite at the beginning of the year, some military instruction was introduced at Eton. Soon after Easter, Rugby, Harrow, Winchester, and Westminster adopted the example. At a later period something of the same kind began at the Charter-house. At Wimbledon the public schools have competed for shooting-prizes. Not very long ago the Eton companies were reviewed by the Queen herself; and the occasion was the last at which the lamented Prince was seen by the public. The discussions, therefore, in 1859 and in 1860 were far from being attended with no consequences. On the other hand, and this is most important to consider, all that has been done is voluntary and precarious. At any moment it may perish altogether. It depends on novelty, which must pass away; on youthful zeal, which cannot always be relied upon; on fashion, which is apt to change in public schools as it does elsewhere. Above all, it depends very much on the existence and the force of the Volunteer movement in the country, of which, in point of fact, it is a reflex. Already some decline has been exhibited. At Westminster, in spite of the zeal of the head master and the judicious aid which he received from Captain Arbuckle, the gallant and accomplished adjutant of the London Scottish Rifles, it has altogether passed away. At Eton four hundred was the number who enrolled in 1860; two hundred is about the number of the corps at present. At Harrow at one time it ranged above two hundred, and has fallen to one hundred. At Winchester my information is less accurate, but it is not thought there to be established very firmly. At the Charter-house the decline has only been from eighty to fifty. At Rugby there has been no sensible decline; but there, too, the basis is entirely precarious. Something exists, therefore, to which permanence is wanting, and the question occurs at once as to how far the Commission on public schools is able to impart that permanence by the sound and practical suggestions which they may offer on the subject. As it has not been included in the queries they have sent out, although the instructions they have had would seem to be so wide as to admit it, the question is in some degree a doubtful one. A declaration from the Government would very easily resolve it. No doubt, however, the Commission of which Lord Clarendon was the head, were bound to approach the subject as unprejudiced inquirers, and not to assume the merits of the change on which public schools had thus provisionally entered. Its merits rest, however, on a few considerations which are very easy to refer to. Military drill at public schools, so carried on as to embrace the greater portion of the higher classes, must tend to make the Volunteer officers effective. It is not in later life that they can gain with fulness and effect the aptitudes and information which their duties call for. It is not the want of energy or spirit, but of time, which is the obstacle. Professional pursuits are always in the way of military exercises. And a great advantage would occur if public schools sent out year by year a supply of young men already fit to take commissions. But even if the force were ever so effective, what would tend more strongly to perpetuate it than the existence of a higher class imbued with military knowlege, and unwilling to see the field of its activity withdrawn ? But supposing it should pass away with the fears and dangers which excited it, what can be more important to the country than to have its educated classes trained to arms, so that the militia would always be supplied with valuable officers, and so that any sudden levy of the people on a particular emergency should have the necessary leaders to direct and to inspirit it ? As regards the moral, the intellectual, and physical effects of military drill on those who come under its influence, much has been and much may be said ; but it is all subsidiary to the great arguments which show, however rapidly we look at them, that such a system at public schools is a means of national defence and national security. It is far more easy to secure for it the permanence now wanting than at first sight it might appear to us. If it is secured at Eton, it is secured at all the other public schools, according to the detail which may be most suitable to each. The Commission need, therefore, only bring to bear their influence and operation upon Eton, where it is well known that the authorities would not be wanting in concurrence. The noble Lord (Lord Elcho) and the authorities at Eton, will not be found unequal to the task which, if the instructions of the Commissioners are wide enough, would naturally seem to fall upon them. The noble Lord concluded by asking whether the Commission on Public Schools had been instructed to report on this branch of their system ?

THE EARL OF CLARENDON: As my noble Friend has alluded to me as the President of the Public Schools Commission, I beg to inform him that our instructions are amply sufficient, and have, indeed, been purposely so framed as to embrace all matters relating to the administration of the public schools. Our inquiries will be turned not only to the studies, but also to the recreations of the boys, and the mode in which they habitually employ their leisure time ; and in these inquiries drilling will certainly be included. I regret to hear of a falling-off in the number of boys who have devoted themselves to drilling, for I agree with my noble Friend as to the advantages to be derived from it. No one, I think, can see a large number of boys walking together without being sensible how much their appearance, both individually and collectively, would be improved by the instructions of the drill-sergeant. I also agree with my noble Friend that it is impossible to exaggerate the political advantages of the Volunteer service, or to speak in too high terms of the noble spirit and true love of country which have animated the Volunteers. We are all interested in the Volunteer movement becoming a permanent institution of the country, and we must all be desirous to use our best efforts to make it so. It is therefore desirable that a taste for a certain amount of military drill, military training, and the use of the rifle at an early age should be encouraged. I apprehend, however, that in order to attain this object we must not seek to render attendance at drill compulsory on the boys of our public schools. We must suffer tuition in these matters to take its own course. In answer to the comprehensive questions circulated by the Public Schools Commission certain shortcomings are admitted and regretted ; but want of time is pleaded as the general, and not always unreasonable, excuse. One thing is certain, that it is useless to expect that the masters will permit any portion of the school hours to be given up to drill. On the other hand, it would be very hard upon the boys and very unpopular to compel them to drill during their play hours, of which they have not more than is necessary for health of body and mind. If drilling is to be voluntary, I think it will be a formidable rival to cricketing, boating, and football. I can conceive nothing more calculated to inspire a distaste for drill than a compulsory attendance on the drill-sergeant by boys who are now permitted to employ their own time in their own way, and to amuse themselves as they think proper. I have heard that a certain number of boys regard drill as an amusement. How far it may be desirable to stimulate this taste by encouragement and rewards will be carefully inquired into by the Commission; but, as my noble Friend is aware, our duties do not go beyond that. Our instructions are to inquire and report; and if our opinions, being founded on the evidence we may obtain, should appear to be of any value, and if we are able to point out where reforms are required, and how they are to be effected, I trust we shall have the support of public opinion in our recommendations. We hope to have the benefit of personal communication with the head and other masters of our public schools. The attention of these Gentlemen will be drawn to the subject of drill; we shall consult with them, and we shall receive with satisfaction any suggestions they may make, in order to carry into effect the intentions of my noble Friend.

LORD DE ROS said, he could not conceive any proposition more absurd than boys who were going into the Church or the law should waste their time in learning the platoon exercise. The fondness for drill was a matter of taste with boys as much as with men, and any attempt to drive them from their play-grounds to the drill-sergeant would be most unwise. Many of their amusements were of themselves quite as useful in developing a manly spirit, as any drill in the world. He thought this matter must be left with the boys themselves; and as to drilling, any sort of pedantry in the matter should be avoided. They should be taught the use of the rifle, in which they would take an interest and pride; but as to drilling, all instruction should be entirely voluntary.

House adjourned at a quarter before Six o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, April 7, 1862.

MINUTES.]—NEW MEMBER SWORN.—Sir Thomas George Hesketh, baronet, for Preston.
PUBLIC BILLS.—1° Lunacy Regulation; Australian Colonies Government Act Amendment; Protection of Inventions and Designs, 1862.
2° Thames Embankment.
3° College of Physicians (Ireland).

The Earl of Clarendon

NATIONAL MEMORIAL TO THE PRINCE CONSORT.—QUESTION.

MR. POTTS said, he would beg to ask the First Lord of the Treasury, Whether it is the intention of the Government to propose a Vote for a National Memorial to the memory of his Royal Highness the late Prince Consort?

VISCOUNT PALMERSTON: Sir, I hope the hon. Member will not think that I mean the least discourtesy to him if I say, in general terms, that it is not the habit of the Government of the day to announce beforehand intentions which they are not at the moment prepared to specify. When they have a proposal to make, and not before, is the time for announcing it to the House.

POOR REMOVAL FROM SCOTLAND TO IRELAND.—QUESTION.

GENERAL UPTON said, he wished to ask the Lord Advocate, If he will fix any time for laying on the table of the House the Bill he is about to introduce relating to the Removal of Irish Poor from Scotland to Ireland?

THE LORD ADVOCATE said, it was his intention to introduce a Bill upon the subject very shortly after the Easter recess.

EDUCATION—THE REVISED CODE. QUESTION.

SIR WILLIAM HEATHCOTE said, he wished to ask the Vice President of the Committee of Council for Education, Whether he will be able to lay on the table of the House before the adjournment for Easter the provisions by which he proposes to carry into effect the intended modifications of the Revised Code?

MR. LOWE: Sir, I have no doubt I shall be able to lay on the table the provisions in question before Easter. I hope to produce them in time to have them printed and distributed among hon. Members before the recess.

THE SALT TRADE—THE ZOLLVEREIN. QUESTION.

MR. J. TOLLEMACHE said, he rose to ask the President of the Board of Trade, Whether the attention of Government has been called to the importance of obtaining permission for the transit of Salt through the territory of the Zollverein, with bond ing facilities in the Zollverein Ports, so as to enable this country to send that article into Poland and Russia, which countries are now, to a great extent, supplied with Austrian Salt?

MR. MILNER GIBSON replied, that the attention of the Board of Trade had been called to the question of the transit of Salt through the territories of the Zollverein. He had recently communicated on the subject with his noble Friend at the head of the Foreign Office, and it seemed desirable that inquiries should be made with the view of seeing whether some relaxation should not take place of those regulations which now stood in the way of the transit of Salt through the territories of the Zollverein. The subject would be carefully examined by the Government, and communications would be made with the authorities abroad who would have to deal with the question.

REGISTRY OF DEEDS OFFICE DUBLIN.

QUESTION.

SIR EDWARD GROGAN said, he wished to ask the Chief Secretary for Ireland, If he intends to introduce any Bill during the present Session to regulate the Registry of Deeds Office, Dublin?

SIR ROBERT PEEL stated, in reply, that he intended to lay on the table before the Easter recess a Bill to regulate the Registry of Deeds Office in Dublin.

EDUCATION (SCOTLAND) BILL.

QUESTION.

In reply to Mr. MURE,

THE LORD ADVOCATE said, he did not propose to move the second reading of the Scotch Education Bill on Friday next. His intention was to fix a day as soon as possible after Easter.

THE EASTER HOLYDAYS.—QUESTION.

MR. HADFIELD said, he would beg to ask the First Lord of the Treasury, Whether the adjournment for the holydays is to take place on Friday or Monday next?

VISCOUNT PALMERSTON: I cannot answer that question, Sir, until I see what progress is made with public business.

WAYS AND MEANS.—COMMITTEE.

Order for Committee read.

MR. DISRAELI:* Sir, before you leave the chair I wish to make a few observations upon our financial position, which appears to me not altogether free from anxiety. I am the more disposed to take this course, because from what I hear and from what I observe, it seems there is considerable misconception in the public mind upon a subject on which, of all others, the people of this country should entertain accurate notions. We learn from the statement of the Chancellor of the Exchequer that we are about to commence this year without a surplus. Now, under any circumstances, this is not a gratifying or satisfactory position. No doubt, there are circumstances in which a Minister of Finance might be justified in proposing such a course to Parliament for their acceptance and sanction. If it were his lot, for example, by a considerable remission of taxation, to relieve the industry and to stimulate the enterprise of the country—if trade were flourishing—if the revenue were rising—if there were every security for internal tranquillity and for external peace, I can conceive that a Chancellor of the Exchequer might feel himself justified in introducing a programme of finance for the year from which the important feature of a surplus should be wanting. I think we must all agree that that is not our position at the present moment. Our trade is not increasing; it is unfortunately diminishing. Our revenue is not rising; it is unhappily declining. The Chancellor of the Exchequer himself has alluded, in the course of his statement, to circumstances which may diminish the means for employment of the people of this country; and although their conduct under very trying circumstances has justly elicited the approbation and sympathy of all right-minded men, still, if there should be a diminution of their means of employment, that fact cannot be looked upon as an additional guarantee for domestic tranquillity. On the other hand, if we look abroad—if we look either to the American or the European Continent—no one, however little inclined to indulge in a gloomy future, can for a moment assert that the prospect is encouraging. On the state of America it will be unnecessary for me to make a single observation. It occupies all minds, and has been amply touched upon of late. But with regard to the continent of Europe, though for the moment there is apparent quietude, no one can shut his eyes to the fact, that, of all the difficulties that occasioned the war of some few years back, and of all which have since come into operation, not one has yet received a solution. Under those circumstances, it is much to be regretted that the state of our Finances is such that we commence our financial year avowedly with only a nominal surplus. The probable consequences must be apparent to every one in this House. If any of those contingencies occur, which have even been contemplated by the Chancellor of the Exchequer—if there be a diminution in our means of employing the people, if the revenue continue to decline, if our trade continue to diminish, if any unforeseen circumstances occur, either on the continent of America or on that of Europe, which may lead to some increase of expenditure in a military point of view, it is clear, that commencing the year without a surplus, we shall be driven to that most unfavourable of all conditions, an increase of taxation, which is already very heavy.

Now, it is impossible at the present moment to evade this question—why is there not a surplus? That is a question which everybody, both in the House and out of it, is asking himself. The Chancellor of the Exchequer in his speech the other night, informed us that he had contemplated that during the last year there would have been a loss, consequent on the repeal of the paper duty, to the amount of £665,000. He went on to say that his Estimate, like his other Estimates, was erroneous, and that the loss last year from the repeal of the paper duty was £865,000. These are the figures, I think, which the Chancellor of the Exchequer gave us.

The CHANCELLOR of the EXCHEQUER: I stated also the reason of that increase.

Mr. DISRAELI: The figures convey an argument strong enough without any reason being added to them. Now, in this year there is an avowed deficiency of £1,164,000. And it is obvious, if we deduct the sum of £865,000 from this £1,164,000, instead of a deficiency of the sum I have just stated, there would be a deficiency in round numbers, on the year just closed of £300,000. But what would have been our position if the paper duty had not been repealed, as regards the surplus on the present year? In the financial year which has just commenced there will be a total loss under the head of the paper duty of £1,300,000, and if we add to this in our present position the trifling, but not utterly contemptible surplus, which the Chancellor of the Exchequer feebly confessed the other night, we should have had a surplus on the Budget of this year of about £1,400,000—a safe and comfortable surplus; but under the circumstances of the country, with a declining trade, with a diminishing revenue, with the possibility of critical occasions both on the American and European continents—a surplus not a single pound sterling too great for our purposes. Now, Sir, when the repeal of the paper duty was first suggested by the Chancellor of the Exchequer it was opposed on two main grounds. There were some who, when a surplus was announced by the Minister of Finance, did not think themselves justified in impugning the accuracy of his calculations unless they were prepared to bring forward a Motion which would have been substantially a Motion of want of confidence in the Government. Sir, those Gentlemen, among whom I may count myself, having to deal with a surplus, proposed that instead of repealing a tax the Chancellor of the Exchequer should only reduce a tax, so that no permanent branch of the revenue should be abolished. But, besides those who took that position in the discussion which then occurred, there were others, who, to do them justice, opposed the repeal of the paper duty on the perfectly distinct ground that they questioned the existence of any surplus at all. They reiterated their opinion that circumstances would prove that no such surplus existed. Now, there were two main grounds on which that opinion was upheld by Members of the Opposition. One was the civil war in America. Night after night my hon. Friend the Member for Norfolk (Mr. Bentinck) brought that view before the House. And night after night, to his credit, he endeavoured to impress on the Government that in the then state of affairs in America it was more than probable that critical circumstances might arise that would occasion an increase to our military and naval expenditure in that part of the world. Now, how were these representations, urged with such frequency by my hon. Friend the Member for Norfolk, treated? At first with indifference; ultimately almost with derision. My hon. Friend's suggestions were scoffed at. But what has been the result? The result has been an extraordinary expenditure occasioned by critical circumstances, brought about by the civil war in America, which has exceeded the amount which we have lost by the repeal of the paper duties. Now, what was the second special ground on which the existence of this surplus was questioned, and with regard to which a precise calculation was placed before the House, in contradiction to the estimate of the right hon. Gentleman? It was maintained that the estimate which the right hon. Gentleman had made of the receipts of his China money was perfectly fallacious. It was my hon. Friend the Member for Horsham (Mr. S. Fitzgerald) who brought forward that subject, and enforced his views with the utmost precision of statement and argument. The Chancellor of the Exchequer had estimated that he should receive from China £750,000. My hon. Friend the Member for Horsham proved by an acute argument, and by a statement apparently founded upon authentic facts, that the Chancellor of the Exchequer could not receive more than half the amount. What has been the result? Why, instead of receiving £750,000, the Chancellor of the Exchequer has received less than £400,000. And how were the views of my hon. Friend the Member for Horsham received? Why the Chancellor of the Exchequer carried that estimate, I may say, almost on his personal guarantee. It was felt last year, after the assurance given, that if a Chancellor of the Exchequer in a matter of that kind was not to be relied on, it would be almost vain to attempt to carry on public business. I ask again what has been the result? Why, the result is simply a mistake of £400,000. Therefore I think we may fairly conclude that the objections which were urged against the proposal of the Chancellor of the Exchequer to repeal the paper duty, even upon the right hon. Gentleman's own showing, were sound ones; and that he was not entitled to take that course has been fully justified by the event. We should give full credit to the hon. Members for Norfolk and Horsham for the prescience which they exhibited on that occasion, and the pertinacity with which they placed their views before the public.

Now the Chancellor of the Exchequer having been so unfortunate in these estimates, it is, I think, a subject of some interest to the House and the country, and may lead to salutary conclusions, if we examine whether the Chancellor of the Exchequer during his management of the finances has been more successful in other matters. This is, fortunately, a subject which depends upon authentic figures. A great rhetorician, when he makes a comprehensive statement, may so charm his audience that when they are leaving the House they may be utterly ignorant as to whether a surplus or a deficiency really exists. But in the sober hour that follows these financial flourishes there is a power of appeal to documents, the accuracy of which cannot be impugned, and from which we can draw conclusions which no one can for a moment hesitate to accept. Now the Chancellor of the Exchequer the other night thought the occasion fitting for taking a general review of his financial career, and I will follow his course with great brevity. I think it but due to the right hon. Gentleman to admit, that for the operations of the year 1859-60, he is but partially, and I will even say, not at all responsible. The right hon. Gentleman acceded to office late in the year, and he followed those who had already completed an extensive financial operation which might hamper him, and who left him such considerable engagements and liabilities that he might necessarily have felt embarrassed. The House will, perhaps permit me very slightly to refer to the financial transactions of 1859-60. Early in that year the Government of the Earl of Derby, of which I was the organ in this House, had to encounter the payment of £2,000,000 of Exchequer Bonds, which became due in that year. The then Government were of opinion that it was a matter of great importance that this claim should be met and satisfied. In the preceding year Exchequer Bonds had become due to the same amount, which we felt it our duty to treat in a different manner. This country had, at that moment, scarcely recovered from a most severe monetary crisis. The revenue under those circumstances was tolerably buoyant, for it had been sustained by a stimulus given to consumption by the repeal of the great war income tax. But, notwithstanding all that, the country had suffered most severely from this monetary crisis, and was still suffering. There was apparently a deficiency; but it was a deficiency entirely occasioned by artificial means, by engagements about a new Sinking Fund, the policy of which many questioned, myself amongst the number, and by payments which we were then called upon to make of those Exchequer Bonds, by an arrangement also which at the time many did not sanction. Well, it was certainly most unwise to put on new taxes to the amount of £3,000,000 or £4,000,000 to satisfy what may be called an artificial deficiency at a time when the country, and especially the commercial classes, was suffering from the monetary crisis; and the House entirely sanctioned that policy. It was unanimously approved of, and I think wisely approved of; but the House, and I am sure the Government, were of opinion that it would be most unwise to repeat such a course; and therefore in 1859, when £2,000,000 more of Exchequer Bonds turned up for satisfaction, we resolved that that claim should be met, and it was met; £2,000,000 were taken from the balances in the Exchequer, the state of the balances at that time perfectly authorizing the step, and these £2,000,000 of Exchequer Bonds were satisfied. But there were other matters with which we had to deal in 1859, which entailed a vastly-increased expenditure on the country, and which of course entailed great difficulties upon the individual who was intrusted with the management of our finances. The state of Europe rendered it absolutely necessary that at the end of 1858 and the commencement of 1859 the Government should most seriously consider the state of the Royal Navy. Under those circumstances we were obliged to commence operations on a great scale —to convert a fleet of sailing vessels into vessels with all the improvements of modern scientific invention, and which would be propelled by steam and by screw. All this occasioned a great increase of the Estimates. An hon. Gentleman opposite declared, the other night, that this country had expended £11,000,000 in building wooden ships after the period when France had announced that she would build no more wooden ships. Well, that is a very serious statement, and it may be a true one. All I have to say is, that though the expenditure which was recommended by the late Government with respect to the navy, and which was entirely sanctioned by the House and by the public opinion of the country, was so great, if I am not mistaken, that charge does not apply to us. If I am not mistaken, during that great process not a single new keel was laid down by the late administration. They built new ships: for they built two iron ships, the money for defraying the cost of which appeared in the Estimates. I do not mean to say, and I do not think the House will suppose I meant to insinuate, that if the late Government had remained in office they would have built no more wooden ships. They were obliged to proceed with caution. Up to that time they had only before them the experience of iron batteries. But we did proceed; and when that charge is made, the accuracy of which I am not prepared to impugn at this moment, I think it right to state that it does not apply to us, and that that great expenditure was incurred for a most legitimate purpose; for no one can dispute that three years ago it was just and necessary, and no one can deny that my right hon. Friend (Sir John Pakington) has the distinguished merit of being the First Lord of the Admiralty who built iron ships. But, Sir, all this, no doubt, entailed on the Minister who had the conduct of the finances of the country immense difficulties.

Well, Sir, in 1859, under these circumstances, there was a change of Government. I do not wish to refer to the circumstances under which that change of Government took place; they were peculiar. We had brought forward a measure which would have added to the Parliamentary constituency of the country 500,000 educated and responsible voters. But there were some profound statesmen who were of opinion that England was panting for a radical reform of Parliament, and addressing themselves to a new Parliament less experienced in such matters than it is at present, they pursuaded the House by a hesitating and bare majority to pass a vote of want of confidence in Her Majesty's Government, because they were not prepared to introduce a sweeping measure of Parliamentary Reform. That was a successful operation. It brought upon the Treasury bench that distinguished Reformer who now, with folded arms and serene spirit, surveys the scene; and I must say this in justice to the noble Lord and his colleagues against those charges which are so thoughtlessly made against them as to their conduct on the Reform question—the present Ministry were brought in to settle the question of Parliamentary Reform, and in my opinion they have entirely settled it. They have entirely fulfilled their great behest. However, in June—it was not until June —the right hon. Gentleman opposite, the Chancellor of the Exchequer, was called on to take the management of the finances of the country, and succeeded to all the engagements of his predecessor. Had that Motion not been brought forward to which I have adverted, it would have been my first duty, on behalf of my colleagues on the assembling of the new Parliament, to have introduced the ways and means by which the expenditure we had recommended would have been met; but the task fell to the right hon. Gentleman. With regard to the measures which that right hon. Gentleman then brought forward we could have but one course, which was to give him, in the difficult position he then occupied, a cordial and unhesitating support. Those measures were adequate to the occasion; they were judicious and they were passed. By passing those measures the right hon. Gentleman found himself, at the conclusion of that financial year—which we had commenced and which he had completed—on the winding-up of the account and drawing up the balance-sheet, in possession of a sufficient, not to say a considerable, surplus. And, therefore, I say that in reviewing the transactions of the right hon. Gentleman, it is partly in justice to himself and partly for the convenience of the House, absolutely unnecessary to revert any more to the year 1859-60, because he really was not morally responsible for the financial transactions of that year; and that year, ending with a surplus, did not at all influence, and did not at all occasion the peculiar and perilous position in which the country now finds itself. Therefore I will take the two years—not the three years, but the two years—in which the Chancellor of the Exchequer, unrestricted and uncontrolled, has had the great opportunity of bringing forward the whole of his financial scheme, and has been allowed by an indulgent and admiring House of Commons to steer the financial vessel, I will not say into port or into shallows, but into the peculiar position in which we now find it.

Well these two years have some remarkable characteristics. The year 1861-2, as the Chancellor of the Exchequer informed us a few nights ago, has terminated in a deficiency of £1,164,000. The preceding year, 1860-1, terminated in a deficiency of £2,558,000. There have been excesses of expenditure since ascertained to the amount of £278,000. And the deficiency of the two years—of the period during which the right hon. Gentleman has been perfectly master of the situation and has not been hampered with any arrangements of his predecessors or the engagements of those who went before him —those two years have resulted in a united deficit of £4,000,000 sterling. I mention this, among other reasons, for this in particular—that the House should understand the cost of luxuries. The French treaty was an admirable performance. No one is against French treaties of commerce if entered into at the right time. Many Ministers before the present Chancellor of the Exchequer have either carried, or endeavoured to carry, treaties of commerce with France. But still, understand that the year of the French treaty resulted in a deficiency of £2,558,000; and the year of the repeal of the paper duty, another equally popular arrangement, resulted in a deficiency of £1,164,000. So, as I mentioned a while ago, there has accrued from the management of the finances by the right hon. Gentleman, during the two years in which he has—unchecked, uncontrolled—given full play to that imagination which has dealt with the resources of the country in so brilliant a manner, a deficiency of £4,000,000. But is that all? Alas! only a small portion of the great achievements of his bright career. In addition to this deficit of £4,000,000, the right hon. Gentleman during these two years has anticipated the resources of the country to the amount of £3,500,000 sterling. Something more than £1,250,000 of the malt credit, £2,000,000 of the income tax, £250,000, half of the Spanish payment—for only half of the Spanish payment was enjoyed by the right hon. Gentleman during these two years —make up a sum of £3,500,000. Therefore this great manager of our finances has, in the course of two years, exceeded the ordinary revenue of the country by seven millions and a half. But is that all? What was the ordinary revenue of the country during these two years when its amount was exceeded by the right hon. Gentleman by the enormous sum of £7,500,000? It was an ordinary revenue, sustained and supported by war taxation—by a war income tax, by war duties upon tea and upon sugar; and swollen and bloated as the ordinary revenue was by these war taxes, still it was exceeded by the right hon. Gentleman during those two years by £7,500,000 sterling. But is that all? It seems impossible that there can be an aggravation of such aggravated circumstances. And yet I can show to the House that hitherto they have not measured the amount of the prodigality of the right hon. Gentleman. For not only has he exceeded during these two years by seven millions and a half the ordinary revenue of the country, and that ordinary revenue sustained by war taxation, but he has done this at a period when the charge on the National Debt had diminished £2,000,000 per annum by the lapse of the terminable annuities.

Now, Sir, I think the House will agree with me that I have laid before them a very serious state of affairs. Immense expenditure; actual and enormous deficit; exhaustion of all extraordinary aids: and this, too, at a period when the political horizon, abroad and at home, is certainly not unclouded. But the House will be curious to know—for, in the blaze of eloquence in which the communication of his financial statement is laid before us, we lose under the wand of the enchanter that necessary information which should guide our calculations—the House would like to know how the deficit has been supplied. We clearly understand how the £3,500,000 of anticipated resources have been diverted; but how has the deficit been supplied? It has been partially supplied by the Chancellor of the Exchequer drawing reckless drafts to the amount of £2,684,000 upon the balances in the Exchequer, which were not even then strong. It has been supplied by the Chancellor of the Exchequer for two consecutive years stopping, in Hounslow fashion, repayments of money into the Exchequer, and those repayments of money amounting in the two years to £881,000, being the repayments of loans raised by the country—for instance, the Irish loan some years ago—and which repayments are still making to the Consolidated Fund. It has been further supplied by a positive increase of the debt of certainly not less than £461,000. The balance-sheet for the year is not on the table of the House. I cannot, therefore, give the precise sums; but I am quoting a confession from the Chancellor of the Exchequer, in his budget speech of last year, when he admitted that he had in fact over-issued Exchequer Bills and Bonds to the amount of £461,000, of course under powers which Parliament had placed at his disposal. If these figures be added together—£2,684,000 by drafts on balances, £881,000 arising from application of repayments, and £461,000 of new debt—the House will find a sum of £4,026,000; and that is the sum which the House will at once see provided for the deficit. Now, Sir, I ought, perhaps, here to remind the House that the balances in the Exchequer in March, 1860, amounted to £7,972,000; that the balances in the Exchequer in March, 1862, amounted to £5,288,000; and the difference, £2,684,000, is that sum which, I informed the House, the Chancellor of the Exchequer had drawn out by his drafts.

Well, now, Sir, the House will observe that this is a very critical position for our finances; and it is interesting to remark in what manner the Chancellor of the Exchequer encourages us under the inevitable announcement which it was his duty to make on Thursday last. All that the art of rhetoric could supply to soften facts, to confuse figures, and ingeniously to bewilder the mind of the House, was no doubt had recourse to; but so happy and adroit was the manner of the Chancellor of the Exchequer, that although the announcement was not made in that coarse and crude manner in which it is now communicated to the House, still sufficient was done in some degree to prepare the mind of the public for such portentous results as a deficit of £4,000,000 and an appropriation, or rather I should say, a misappropriation, of £3,500,000 of the anticipated resources of the country, and that during a period when trade and revenue were both declining, and when, according to the Minister himself, the prospects at home and abroad were alike discouraging.

And how does the right hon. Gentleman account for, vindicate, extenuate, these portentous results? First of all, we are told that these two years, during which our finances have been administered in this satisfactory manner, were exceptional years. I deny that they were exceptional years. What were the exceptional circumstances? The Chancellor of the Exchequer has told us that there was a war with China. Is that an exceptional circumstance? Sir, I have had the honour of sitting a quarter of a century in this House, and I cannot recall two consecutive Sessions in which Parliament has not had to deal with circumstances as exceptional as a war with China. I came in with a Canadian insurrection, which cost the country something. We are now dealing with a Canadian invasion, which every Gentleman in the House knows will cost something. There have been in that period three Chinese wars; there have been two Kaffir wars; there has been a Persian war; there have been, I think, two New Zealand wars; there have been Syrian invasions, which cost something; and there have been

Irish famines, which have cost a good deal, but which no one grudged. But, under these circumstances, is any Minister justified in describing a Chinese war as an exceptional circumstance? Ought he not in his calculations to anticipate that some occurrence of an analogous character may happen in the course of the year?

"But," says the right hon. Gentleman, "never mind; the cost has been large, some of you may think the management loose; but although I have not a stick or stiver left"—he told us that—"and although I have mortgaged your resources, and made the greatest deficit ever made by a Finance Minister in a like period, still there is this consolation for you; I have reduced the amount of the National Debt by £4,000,000." I deny that the Chancellor of the Exchequer has reduced the National Debt by £4,000,000. I deny that he has reduced the amount of the National Debt at all. On the 31st of March, 1860, the funded debt of this country was £785,962,000; the Exchequer Bills were £13,228,000; the Exchequer Bonds, £2,000,000; the total amount being £802,190,000. On the 31st of March, 1862, the conclusion of the two years, our total debt, calculated from the items of funded debt, of Exchequer Bills, and of Exchequer Bonds, was £800,757,000, leaving an apparent diminution of public debt of £1,333,000. I say an apparent diminution, for the diminution was occasioned mainly, not to say entirely, by the action of the public converting a certain amount of our permanent debt into terminable annuities; and therefore I say there has been no reduction of public debt, as the Chancellor of the Exchequer would induce the House to believe. But is there even an apparent diminution? Admitting for the moment that there has been this diminution of public debt to the amount of £1,333,000—what has become of the increase of public debt during that period, in consequence of the Vote for fortifications? Where is that £1,740,000 which the country has already incurred, and which may be increased to a greater amount? I say, therefore, instead of a diminution of public debt, there has been absolutely an increase of public debt while the Chancellor of the Exchequer has administered our finances.

But, Sir, there is a third source of consolation in the terrible scrapes in which we unexpectedly find ourselves. Exceptional circumstances are an abstraction that I fear will not pass. Reduction of the debt is a more material assertion, but then it does not bear criticism. But there is something not so abstract as exceptional circumstances—not quite so easily grappled with in a material sense as the reduction of debt, but still bearing a delightful and popular title, and beneath that cloud the Chancellor of the Exchequer, like other heroes, will cover himself in a position of great peril—that is, an announcement that the epoch of retrenchment has commenced. And then I observed that Gentlemen below the gangway pricked up their ears immediately. The epoch of retrenchment has commenced. Most encouraging. Never mind past disasters; never mind deficits and mortgages; with an epoch of retrenchment we shall soon make up lee-way, and, depend upon it, we shall enjoy all the advantages that have accrued, and still find the finances in a solid condition. I was extremely perplexed to know how that retrenchment was to be effected. Was it to be effected in Chinese wars? The right hon. Gentleman, with playful sarcasm, gave the most amusing narrative in the world of all the expenditure for the last China war; and I could not, for the life of me conceive, during the time, at whom he was directing the laugh. It could hardly be at the great conqueror of China himself, who sat next to him, because he could scarcely be vexed by that narrative, when he remembered that, notwithstanding the fiery denunciations of that costly folly from the benches below the gangway by a distinguished orator, that very individual was now his own Chancellor of the Exchequer, providing the ways and means by which that China war should be carried on. Well, then, is it in the naval and military expenditure of the country that this retrenchment is to be effected? Sir, if that be the case, why not begin at once? Certainly, it seems to me that it is as practicable to have a considerable reduction in our army and navy in 1862—as it probably will be in 1863. Well, Sir, at last I thought—and then I felt immediately it must be a mistake—it might be the Civil Estimates. There was an opportunity a fortnight ago, when some reduction might have been attempted—a considerable one—in the Civil Service Estimates. If the House had agreed to stultify the course of Parliament for thirty years, and to have diminished or destroyed the education of the people, a good deal might have been gained. But when I remember the forlorn condition of the Vice President of the Council in that instance, and when I remember the great disappointment of the House because the Chancellor of the Exchequer did not bring to his aid all that impassioned eloquence which is at his command, and which we thought due to the occasion, I felt the Chancellor of the Exchequer had really lost the opportunity for a reduction of the Civil Estimates. I remember the Vice President of the Council was deserted on that occasion, not only by the Chancellor of the Exchequer, but by all his colleagues; but exhibiting, I may be permitted to say, if a deficiency of judgment, remarkable talent, and showing throughout that contest versatile ability. Well, then, Sir, if reduction is not to be effected in Chinese wars; in the army and navy; in the Civil Service; in what is it to be effected? Is it in fortifications? We know—at least, it is rumoured—that the Chancellor of the Exchequer has a most indignant prejudice against fortifications. With that patriotic consistency which distinguishes him, they say nothing in the world will induce him to propose a Vote for fortifications; all that he does is to supply the Ways and Means. Well, the House had spoken out on fortifications. The gallant Member for Liskeard (Mr. B. Osborne) at the point of the bayonet, took the Government position on that subject the other night, and perhaps it is fortifications upon which the great retrenchment is to be attained. But, unfortunately, we received an official announcement, which, of course, the Chancellor of the Exchequer agreed to, that all sums diverted from the construction of forts are to be devoted to the construction of ships; and therefore it would appear that any hope of reduction through the instrumentality of the Chancellor of the Exchequer upon this item seems hopeless. But how futile, how illusory, this promised retrenchment really is, was proved in the after part of the speech of the right hon. Gentleman, when he came to figures. The right hon. Gentleman, when inaugurating the epoch of retrenchment, compared the estimate of the present year with the expenditure of the last, and he says the expenditure of last year exceeds the estimate of the present year by £1,700,000. But what if the Chancellor of the Exchequer would compare the estimate of this year with the estimate of last year? [The CHANCELLOR of the EXCHEQUER: I did so.] Oh! I will come to your estimates in a moment. The right hon. Gentleman compared the Estimate of this year with the expenditure of last. I say it is moonshine to compare the Estimate of this year with the expenditure of last year. If I am to compare the expenditure of last year, let me have the expenditure of this year. The right hon. Gentleman seems to say that I have not quoted him correctly on the subject of his Estimates. He shall have his own figures, and the House shall have them. In the year 1860-1 the Estimates were £70,100,000, and the expenditure of that year was £72,842,000—error in 1860-1, £2,642,000. The Estimates in 1861-2 were £69,875,000, and the expenditure was £70,838,000—error in 1861-2, £963,000. The Estimates of 1862-3, that we have just had, are £69,120,000; and as the expenditure is not ascertained, I have put opposite to that Estimate a colossal query. But, Sir, if you compare the estimates of this year with the Estimates of last, the diminution is only £750,000, not £1,750,000; and if hon. Gentlemen below the gangway think that a reduction to inaugurate an epoch of retrenchment, they are more easily satisfied than their speeches—I do not say their votes—would indicate.

Mr. Disraeli

Well, Sir, having placed clearly before the House and the country our exact financial position—our deficits, our anticipated resources, and the prospects before us—I say that I have shown that the three excuses which were offered by the right hon. Gentleman to account for and extenuate his errors and calm the public mind, very naturally agitated after such a revelation, are utterly flimsy: the expenditure is not exceptional; the debt has not been reduced; retrenchment has not been effected. What if there be a continued decline of the revenue? What if there be that which the right hon. Gentleman contemplates—a great increase in the employment of the people? What if there be that which every gentleman in this House, on either side, contemplates as more than possible—critical circumstances occurring either in America or Europe, which may call for increased expenditure—where are we? Where is our surplus to fall back upon? The abolition of the paper duty was wrung from a reluctant House of Commons, and in defiance of the solemn vote of the other House of Parliament. Whatever may be the folly of Ministers, history may vindicate the wisdom of Parliament. But, Sir, there is a point more alarming even than increased taxation, or than even that account of his financial disasters which could no longer be concealed. The whole speech of the right hon. Gentleman, where he referred to taxation, seemed based on this principle—that the income tax was to be a permanent feature of our financial system. The right hon. Gentleman referred to half-a-dozen other taxes which he could not yet repeal, and to some which he could only soften. The whole tenor of the discourse of the right hon. Gentleman was that the income tax was to be a permanent feature of our financial system. Is that the opinion of the House of Commons? Is that the opinion of the country? I reiterate the views that I have myself often expressed. I do not believe that the income tax in its present form can be a permanent tax. Although I have listened to every suggestion that has been made, and weighed them, I trust, with patience and without partiality, I have listened to no scientific solution of the difficulties connected with that tax that would be satisfactory to the Treasury of Her Majesty. The tax remains, unequal, unjust, inquisitorial, and branded with that character of infamy which the right hon. Gentleman himself, in 1853, with such profuse expression, gave to it, and which he made the basis of his most considerable financial measure and his most fallacious. Sir, I think we have a right to expect from the right hon. Gentleman that he should speak frankly on this subject of the income tax. He has no right to fritter away the resources of the country, and leave that tax pressing upon it. Sir, there is something in the speeches of the right hon. Gentleman on this head, and generally on all matters of finance—it is of common custom with him, and I feel it my duty now to notice it—which fills me with perplexity, which I think conveys to the country a sentiment, not merely of perplexity, but of distrust; and it is this—that while the right hon. Gentleman is without exception the most profuse Minister that ever administered the affairs of this country in peace, he is perpetually insinuating—to use the mildest term—to the House and the country that he disapproves of that expenditure, and is burning to denounce it. Now, Sir, I say that is not a legitimate position for the right hon. Gentleman to occupy. If he disapproves of this profuse expenditure, why does he sit upon that bench, and lend to its enactment and enforcement all the authority of his character and all the lustre of his reputation? If, on the contrary, he approves of that expenditure, then it is his duty, as finance Minister especially, not to disspirit and discontent the people, but rather to animate them under inevitable burdens, and sustain their courage at a time when he may, perhaps, have to call upon them with renewed appeals. But nothing of the kind: the right hon. Gentleman never proposes a Vote—and it falls to him to propose the most profuse Votes that any Minister in a time of peace ever brought forward—he never does this without an intimation that he does not sanction in his heart the expenditure he recommends. But the right hon. Gentleman has gained the confidence and support of a party in this House, not yet very numerous in point of number, but distinguished by talent and perseverance —the party who are for the reduction of our establishments. How is it that that party which preaches retrenchment and reduction—who believe all our Estimates, especially the naval and military Estimates, are much too extravagant, who are opposed to fortifications, and who do not much like iron ships—how is it that this party always support a Minister who is bringing forward these excessive Estimates, and who provides for this enormous expenditure? Well, that is a great question. This, at least, we know, that while this spendthrift is weeping over pence—while this penurious prodigal is proposing this enormous expenditure—he always contrives to repeal some tax to gratify the interests or prejudices of the party of retrenchment. No wonder, then, we no longer hear the same character of the income tax. No wonder we no longer are reminded of that compact entered into by the House and accepted by the country for its gradual and permanent abolition. Unless the House expresses on a fitting occasion its opinion, there is very little hope of our obtaining any redress in this respect. Well, Sir, who will deny that this position of affairs is peculiar and perilous? I remember some years ago, when the right hon. Gentleman was at the head of a small and select party of politicians not then absorbed in the gulf of Liberalism, that we heard much prattle about "political morality." What then most distinguished the right hon. Gentleman and his friends was, their monopoly of that admirable quality. They were perpetually thanking God that they were not as other men, and always pointing their finger at those unfortunate wights who sat opposite to them. Now we see the end of "political morality." We see the position to which "political morality" has brought the finances of a great nation. I denounce this system as one detrimental to the character of public men and most injurious to the fortunes of the realm.

Mr. BASS said, he was anxious to have from the Chancellor of the Exchequer some explanation of that additional taxation which he proposed to impose on all parties who for the future might have anything to do with brewing, whether as common brewers or otherwise. He certainly was rather surprised to find that the proposition of the right hon. Gentleman should have met the other night with such an amount of concurrence, and more particularly was he surprised at the support given to it by the hon. Member for Maidstone (Mr. Buxton), who was one of a firm from whom it would have the effect of extracting a capitation tax of £6,000. He could only attribute the hon. Gentleman's support partly to his hereditary generosity and benevolence, and partly to the character of the constituency which he represented. If he had consulted any of the practical persons belonging to the great business with which he was connected, he would hardly have gone so far. He was equally surprised, too, at the concurrence which the proposal appeared to have obtained from the Members for the agricultural constituencies. The hon. Members for Norfolk, Suffolk, and other barley-growing counties could surely not have considered how their constituents would regard an increase of 14½*d.* per quarter on barley. He had had that day a statement put into his hands, by an eminent brewing firm, of the practical result which this plan would have on their affairs. Since the 1st of October last they had brewed 305,000 barrels of beer. On this they had either paid, or had made themselves liable to pay, to the Chancellor of the Exchequer £105,000; but in addition to that the right hon. Gentleman proposed to make them pay £3,877, for licences for the privilege of carrying on their business. Though they had already paid the tax in the shape of hop duty—for they did brew from hops—the Resolution declared that they should pay over again in the shape of a duty of three pence per barrel for all the beer they had brewed since the 1st of October last. How did the right hon. Gentleman propose to ascertain the liability of the brewers to this tax? Did he propose to have excisemen residing on the brewers' premises, interfering with all their processes? If that were the case, nothing could be more unacceptable to the brewers. He hoped the Gentlemen representing agricultural counties would remember that for more than forty years there had been no abatement of the duties on malt, and yet now the right hon. Gentleman proposed an increase which would amount to about 1*s.* 2½*d.* per quarter. As had been pointed out by the right hon. Gentleman opposite, the Chancellor of the Exchequer had forestalled his resources. Like all other prodigals, he had anticipated what, if he had waited, would have come into his possession. He called upon the maltsters to pay at the end of six weeks what before they enjoyed something like twenty weeks' credit for. He could understand very easily how it was that some of the maltsters supported this shortening of the credit. The Newark maltsters, to whom the right hon. Gentleman appealed, were all large capitalists, and they knew very well the greater the restrictions imposed on a business the more capital was required in it, and the nearer the business was brought to a monopoly. That sufficiently accounted for the side taken by the Newark malsters. The right hon. Gentleman must have been in error when he told the House that the maltsters had now nine weeks' average credit—he must have forgotten that the charge was made almost as soon as the malt was steeped, but it did not come off the kiln for some weeks after, and then not in a condition fit for use. He could not understand why the brewers alone, of all other trades, should pay for a licence to carry on their business. The principle, no doubt, was a good one if universally applied, and he saw no reason why the cotton-spinner, the farmer, and other trades, should not pay for a licence just as much as the brewer. He did not intend to offer any opposition personally to the right hon. Gentleman's proposition, but he thought the House had given its support to it without knowing exactly what its effect was. A gentleman, named Samuel Jonas, had written to two daily papers a letter, in which he declared he would pay no tax upon brewing from barley which he had grown and converted into malt. The Chancellor might exchequer him if he pleased, or might put him in prison, but no such tax, he said, would he pay. The right hon. Gentleman told them the other night that it would be unjust to impose a tax in lieu of the hop duty upon common brewers and not upon private brewers. There would be great difficulty, however, in carrying out the proposal of the Government, and he suggested that a more simple process was to add 1*s.* 2*d.* or 1*s.* per quarter to the tax on malt. The Chancellor of the Exchequer would then be able to remove the hop duty, which he admitted was injurious in its bearing upon the counties where hops were grown, without inflicting that injustice upon the brewers which the right hon. Gentleman had proposed.

THE CHANCELLOR OF THE EXCHEQUER: Sir, in such remarks as I shall have to make to the House, I have to deal with two speeches of a very different character, as to the degree of excitement which they are calculated to produce. The speech of my hon. Friend, who kindly intimated to me beforehand the remarks he was about to make, would, I knew, be the speech of a practical man, fully entitled to the attention of the House and of the Government upon the question with which we are dealing; and as a mark of respect to him I did not rise to address the House immediately after the right hon. Gentleman sat down. With respect to what has fallen from my hon. Friend, I have only to offer a few statements of detail. In the first place, I wish to refer to the sentiments evidently excited in the Committee on Thursday with respect to the best mode of imposing licences on private brewing. I think it was generally felt that it would be unjust to exact from the brewer for sale a certain commuted payment in respect of the hops used, and to leave the private brewer to go scot-free, particularly as private brewers are persons of the greatest means in the country, and likewise because their admirable liquor is copiously and abundantly supplied. Another feeling in the House was that above all things we should avoid introducing into private dwellings the visits of the exciseman. I intend to extend the exemption further—to all manufacturing premises. It was with these views that the Government projected a uniform licence upon private dwellings. But I am bound to say that information, obtained since last Thursday, of a character which we were not able to obtain before the financial statement was made, shows a greater extent of very small private brewings than we were previously aware of. Still adhering to the easy criterion of house and farm rent, we propose to introduce a tolerably simple scale by which the licensing charge will be in accordance with the rent payable for houses or farms. The *minimum* licence, if the proposition be accepted by the House, which the private brewer will have to pay, will be 5*s.* The expression "private brewer" is, strictly speaking, inaccurate. I mean a person who brews for his own private use. The exemptions to private brewers who pay under £20 house rent and £150 farm rent we propose to continue; and the charge for licences for houses, not farm houses, will rise from 5*s.* to 40*s.*, according to the rent, by degrees which will be stated in the Resolution. In the case of farms it will rise from 5*s.* to 20*s.* Where one person has more than one farm or more than one house, he will be entitled to brew in any or all of them; but he will pay the licence upon that of the highest value. With respect to the question of my hon. Friend as to public brewing, I have one or two points to notice. There is some inconsistency in his observations. He found fault with the Government and the Legislature for having shortened the malt credits, as having thereby abridged the means of the maltster and narrowed the circle of trade by necessitating a larger amount of capital. If that be true, it tells with considerable force against his own recommendation that we should augment the malt duty to make up for the hop duty; because every augmentation of duty has precisely the same effect in necessitating additional capital to meet it. My hon. Friend said it was intended to exact payment twice over in respect of the hop duty. That is not so. A licence duty, as my hon. Friend well knows, is paid in advance for the whole year which it covers. [MR. BASS: Upon what has been brewed in the previous year.] That is only a test upon which the brewers' licences are fixed for the coming year, and to cover the period of the coming year. At the same time, I think there would be some hardship in exacting from the sale-brewers—especially from those upon whom the increase would be very considerable—that payment at once. We therefore propose to divide the payment of all licences above £10 into two payments, one to be due in the October and the other in the January quarter. My hon. Friend asked whether it was intended to introduce the exciseman into manufacturing establishments; or, if not, in what manner we propose to obtain these licences. We propose to obtain them by means of the returns which the brewers now make. Every brewer for sale returns to the Excise as the basis for the present licence the number of bushels of malt which he consumes. We propose that those returns shall be made on affidavit, and we have every confidence, having regard to the class of gentlemen who are engaged in brewing, that the arrangement will be perfectly satisfactory. I do not think there are any other points upon which it is in my power to give any information to my hon. Friend.

I come now, Sir, to the historical survey (if I may say so of a speech which was evidently delivered in the impartial and judicial spirit of the historian) of the finances of recent years which proceeded from the right hon. Gentleman opposite. The right hon. Gentleman rose in his peroration to a very great altitude, and protested against the mode of conducting the finances of this country, as derogatory to the character of public men. I am sure I feel the obligation under which I lie to the right hon. Gentleman, recollecting the whole of his career, for having taken under his especial protection the character of public men. But I will not enter now into any question relating to the character of public men. I will deal strictly with the speech of the right hon. Gentleman, and I will endeavour to show how far he, forsooth! is trustworthy when he enters on these surveys. He does not resort to rhetorical artifices! Who ever heard him dealing in figures or sarcasms? It is plain and prosaic information which he delights to lay before the House. That is the information in which he has been dealing to-night, and I must say of the speech of the right hon. Gentleman what was once said of a literary production—I must do him the credit to say that his speech contained "things which were new and things which were true, but the misfortune was that the things which were true were not new, and the things which were new were not true." The right hon. Gentleman points to the deficit of the last year, and he says, "If you had only kept on the paper duty, instead of a deficit of £1,164,000 you would have had no deficit at all, or some small surplus." I do not refer to that remark for its particulars, but for this—there runs through the speech of the right hon. Gentleman the fundamental error which has distinguished his policy and the policy of those whom he leads. They have had no faith in that system of legislation upon which Parliament has been at work for twenty years. They look on the reduction of Customs duties as a loss, and upon the reduction of Excise duties as a loss, and, strange to say, they are not even recovered from their delusion when we show, by the figures of the Customs and Excise, that the effect of those well-chosen reductions has been, not to diminish, but to add to those resources which the public revenue derives from indirect taxation. Can we wonder at the errors of Gentlemen on the back benches when we find the same errors propounded by their leader—by one who, after forming a party upon the basis of Protection, did at a late hour and on a very late day go through the process of acknowledging that he was wrong? Let us recur to the chronological survey of the right hon. Gentleman. He gives us a review of three years—from 1859 to 1862. He kindly absolves me from all responsibility for the first of these years. I am very much obliged to the right hon. Gentleman, and I fully admit that he is entitled to a great part of the responsibility of that year as far as regards the creation of charges. As far as regards the preparation of the public Estimates and saddling his successors with the responsibility of making provision for them, the right hon. Gentleman is entitled to a great portion of the credit. But why does the right hon. Gentleman absolve me from the responsibility of the proceedings of that year? It so happens that that year, although a year of large expenditure, was a year of excellent harvest, of circumstances most favourable to trade, and a year of surplus. Although the present Government was the Government which made financial provision for the year, he strikes that year altogether out of the account, and takes credit for his kindness in absolving me from all liability in respect of it, because it so happened that at the close of the year there was a considerable surplus. The right hon. Gentleman then proceeds to deal with the two following years, as he has a perfect right to do. What he has not a right to do is to quote assertions of mine with reference to the three years, and to lead the House to believe that they relate to the two years only. The right hon. Gentleman will not admit that the two last years were exceptional, and on that point he dwells with great emphasis. In former years, he tells us, we have had a Chinese war, a Kaffir war, a Canadian insurrection. That is quite true. It was not in each of the circumstances considered individually that the exceptional character of those two years consisted. It arose from the accumulation of those circumstances, from the combination of an extraordinary war expenditure with Estimates and establishments at home of a much greater amount than had ever before received the sanction of this House in what is known as a time of peace. I want to learn what the right hon. Gentleman will admit as exceptional years. In another part of his speech he found it convenient to assert that the Chancellor of the Exchequer now in office was the most profuse Chancellor of the Exchequer ever known, and had proposed the largest Estimates ever submitted in a time of peace. If that be true, then I say it is undeniable that the years in which such Estimates were proposed were exceptional years. If the right hon. Gentleman has not much pity for others, he is certainly not destitute of that generous sympathy which a man feels for himself. In referring to the proceedings of 1858 the right hon. Gentleman described what he called the "immense difficulties" under which he laboured in making his financial arrangement; but the financial arrangement which, according to the right hon. Gentleman's statement, involved him in this immense difficulty, was a financial arrangement by which he had to provide for the service of the year £63,000,000. That was the amount of the Estimate presented to the House in the spring of 1858, but the expenditure provided for in the last three years on an average amounted, not to £63,000,000, but to £72,000,000. If a rise in the expenditure of the country in two years from £63,000,000 to £72,000,000 in a time of peace does not give those years an exceptional character, I want to know what does. The right hon. Gentleman tells me I am exceedingly unfortunate in conveying information, for it is difficult to extract any from my financial statements. It may be so; but I have certainly not been able to extract a single fact, or even the shred of a fact, from the lengthy statement of the right hon. Gentleman which I did not endeavour, very imperfectly, perhaps, but to the best of my ability, to impress upon the House on Thursday last. The right hon. Gentleman says the situation is serious and grave. I tried to make the House understand that such was the case. The right hon. Gentleman says we have exhausted our extraordinary resources. I stated, with some fear of wearying the House from the minuteness of detail into which I went, that we had exhausted our extraordinary resources. The right hon. Gentleman is totally wrong in describing the quarter's income tax as being an extraordinary resource in the sense of the malt credit or of sums taken from the balances. The fact is that the taking up of a quarter of the income tax is not the exhaustion of an extraordinary resource, but a very great administrative improvement—for the effect of it is this, that when a Minister proposes an augmentation of the tax, instead of making only one-half available in the year he obtains three-quarters in the year, and he has the finances much more under his control, and under the hand of Parliament than would otherwise be the case. The right hon. Gentleman charges me with having changed my language with regard to the income tax. I meet him by a denial. I have never changed my language with regard to the income tax. I have never stated to the House that the income tax ought to be a permanent portion of the revenue of the country. But I have often, from 1857 downwards, endeavoured to point out that when our expenditure passed beyond a certain point the income tax must become a permanent portion of the revenue of the country What I complain of most is that the right hon. Gentleman, while making his speech for the purposes of party, and exhibiting the financial difficulties of the country, has used the opportunity simply as a means of gratifying his own animosity, and has not given that salutary and wholesome turn to his statements which they might have had if the aim and end of them had been to bring home to the mind of Parliament the danger of an inflated and excessive expenditure. The right hon. Gentleman refers, but not with accuracy, to the deficiency of the two last years, and in particular of the last year. He bases his argument on the view that this deficiency arises in consequence of the improvident proposals of the Government, and the failure of the estimate of the money receivable from China on account of the indemnity, for which he says I gave my personal guarantee. Again—I am sorry to have to do it so often—again I am compelled to meet the right hon. Gentleman in his reference to bygone statements and debates with a positive contradiction. I know the right hon. Gentleman well—he is a ransacker of *Hansard.* When he can find one word which can be made in quotation to serve his purpose, trust him for referring to that word. When the right hon. Gentleman deals with generalities, then may we say, *Dolus latet in generalibus.* As to this assertion that I pledged my personal guarantee for the estimate, I can only say I did not commit such an egregious folly. I told the House last year that the estimate respecting the Chinese indemnity was one which did not admit of being tried like estimates in regard to our ordinary revenue at home, but that we had gone upon the most reliable grounds — the authority of responsible and official persons in China. When the hon. Member for Horsham (Mr. S. Fitzgerald) stated either that we should get a smaller sum or no sum at all —I forget exactly which view he took. I replied in these words, "I can only say that to statements of this kind I greatly prefer the responsible reports of the French and English Ambassadors and of their officers, who have made such computations that it is expected the payments will be completed in four years." In regard to an estimate of this kind, which only admits of conjecture, I do not see what the Government can do, except to refer to those whom they think most capable of affording a well-informed responsible judgment, and to make known, as I did, to the House, the grounds on which they found their estimate. I appeal to the House whether the allusion which I made to the authority on which I rested my calculations in the slightest degree warrants the grossly exaggerated statement of the right hon. Gentleman, that I gave my personal guarantee. Criticism on estimates is sometimes a very agreeable occupation. In criticism on such a question as the receipts likely to be realized from the Chinese indemnity the right hon. Gentleman has shown himself an adept. My estimate on that subject broke down. The right hon. Gentleman, however, has very seldom had estimates to make. I can only recollect two instances in which he has prepared estimates which have been put to the test of experience. These were estimates made with respect, not to China, but to England. Let us see how the right hon. Gentleman, who now, forsooth, cannot bear an inaccuracy in an estimate of receipts from China, succeeded in the only two cases in which he had the opportunity of proving his ability in making estimates. In 1858 he proposed two measures; one was the imposition of a penny stamp on checks, from which he promised £300,000 a year. According to the best information on the subject that tax did not realize £100,000. The other measure which he proposed was a tax on Irish spirits, which he said he would yield at least £500,000. The year went round, and the right hon. Gentleman obtained, instead of £500,000, only £94,000. I would therefore submit to the right hon. Gentleman that, instead of selecting from a multitude of estimates which it has been my duty to make those in which he can find an error, it would be well if he would look at his own two solitary children, and recollect that although they were to be levied within an arm's length in England and Ireland, they did not realize a third of the sums which he confidently promised they would produce.

The right hon. Gentleman has also denounced the "most improvident" proposal of last year for the abolition of the paper duty. That measure is so recent that we have not had an opportunity of judging of its effects on the trade of the country; but I do not imagine that the right hon. Gentleman means to say that when the soap duties, for instance, were abolished, a million and a quarter of money was irretrievably lost to the country. The right hon. Gentleman must at length learn, however slow and unwilling he may be, that there is a reproductive energy communicated to the revenue by changes of this kind, which he seems unwilling or unable to appreciate, but which the whole country has recognized; and, without troubling the House with a repetition at large of what I laid before the Committee on Thursday, I ask, can there be a more remarkable proof of the extent of that reproductive energy than this—that in the last four years, two of which have been years of very heavy expenditure, of impaired trade, and of deficient harvests, the revenue of the country has, notwithstanding, shown a power of springing upward, after the reductions which have been made, at the rate of no less than one million per annum, or four millions upon all the four years? But, Sir, the right hon. Gentleman says that it was improvident to part with the paper duty. I proposed to part with what was then estimated at between £600,000 and £700,000, and has since turned out to be a larger sum. It was improvident, forsooth to part with between £600,000 and £700,000 of the paper duty. These (pointing to the Opposition benches) were the monitors who told us of all this extravagance! But what was the course which they proposed—what was the course which they took, and which they endeavoured to force upon the House? It was, instead of parting with £690,000, to part with £950,000 by the reduction of the tea duty. Perhaps, we may be told that the reduction of the tea duty was a reduction that would have recovered itself. But that £950,000 is the sum that would have been lost after the recovery. Besides, I must say that nothing can be more fallacious than these distinctions between reductions of duty and abolitions of duty with respect to self-recovering power. I have heard a most improvident reduction of duty proposed in this House. When there existed all the vexations and mischiefs of a system of excise which could only be justified by the necessity for obtaining a very large revenue from malt, I heard a Minister make the improvident proposal to cut down that revenue to one-half, giving up, thereby, one moiety of the benefit to be obtained, but retaining all the mischief of the excise. That I call an improvident proposal. But that was a proposal made by the right hon. Gentleman in those golden days of the public finance, when the finances were under his wise direction. [*Cries of* Oh! oh!] I assume that I have a right to point to the happy operations of the right hon. Gentleman; not, I think, using any greater liberty than that which he has assumed himself, and of which I should be the last man to complain, provided the right hon. Gentleman would be a little more accurate in his references to the past, and, above all, in his quotations and in his history of the statements which he charges upon those whom he opposes. That is the real state of the case with respect to the improvidence of the repeal of the paper duties last year. The right hon. Gentleman said—and in that one statement of his I entirely concur—that opposition to that repeal was made on two main grounds. The one main ground of opposition—I am not now quoting the right hon. Gentleman, but giving my own exposition of his words, my own history of the Session—the first main ground of opposition was, that there was no surplus at all, and the second was, that there was a surplus so large that it would bear a reduction of taxation £200,000 or £300,000 larger than we proposed to make. Those two main grounds of opposition would have been perfectly intelligible if it had so happened that the patriotic Gentlemen who urged them had each given conscientious effect to his own opinion by his own vote; but it did so happen when two Motions came to be made against the Government upon the subject, and when, as I have said, it was proposed to force upon the Government and the House a much larger reduction of revenue than had been proposed—it did so happen that a very formidable minority went out into the lobby with the right hon. Gentleman, and that in that minority was contained nearly every man, including the hon. Member for Norfolk (Mr. Bentinck), who, I am sorry to see, has just left his place—very nearly every man who had warned us that the surplus was unreal, that the charges would be increased, and that, in point of fact, we had no money to dispose of.

This is the state of the case as regards the proceedings of last year; but when the right hon. Gentleman says that I endeavoured to compel the repeal of the paper duty I must point out, that although he did not give effect to the repeal of the paper duty any more than he gave effect to a vast number of things which he has promised during the times he has been Chancellor of the Exchequer, yet he did issue for the benefit of the country a promise with regard to that duty. The right hon. Gentleman, being then the leader of this House, did cause the House to commit itself unanimously to a Resolution stigmatizing the paper duty, and when the Government of my noble Friend had, at the commencement of the year 1860, to come to its decision upon the subject of that duty—for the question then was, as I have often said, whether he should propose the repeal of the duty on paper or the reduction of the duty on tea—one of the main considerations which determined us to select the duty on paper was this consideration—that the right hon. Gentleman had caused the House of Commons to commit itself upon the subject, and had in no inconsiderable degree connected the character of the House with the giving effect to the opinion which it had pronounced. So much for the right hon. Gentleman, and so much for his survey. I wish that I could give to his speech the turn which he did not give to it himself. I am perfectly well contented to be called the most profuse Chancellor of the Exchequer upon record. I am perfectly satisfied to bear any epithets of vituperation which the right hon. Gentleman has produced to-night, or which he may on any future night produce from his copious vocabulary. It is not difficult to bear this species of attack from the right hon. Gentleman, because better men than I have had to bear it. By all means, Sir, let me bear the blame if I am to blame. If there has been an expenditure that ought not to have taken place—if Her Majesty's Government have mistaken the views and feelings of the country, by all means let Her Majesty's Government, and let the Finance Minister of Her Majesty's Government beyond any other, on account of his special responsibility, be called to bear the blame. I, for my part, shall be content, shall be satisfied, if the result of these discussions, of the powerful speeches of the right hon. Gentleman, shall be this—that the House of Commons shall become sensible that the condition of the country with respect to its finances and with respect to the future prospects of our taxation does require its grave attention; that our temporary resources are exhausted, and that we have now arrived at the moment and at the epoch when it is important for the House to consider what the future scale of our taxation shall be.

With regard to the income tax, one word, and one only, before I sit down—because upon that subject I have the happiness of agreeing, perhaps to a greater extent than upon any other, with the right hon. Gentleman; that is to say, not with the right hon. Gentleman as he was in 1852, when he proposed one of the most visionary schemes that ever proceeded from the mouth of a Minister in this House, but with the right hon. Gentleman as he has thought upon that subject since he has had time for reconsideration. In my opinion, the income tax, as a permanent engine of finance, is not a secure portion of the public revenue. A high income tax, in particular is a source of danger. Nothing but extraordinary expenditure and extraordinary necessity in my opinion, can justify the maintenance of that high income tax. The income tax which had the force of law a few weeks ago, was an income tax that was imposed, not for the purpose of bringing about commercial reductions, but was laid on in the year 1859 simply for the purpose of meeting the increased and generally acknowledged military wants and exigencies of the country. I have ventured before this time to point out to the House what, in my opinion, is the case of the income tax. I have never yielded assent to the proposition that an income tax must be regarded as a permanent portion of our finance, because I have never been convinced that we might not attain to a state of expenditure when it would be in the choice of Parliament to dispense with that tax or not. If the country can be governed for a sum of about £64,000,000 or £65,000,000 a year, that I believe might be done without an income tax. At £70,000,000, I do not believe that it can.

Then the right hon. Gentleman says that I am endeavouring to cast censure and suspicion upon the expenditure. On the contrary, I know perfectly well that there is no person who is more fully responsible for that expenditure than myself. What I grapple with is the proposition of the right hon. Gentleman, that the period through which we have been passing is not an exceptional period. I have stated that it is exceptional, because of the extraordinary expenses for wars and military expeditions abroad; but it has also been exceptional, in my opinion, on account of the vast and the most costly transitions which we have been compelled to make in naval architecture and in the whole system of armaments, and on account, likewise, of those apprehensions in the country which led to great augmentations in the scale of our establishments. I do not despair of reductions, and it is my duty, as Minister of Finance, to point out to the House such hopes as I may entertain upon that subject. On the other hand, I have never presumed to speak of sudden reductions. I have never presumed to speak of immediate and large reductions. I pointed out to the Committee on Thursday that there was a reduction upon the Naval and Military Estimates of this year as compared, not with the expenditure, but with the Estimates of last year. I pointed out that it was a small reduction, but I endeavoured to lay before the Committee a statement as fair, as accurate, and as impartial as I could make it. Whether the right hon. Gentleman has really had the same intention—whether he or I is the more guilty of using rhetorical amplifications and wrapping up our figures in a cloud of words, which are intended or calculated to conceal the real point at issue—these are questions of very small importance. As I have said before, I do not complain of the speech of the right hon. Gentleman. I would not complain even of the unjust censures of the right hon. Gentleman, if only I might understand that it was the purpose of himself and of those with whom he sits to check that disposition which has prevailed —if with the Government, certainly also elsewhere—towards an excessive expenditure, and, therefore, to give us the enormous advantage of a sound state of public credit, and of that financial health which is one of the main pillars both of the public safety in general, and especially of national defence.

Mr. BENTINCK said, that he should not have risen if it had not been for a remark made by the right hon. Gentleman, the substance of which had been conveyed to him by an hon. Friend. The right hon. Gentleman referred to him as having last year denied the existence of the surplus, and as having at the same time voted for the repeal of duties, and which was characterized as an act of inconsistency. He was bound to say, without any intended discourtesy, that it was the habit of the right hon. Gentleman when he had a bad case to defend to attempt to mystify the House upon the subject in a manner which was not justifiable. There was no affinity between the proposal to repeal a tax and the proposal to reduce a tax, and the right hon. Gentleman must be perfectly well aware of that. What passed last year was this. He (Mr. Bentinck) doubted the existence of the surplus announced by the right hon. Gentleman in his financial statement; but his argument was, that if they were to act upon the assumption of the existence of that surplus, in that case the more prudent and the safer course, and that which would be most beneficial to the country at large, would be to reduce taxation upon one of the necessaries of life—a tax which would be reimposed if necessary—rather than to repeal a tax the reimposition of which would be next to impossible. That being so, he contended that the charge of inconsistency fell to the ground. Passing from the speech of the right hon. Gentleman to his financial proposals they were open to many objections. In the first place it struck him as singular that there should be a proposal to reduce the duty upon playing cards, and it appeared to him that there was no sufficient reason to justify that proposal. It would almost seem that the right hon. Gentleman had an inclination—he might almost say a wish—to promote every system of gambling. Last year he repealed Sir John Barnard's Act, to facilitate the worst system of gambling known to this or any other country, and thereby took away any stigma that there might be upon such practices; and now he proposed to reduce the duty upon playing cards. What was the reason?—because the law as it now stood was always evaded. That was but a lame argument. Surely it would be better to amend the law than to afford facilities for the possession of what ought certainly not to be recommended for public use. The right hon. Gentleman, when talking of the French treaty—upon which he always dilated with so much self-satisfaction—used this singular phrase: he spoke of the "natural wines" which were imported into this country. Now, one of the complaints always urged against that measure was that the wines imported into this country would be anything but natural wines; that they would be abominable compounds, manufactured abroad, and sent over here as French wines. If, however, the right hon. Gentleman would only drink a sufficient quantity, he would probably alter the opinion which he had expressed, that he was "giving the population access to a valuable commodity." The right hon. Gentleman lectured the right hon. Member for Bucks upon the violence of his language, whilst he himself in his budget speech stigmatized all those who differed from him as being under the dominion of obstinacy, folly, and prejudice.

The CHANCELLOR of the EXCHEQUER: I never applied those words to this House.

Mr. BENTINCK said, he had understood the right hon. Gentleman to say distinctly that his financial measures had been for a long time impeded by the obstinacy, folly, and prejudice of others; and his impression was fully supported by the report of what took place upon that occasion. He need only remind the right hon. Gentleman that for a long series of years he had been subject to similar feelings of obstinacy, prejudice, and folly, and he would ask him whether that portion of his public career to which he looked back with the greatest satisfaction was the time when he abandoned those opinions. He was not prepared to say whether the long dissertation on the Chinese War had been acceptable to the noble Lord at the head of the Government, but the House must have been struck with the great inconvenience of what were called Coalition Governments, and the disadvantage of having assembled on the Treasury benches a number of distinguished men who were diametrically opposed to each other on all great public questions. The right hon. Gentleman, quoting Sidney Smith, then led them into a more particular view of the subject. He mentioned, as a matter of congratulation, a number of articles formerly taxed, but which were now exempt from taxation. He congratulated the corpse that the coffin nails were untaxed, and the criminal that he was hanged with untaxed rope. He (Mr. Bentinck) had no wish to interfere with the full sense of enjoyment which both those parties must experience; but, following out the simile in the case of the bride whose wedding ribands were no longer taxed, he felt sure the Chancellor of the Exchequer reflected as little on the consequences of his policy as the bride thought that her husband would have to pay income-tax, or that her children would possibly be saddled with legacy duty. Ribands had become cheap, but did the right hon. Gentleman think that an adequate return for the misery and starvation inflicted on thousands of weavers? The un-English and inhuman financial policy pursued in this country for some years past had been productive of suffering to a large proportion of its inhabitants, whose wants and feelings had not received that attention to which they were entitled from those intrusted with the management of financial affairs. The right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) had referred to the paper duty, and had gone out of his way to give him (Mr. Bentinck) credit for having shown prescience upon that question; but, indeed, the only prescience shown by him had been shared by the great majority of the country and of that House; for there was not a man in that House who did not know that the Vote for the repeal of the paper duty was given in the teeth of the opinions of a large majority of the House. That ought to open the eyes of the people to the fact, that their best interests were frittered away in the interests of party. He stated last year, that if the paper duty had not been brought forward as a party question, the majority against its repeal would have been as many as sixty; but he had since heard the opinion advanced in a quarter which was entitled to the utmost respect, that if such considerations had not been brought to bear, and if the repeal of the paper duty had been introduced simply as an abstract financial measure, the majority against its abolition would have been above 100. He hoped, that when it became publicly known that upon that particular question the financial interests of the country were sacrificed for a party struggle, the result would be that those who returned Members would impress upon them that their duty was not simply to act in party struggles, but to represent the interests of those who sent them there. But returning to the right hon. Gentleman, he must say that the question ? How long was the cotton crisis to endure; was a singular question to come from a Member of the Government upon whom the continuance of the crisis depended. If the Government had thought proper to recognise the Southern states, and to have done away with the nominal paper blockade, the crisis and the distress would have disappeared. The real fact was that the crisis was perpetrated because the "friends of the people" were taking the part of capital *versus* labour. It was for the interests of capitalists that there should not be just now a large importation of cotton; whilst it was for the interest of labour that this importation should take place. The Government had the means of removing the distress in the manufacturing districts by recognising the independence of the Southern states. The right hon. Gentleman had also said, that the present amount of taxation was above that which could be borne with satisfaction and comfort by the people; but if that was his opinion, why was he upon the Treasury bench? Why was he not sitting below the gangway—not, indeed aiding the hon. Member for Birmingham (Mr. Bright) in removing taxation, for that hon. Gentleman confined his efforts to making speeches, and when money was voted he was generally absent—but why did he continue in the Government? How could he reconcile his denouncing that expenditure of which he was himself the origin? Would the people of the country have the slightest faith in any opinion which the right hon. Gentleman might express upon the subject of extravagance, when he of all others was most responsible for that extravagance? His position ought to be below the gangway, and until he removed to that more convenient locality he had no right to expect that the slightest reliance would be placed upon any statement of his in favour of economy. He had simply to say, in conclusion, in reference to one of the details of the financial scheme—that which related to the imposition of a licence duty on private brewing—that the proposal was one which, as it at present stood, would operate with great injustice on a portion of the community—the class of small farmers—about which the right hon. Gentleman was not in the habit of showing himself to be very solicitous. The exemption from the tax was in favour of persons who occupied houses of less rent or value than £20 a year, and tenant-farmers renting land at a rent less than £150 a year. There was no affinity between these two classes of exceptions, for the exemption was much more in favour of the town than it was of the country. To equalize the two cases his impression was that they ought to extend the exemption to farmers so as to include in it those who paid as much as £250 a year rent, or that they should, without any reference to farmers as a class, exempt all who lived in houses worth less than £20 a year. His intention was at a future time to propose an Amendment, exempting all farmers who did not pay more than £250 rent.

The CHANCELLOR of the EXCHEQUER said, he wished to say a few words in explanation. The hon. Gentleman had stated that on a former night he (the Chancellor of the Exchequer) had used the terms, "obstinacy, folly, and prejudice" in reference to Gentlemen in that House; but the truth was, that when using the words he was not at all referring to proceedings in that House. What he said was that the French treaty had done much towards making commercial intercourse what it ought to be, and different from what the obstinacy, folly, and prejudice of men would have made it. He repeated that he did not at all refer to what had taken place in that House.

Sir HENRY WILLOUGHBY said, he understood the Chancellor of the Exchequer to admit the existence of a deficiency to the amount of £1,164,000 on a comparison of the revenue and expenditure for the year ending the 31st of March, 1862. He should wish to know how the right hon. Gentleman proposed to meet that deficit. Did he intend to meet it by a reduction of the balances, or carrying the amount into the accounts of the current year? If the latter, then what became of the small surplus which was claimed for this year? There were also some reasons for believing that there were outstanding charges which were very much in the nature of charges in the Miscellaneous Estimates for this year. There was £35,000 for surveying in America; £79,000 for expenses incurred in British Kaffraria; and £25,000 for Vancouver's Island. There were other similar charges, and he wished to know whether any inquiries had been made on these important subjects. There were fifty places connected with the British Empire where the person holding the command, whether the Governor or the chief military officer, might incur expense without the knowledge of the Government at home, and, still more, without the knowledge of Parliament. That was done through the Treasury chest. For several years an account had been running up for Indian troops employed in China. Those troops were employed, not during war, but during peace, and therefore the expenditure did not come within the Vote of Credit. The last time he saw the account the balance amounted to £154,000. Sooner or later that sum must be provided for by Parliament; but, if so, what became of the surplus? There were other outstanding charges of the same kind. He could not believe, looking at what had taken place in New Zealand and Canada, that we had discharged all our obligations in those places; and what he wanted to know was whether the Chancellor of the Exchequer had fully considered these matters in connection with his general financial arrangements. The right hon. Gentleman had reckoned as revenue a charge of £255,000 upon the Indian Government for the non-effective services. He could not understand how that money could fairly be treated as revenue. It was an anticipation of a resource which might be available some years hence, rather than a resource actually available in the current year. These various points threw considerable doubt upon the financial statement of the Chancellor of the Exchequer, and he was afraid they would lead to the production of a supplementary budget, which was a thing always to be deprecated.

Mr. AYRTON said, he was not one of those who thought it was the duty of hon. Members to vote for every remission of taxation which might be proposed, and then leave to the Chancellor of the Exchequer the odium of maintaining taxes upon the people. If there was one duty more than another incumbent upon those who sat on the ministerial side of the House, it was that of sharing frankly in the grave responsibility of imposing taxes upon the country. He had been much pressed to vote for the repeal of the duty upon hops; but he had always answered, that although he thought the hop duty one of the most inconvenient that could be suggested, yet he never could support its repeal until he saw what was to be substituted for it, so as to make good the revenue. The Chancellor of the Exchequer had dealt with the question in a manner that ought to commend itself to the House; for, in remitting a duty which was quite indefensible in its character, he had substituted another duty which, without being oppressive to the people, left the production of the article, which was indirectly taxed, very much where it was before. No doubt, the simplest substitute for the hop duty would be an increase of the duty upon malt, because the duties upon hops and malt were merely taxes upon beer; but the Chancellor of the Exchequer must have felt, that if he proceeded in that manner, he would be met by an amount of prejudice on the part of the growers of barley which would render the success of his proposition altogether hopeless. So the right hon. Gentleman had been driven to a complicated system of taxation upon brewers, and the question of licensing was the main feature of his financial scheme. Now, in theory, the system of licensing was one of the most unjust that could possibly be adopted. Formerly, when the smallest licence for brewing cost £1 10*s.* for 1,000 barrels, the number of persons licensed to brew was restricted to 1,700. In 1825 the law was altered, the lowest licence being reduced to 10*s.* for liberty to brew some 20 or 30 barrels of beer, and the scale at the same time being made more gradual. What was the effect of that change? Why, the number of brewers was almost immediately increased to 48,000, showing the depressing effect of the licensing system. The Chancellor of the Exchequer now proposed to increase the *minimum* licence from 10*s.* to 12*s.* 6*d.* One would rather have expected the right hon. Gentleman, considering his principles, to diminish it from 10*s.* to 5*s.* The right hon. Gentleman, not content with enlarging the *minimum* of the tax, proposed to extend his licensing system to every private brewer, although the fact was, according to returns on the table, that the private consumption of malt was an inappreciable fraction of that consumed by the licensed brewers. Then, again, the right hon. Gentleman proposed to grant special licences for three days for the occasional sale of exciseable liquors. Did he intend to confine these special licences to cases in which a licensed victualler could now by law sell exciseable articles, or was an indefinite power to be given to the Excise to grant those licences as they thought fit? If such a power was granted to the Excise on every occasion of a game of cricket, or any other out-of-doors amusement, all the publicans in the neighbourhood would be hurrying to the scene and plying the people with gin and beer, thus converting what was intended as a healthful recreation into the occasion of intemperance and vice. He submitted such an extensive change—the laws affecting the morality of the people—should not be left at the discretion of the Excise, whose only object was to obtain the largest amount of revenue, and with that view to drench the public with exciseable articles. The right hon. Gentleman proposed another extension of the licensing system which was alike uncalled for and inexpedient. He meant as regarded the licensing of every man who sold a pack of cards. Every stationer sold a pack of cards now and again, and he must now be licensed to do so. When the duty was 1*s.* 6*d.* per pack, there was no such licence; but now the duty was to be reduced to 6*d.* per pack, and when the chances of fraud were diminished, the dealer must take out a licence. He thought the Chancellor of the Exchequer would do well to abandon that system of attempting to collect a small revenue by a policy of irritation which would cause great unpopularity to the Government, but have no practical result.

Mr. VANCE said, he rose to represent a case of injustice in the proposed mode of carrying out the repeal of the hop duty. The matter had been represented to him by a brewer who in the city he represented was as well known as the hon. Member for Derby (Mr. Bass) was in London. He meant Mr. Guinness. The point complained of was that the brewers would not, in the scheme proposed, get the drawback unless they exported their stock of hops on hand. Whenever the malt duty had been increased or diminished, it had been customary to take an account of the stock on hand of malt, and charge the brewer with what he had in the event of an increase of duty, or allow him the drawback if the duty was diminished Another question which he wished to ask the Chancellor of the Exchequer was whether he intended to extend these private licences to brewing in Ireland; if so, he could assure the right hon. Gentleman that it would prove a complete dead letter as regarded that country. He wished to take that opportunity of congratulating the Chancellor of the Exchequer on the success of the French treaty.

He had opposed it when it was first brought forward, because he considered that it did not obtain for us the same advantages as we surrendered, and he still thought that the terms of the treaty as then presented to the House justified that opinion; but the French Government had subsequently made reductions in some of the duties; and he was satisfied that as the two nations were brought into closer intercourse the larger would be their trade and the greater the benefit that would accrue to each of them.

Mr. LINDSAY said, the right hon. Gentleman (Mr. Disraeli) had not been very consistent in the attack which he had made upon the Chancellor of the Exchequer; for in none of the Motions which they had made in favour of economy had hon. Members below the gangway ever received much support either from the right hon. Gentleman or from the party he led. When it was represented that France was building a great number of ships, and had views of invading this country, no one stirred up the flame so much as hon. Gentlemen opposite; and the Government was too often goaded on to expenditure by the leaders of the party on the Opposition benches. He confessed, too, that under the circumstances of the case, and the pressure brought upon him by both sides of the House, he did not see how the Chancellor of the Exchequer was answerable for the public expenditure. The noble Lord the Secretary of the Admiralty came down to the House and asked for £12,000,000 for the navy, and the House at once granted the money. Positively the whole £11,400,000 had this year been voted in four hours—£5,000,000 of it in five minutes. Then, again, the right hon. Baronet the Secretary for War came and asked for £15,000,000 for the army, and the House ran through the whole of those immense Estimates in two or three nights. It seemed to him (Mr. Lindsay) that under these circumstances the Chancellor of the Exchequer had nothing to do but to pay the bill, and that the blame, to a great extent, rested neither with the right hon. Gentleman nor with the Government. There was one point, however, with respect to which he thought the Government censurable. It had been known for some years that iron ships exceeded wooden ships in power. Reports had been sent to the Admiralty to that effect, and there was evidence showing that since 1856 the French Government had not laid down one wooden ship of any kind. It was clear to any reflecting mind that an armour-plated ship was capable of destroying a whole fleet of wooden ships; yet in spite of that the Admiralty had gone on from year to year spending immense sums upon wooden vessels. In 1856-7 the sums voted for wages in the dockyards had been £1,190,000, and for stores, £2,447,000; in 1857-8, wages, £987,000; stores, £1,464,000; in 1858-9, wages, £989,000; stores, £1,484.000; 1859-60, wages, £1,500,000; stores, 2,800,000; 1860-1, wages, £1,440,000; stores, £3,204,000; 1861-2, wages, £1,112,000; stores, £3,490,000. He could not say exactly how much of these sums was for wooden ships, but he found that during the last year £949,000 had been spent on timber alone; and he calculated that the whole sum spent during the last six years on wooden ships could not be set down at less than £8,000,000, which he contended had been virtually thrown away. The Government had gone on, in spite of every remonstrance, and in spite of the example set them by France, lavishing the money of the people upon vessels which for purposes of warfare were admitted to be worthless. Two years ago it was proposed to make a large expenditure for dockyard defences; and in the list of the thirty-nine who by their votes protested against that expenditure he did not find the name of one of the hon. Members sitting on the front Opposition benches. The large expenditure incurred upon fortifications was also most injudicious, as fortifications constituted no adequate defence against iron-plated ships. He also much condemned the Admiralty for not introducing extensive administrative reforms in our dockyards, as the result of the Commission and the Select Committee which had inquired into that subject; and he maintained, that if that course were adopted, it would be possible to make ten millions of money go as far as twelve millions now went.

Lord ROBERT CECIL said, he could assure the hon. Gentleman who had just sat down that it was perfectly possible to impugn the conduct of the Chancellor of the Exchequer without desiring to bring down the expenditure upon national defence to a point lower than it then stood; and certainly he had not understood the right hon. Member for Buckinghamshire to express himself in any other sense. He knew not whether the Chancellor of the Exchequer would accept in his defence the constitutional doctrine of the hon. Member for Sunderland (Mr. Lindsay), but undoubtedly a stranger one had seldom been broached in that House. According to the doctrine of that hon. Gentleman, the Chancellor of the Exchequer was simply a banker's cashier, who had to pay whatever the First Lord of the Admiralty or the head of any other department might demand. Had the hon. Member never heard of that salutary institution, the Cabinet? He wished the Chancellor of the Exchequer to say distinctly and categorically whether he approved or disapproved the amount of the Estimates. If he approved it, why did he lose no opportunity of denouncing and discrediting it in that House? If he disapproved it, why did the right hon. Gentleman not say so when the Estimates were adopted by the Cabinet? The right hon. Gentleman always spoke as if some major force were laid upon him in this matter—as if he were acting as the slave of some higher power, and as if he only wished he could, by suggestions and inuendoes, irritate the House and the country into sparing him the necessity of proposing Estimates which in his heart he disliked, and would be glad greatly to curtail. The explanations given of his conduct in that respect by the right hon. Gentleman that night were scarcely a sufficient answer to the charges which had been brought against him. The Chancellor of the Exchequer seemed entirely and carefully to avoid the question whether or not he was to be held as a willing or an unwilling participator in the expenditure which he was continually hinting to the House was lavish, profuse, and almost profligate. The right hon. Gentleman's answer appeared exceedingly inadequate on another point—namely, with regard to the taxes which he had used his power to fritter away, and which in their then moment of need they required so much. The House was about again to vote the 9*d.* income tax, and there was no doubt that that, and more than that, would probably be wanted for the service of the country. But one naturally inquired what had become of those taxes which, before the right hon. Gentleman acceded to office, were available for filling up the gap which the income tax was now required to fill. The right hon. Gentleman asserted that it was illogical and fallacious to say that these taxes had been thrown away; that those who said so had yet to learn, and that the country itself would teach them, that they had not been thrown away, but that by the remissions which he had effected he had raised the rest of the revenue, and consequently made up for the taxes that had been lost. That doctrine the right hon. Gentleman had again and again reiterated, describing it as the doctrine of the reproductive energy of the revenue; and it might, in fact, be regarded as the cardinal point and essence of his financial policy. Now, it might be well to bring that doctrine to the test of a very few figures. The right hon. Gentleman said that his remissions during the last two years had stimulated the reproductive energy of the revenue; and he had mentioned, as a wonderful circumstance, that the remaining revenue of the country had risen a million a year under the influence of those remissions. He had further informed them the other night that the Customs had been reduced by the amount of £2,400,000, but that out of that sum he recovered something like £1,600,000 within two years. The right hon. Gentleman, therefore, used the fact that the revenue had improved £800,000 in each year as a proof of the soundness of his financial policy and the wisdom of his remissions. In order to ascertain whether or not that was so, the point to discover was, what was the normal increase of the revenue if the taxes had been left alone? They all knew that the revenue constantly grew with the growth of the wealth and prosperity of the nation. The question was, in what proportion did it grow? It was not very easy to find a year in which some remission or other of indirect taxation was not made; but it so happened that the year which preceded all these changes was a year in which there were no such remissions, and consequently it would furnish a test of the rate at which the revenue increased if left alone. Well, what were the facts? In 1858-9 the Customs and Excise together yielded £36,794,000; in 1859-60 they reached £39,114,000. That was a growth in one year of more than £2,300,000, or in the proportion of one-sixteenth. The year 1858-9 was not an exceptional one; on the one hand there was a good harvest, on the other a war leading to the curtailment of commercial operations. The right hon. Gentleman was proud of his Customs revenue having increased £800,000 a year in spite of the remissions he had made. The Customs revenue which the right hon. Gentleman left behind, after the changes which took place in 1860, was about

£20,000,000; and if he had left them untouched, and allowed them to grow at the rate they had grown in previous years—namely, one-sixteenth, the annual increment would have been £1,250,000, instead of £800,000. He did not say for a certainty that the remissions of taxation had injured the revenue or prevented its increase; but he wanted to commend those figures to the consideration of hon. Gentlemen, in order to disabuse them of the idea that the growth of the revenue was the necessary result of those remissions. As a matter of fact, the figures proved that in spite of the remissions which bad been made in 1860 the revenue had grown, but at a much slower rate than it had done the year before.

The right hon. Gentleman had also tried to show that throughout the whole period of his financial policy the growth of the revenue and the growth of public prosperity had been due to remissions of taxation. That was a fallacy, for the real state of the facts was this, that in other countries, where there had been no remissions of taxation and no new commercial policy, the increase of prosperity was more rapid than in England. In England the exports between 1846 and 1856 increased only 96 per cent; in Austria they increased 124, and in France 159 per cent. Those facts conclusively showed that they must have recourse to some other cause than a revised commercial policy to account for that marvellous increase of wealth which not only England but other nations had enjoyed for the last fifteen years. The main cause of that increase was, he thought, to be found in the wonderfully-increased means of communication. In consequence of improved facilities of communication business could be done in half the time that it formerly took, and therefore people could put their capital to use much more frequently. A larger annual return for that capital was the natural consequence. If commercial prosperity had been the result of a remission of taxation, it would have been confined to England alone. He had, however, shown that in other countries of Europe, where there was no such remission of taxation, the commercial prosperity had increased considerably more than in England.

The right hon. Gentleman the other night brought into a focus, as he called it, the financial policy of the last three years, and presented the results to the House; but he omitted some of the darker rays, which ought to have been taken into consideration. What the country would ask, upon seeing the present budget, was whether it had been a loser or a gainer by the financial policy of the right hon. Gentleman, and what the result would have been if he had never been Chancellor of the Exchequer. When the right hon. Gentleman took office, the income tax was *5d.* in the pound; now it was *9d.*; thus, £4,000,000 additional was raised. If they looked to the indirect taxes which the right hon. Gentleman had remitted or reduced, they would find that they came to very much the same amount: £1,300,000 paper duty, £2,420,000 Customs, and £100,000 hops, would give very nearly that sum, and then the natural growth of the revenue would do the rest. What he wanted to impress on the House was, that that fact would throw some light upon the great success which the right hon. Gentleman alleged had attended the operations of the commercial treaty entered into with France. Now, the £4,000,000 additional raised by the income tax was taken from a class of persons who had never paid it before, and who got no return from it. By the help of that £4,000,000, the right hon. Gentleman, no doubt, enabled a large number of persons to set up a profitable trade, and those persons, very naturally, were loud in their panegyrics of the success of his commercial policy, and the French treaty. What the right hon. Gentleman had done was this—he had said to all the holders of fixed incomes, to curates, clerks, farmers, and all who were not engaged in trading operations, "You shall pay *4d.* in the pound more than you have paid me before, and with that money I will enable certain estimable people in a great number of the commercial towns of England to open trade which they would never have been able to do before." If money was taken from one interest and given to another, the latter of course would be very prosperous, and that was all that the right hon. Gentleman's commercial policy had achieved. Those who had benefited in that way were perfectly right in praising a policy to which they owed so much, but they were not right in speaking as though the £4,000,000 by which they had profited had been dug out of the earth or thrown down from the sky;—it was really taken out of the pockets of a class who had never paid it before. If it were the necessities of the people that had been relieved by that policy, there would have been something to say for it; but it was off silks, wines, gloves, and paper that the duty was taken; and therefore it was not just to say, as the right hon. Gentleman was constantly saying, that they had used the opportunity of the falling-in of the Long Annuities to confer blessings on the people. The sentence that they must pass on the policy of the right hon. Gentleman for the last few years was this—that he had crowded into a couple of years that which ought to have taken ten or twelve years to accomplish. Had the right hon. Gentleman waited for the ordinary falling-in of the revenue, all that he had done could have been effected in the course of time without raising the income tax from *5d.* to *9d.*, and without imposing the extraordinary burdens under which they were labouring. The right hon. Gentleman had that night claimed to be a successor of Sir Robert Peel, and had also alluded to his claim to be the successor of Mr. Pitt; but there was one main difference between the policy of those great statesmen and that of the right hon. Gentleman. The right hon. Gentleman had rightly stated that the income tax must be used either for purposes of commercial reform, or for aiding the country in supporting the burden of a great war. Mr. Pitt used it under the pressure of a great war; Sir Robert Peel to carry out commercial reforms; but the peculiarity of the right hon. Gentleman had been that he had united the two objects, and had imposed upon the country the burden of the income tax for the purposes at once of war and of commercial reforms. It might be said that that was a light charge to bring against the right hon. Gentleman; but the course of financial wisdom was different. Every error that was committed, every precipitate step that was taken, inflicted a fearful amount of injury at the time, which could never afterwards be remedied. The shock of his measures was felt most severely by those who had no capital to fall back upon and no luxuries to retrench. At first sight the income tax would appear to rest only on the better classes; but that was not so; its certain effect was to force the employing classes to employ less, to retrench their expenditure in a hundred ways, and every one of those ways fell hardly upon the poor. He feared the sufferings which the poor were going through at that moment were the ultimate results of the right hon. Gentleman's policy. He chose, for the sake of his own fame, to compress into one year what ought to have been the work of several. The pauperism of the country was increasing. On the first of July there were 10,000 able-bodied paupers more than the average, and that was only a sign of what the right hon. Gentleman's policy had effected throughout the whole country. It was true that some manufacturing interests had derived advantage from the French treaty, but it must be remembered that all did not live by exports. Some Gentlemen seemed to think that the exports were the only test of our national prosperity; but that was not so. It was possible to give foreign trade an artificial stimulus whilst there was an increasing misery in the heart of the country. There was no part of the right hon. Gentleman's speech which he had heard with greater satisfaction than the expression of his opinion that the time for such dealings with finance had now come to an end, and that it would be unwise in future to generalize the maxims which he had heretofore laid down.

Mr. BALL said, he should not have ventured to trespass on the attention of the House had it not been for the observations of the hon. Member for Sunderland, who taunted the Opposition with having supported the Navy Estimates of the Government. He (Mr. Ball) did not consider that his side of the House were deserving of any reproach because they had not endeavoured to cut down what the Government asked for for the naval department. He thought that the whole property of the country could not be considered secure unless they had a powerful and an efficient navy; and, therefore, that the last thing which islanders ought to do was to diminish or weaken the strength of their navy. The money raised by taxation to maintain an efficient navy was a sort of premium paid for securing the property of the whole country. Instead, then, of opposing the requirements of the Government for that purpose, the party with which he (Mr. Ball) was connected was more disposed to facilitate and encourage the action of the Government when directed towards the object of improving the efficiency of the navy. He suggested to the Chancellor of the Exchequer to reconsider the propriety of withdrawing the *12s. 6d.* licence tax from a gentleman who chose to brew his own beer. It would be most obnoxious to country gentlemen, clergymen, and dissenting ministers, who could not afford to drink wine. A man who brewed twenty barrels of beer would be relieved of *2s. 6d.* by the repeal of the hop duty, but would have to pay *12s. 6d.* for permission to brew. But suppose a gentleman brewed without taking out a licence, was every house to be visited by the exciseman and rendered liable to a fine? Such an inquisition would be intolerable; and if the Chancellor of the Exchequer did not withdraw that portion of his measure now, he would be forced by the voice of the country to withdraw it after it had come into operation. He had only one other observation to offer. The Chancellor of the Exchequer had spoken of the advantage arising from the French treaty, not only from the increase of exports and consequently increased employment in their manufactories, but from the moral benefit to arise from the friendly intercourse to result from it; but it had always appeared to him (Mr. Ball) that in proportion as their exports to France increased would there be a discontent and ill-feeling generated in the minds of the French manufacturers, whose goods would be thereby displaced from the market.

Sir STAFFORD NORTHCOTE said, that after the excellent answer which his noble Colleague (Lord Robert Cecil) had given to the hon. Member for Sunderland, he need hardly enter into that point; but he must protest against the doctrine put forward by the hon. Member, which had been cheered by the Chancellor of the Exchequer, and which was certainly a comfortable doctrine for any Government to have held concerning them—namely, that if the Estimates were too large it was the fault, not of the Government, but of the House. [The **Chancellor** of the **Exchequer**: I did not cheer it.] He was glad to hear it; it was certainly cheered by some one in the Chancellor of the Exchequer's immediate neighbourhood: and it was evident that some hon. Gentlemen thought that it furnished an answer to the criticisms of his right hon. Friend (Mr. Disraeli); but that was not the point at issue; nor, with all submission, was the doctrine of the hon. Member for Sunderland the true doctrine which should be held upon the subject. It was said that his right hon. Friend was inconsistent inasmuch as he did not vote with the hon. Member (Mr. Lindsay) for the reduction of expenditure. But it was a serious thing for independent Members to vote against Estimates which were framed by the Government with a full knowledge of the facts, and which they, as responsible advisers of Her Majesty, declared were necessary for the public service. The hon. Member had alluded to the fortification Vote, but what had passed upon that subject? One of the most eloquent and influential independent Members in that House (Mr. Horsman) brought forward the matter two years ago in an able speech, but the Government opposed him, and he was beaten on a division by two to one. Next year the Government themselves brought forward a similar measure, and then not forty hon. Members voted against it. That showed that the House did not force measures upon the Government, but that hon. Members were not disposed, with the insufficient information which they necessarily possessed, to take the responsibility of voting against the Government in such cases. But that, after all, was not the question raised by his right hon. Friend, who had neither alleged that the expenditure was too large nor that it was too small, but had shown that, large or small, the Chancellor of the Exchequer had failed to provide the means for meeting it. That was the real point which the House had to consider. Whether the expenditure was £70,000,000 or £75,000,000, it was the duty of the Chancellor of the Exchequer to provide the means to meet it. Now, when the Government submitted large Estimates, and the Chancellor of the Exchequer proposed to take off considerable taxes, they were led into an expenditure which they probably would not have sanctioned if they had not believed it to be quite consistent with the remission of burdens. Some strange doctrines had been laid down by the Chancellor of the Exchequer in his observations. They did not amount to a reply upon the speech of his right hon. Friend; and, if the Chancellor of the Exchequer really expected hon. Members to believe them to be a reply, he must have a low opinion of the logical power of the House of Commons. The right hon. Gentleman told them, for instance, that the repeal of the paper duty was no loss. That was a strange doctrine. His right hon. Friend had said that there would have been a smaller deficit if the paper duty had not been repealed, adding, "You have a nominal surplus for the year to come; there would have been a real surplus if the paper duty had been retained." Upon that the Chancellor of the Exchequer said, "You are entirely mistaken. You fancy that the repeal of the paper duty is a loss to the revenue, but it is no such thing;" and he illustrated that by reference to the repeal of the soap duty. But the question was, did they not by that remission lose revenue in the past year, and were they not going to lose revenue in the coming year from the same cause? If the Chancellor of the Exchequer meant that in 1870 they would find themselves with just as good a revenue without the paper duty as with it, very likely he was right. Perhaps they then had a larger revenue owing to the repeal of the soap duty eight or nine years ago. But what the House had to look at was the present moment. He could not understand how, in one breath, they could be told that the deficit was caused by a mistake about the drawback, or something of that kind, and in another that in speaking of the loss consequent upon the repeal of the paper duty they were talking of that which they did not understand. Perhaps the House of Commons were not altogether adepts in matters of political economy, but they could understand the plain proposition that the revenue of the present year and the year to come had suffered and would suffer from the repeal of the paper duty. As to the remark of the Chancellor of the Exchequer that the past two years were exceptional years, it was perfectly true, that if they looked back through a long series of years, beginning, perhaps, with 1816, they might be called exceptional. But what the House wanted to know was, not whether they were exceptional years upon such a long retrospect, or with reference to what might be the case in 1870, but whether they belonged to a period of which it could be said, "It was an exceptional period, and it is past;" whether such years might not, on the contrary, continue to recur, and whether there was not every probability of their recurring for some time to come. What the House knew, at all events, was, that in these exceptional years they had had recourse to exceptional resources. He would recommend the House not to overlook the character of these exceptional years, and he was anxious to call attention to what had been going on during the large number of exceptional years through which the country had been passing. His right hon. Friend (Mr. Disraeli) had confined himself to the financial aspect of the last two years. [The CHANCELLOR of the EXCHEQUER: Three years.] His right hon. Friend had been asked by the right hon. Gentleman to extend his review to the last three years. Even with that extension of the period the right hon. Gentleman had been greatly mistaken in the Estimates he had made, as compared with the results. On the first of these years the Chancellor of the Exchequer had estimated a surplus of £250,000, while he really had a surplus of £1,587,000. In the next two years the estimated surplus was £464,000 and £408,000, while the realized deficiency was £2,500,000 in one, and £1,200,000 in the other. The right hon. Gentleman did not deny that; he only said that other people were mistaken, and then he referred to the year 1858. But his right hon. Friend (Mr. Disraeli) had, he thought, no reason to be ashamed of any reference to the year 1858. It was true that he was deceived in his estimate of the produce of some small taxes. Every Chancellor of the Exchequer was liable to such errors. But his right hon. Friend estimated a surplus of £310,000, and he got a surplus of £813,000. That was a very satisfactory sort of miscalculation, and made up for any mistakes his right hon. Friend might have made in regard to bankers' checks and Irish spirit duties. Passing over these more recent years, however, he was anxious to call the attention of the House to what had been going on during the last eight years. During that period there had only been two years in which there had been a surplus. That was shown by a Return for which he had moved last Session. There was a large surplus in 1853, but ever since 1854, the beginning of the Crimean war, there had been a recurrence of large deficits, with the exception of 1858-9, when his right hon. Friend the Member for Bucks was in office, and 1859-60, the year after he had quitted office. In those eight years the deficit was £36,144,000, and, deducting the surplus of these two years, £2,400,000, the result was a net deficiency, during eight years, of £33,744,000. No doubt, that was mainly due to the war with Russia. No one would expect that during a great war the revenue would be equal to the expenditure. As, too, the war with Russia was the cause of the deficiency, so also the great increase in the expenditure of the country might be traced to the same cause. The excitement that then prevailed in Europe led the various Governments to consider the best means of attack and defence, and different nations then began to run a race against each other, which had brought them to their present financial position. It was idle to attribute their present exceptional position to such causes as the little war in China, or the possibility of a difficulty with America. A year or two ago it was France with which they were entering upon a race of armaments; now it was America. There seemed a probability that the United States, which used to be a great pacific Power, were on the eve of becoming a great military Power, and that upon an element where it would be necessary to take the most costly measures to preserve British ascendency. He asked the House to consider what probability there was of that exceptional state of things coming to an end for some time? It was, therefore, their duty to consider the resources of this country, and not to throw them away until they saw the way of meeting the inevitable expenditure.

He would next call the attention of the House to the increase of the debt. Since 1854 there had been an addition of £31,500,000 to the capital of the debt, and an increase in the annual charge, making allowance for the falling-in of the Long Annuities, of upwards of £1,000,000. The country used to bear that annual charge with some cheerfulness, because there was a prospect of one portion of it coming to an end. That payment had now ceased, and there was therefore no longer that relief to look forward to. The real measure of the debt was the amount of its annual charge, and that had not decreased during the last three years, if allowance were made for the Long Annuities. There was no real diminution of the debt during the last three years, nor had it varied much during the last few years. When it was remembered that during the last eight years an addition of £30,000,000 had been made to the debt, the House would not be doing its duty unless it made ample provision for the expenditure of the year, whether it were an exceptional year or not. Whether that was to be done by a reduction of expenditure or an increase of income was not the point under discussion; but he did press upon the House the necessity of making exertions to equalize the income with the expenditure, and to secure a large surplus, every year, that might be reckoned upon. The year 1860 was called an exceptional year, because of the Commercial Treaty with France. In that year the Chancellor of the Exchequer had an addition of £2,000,000 to his resources through the cessation of the Long Annuities. The right hon. Gentleman did not know what to do with that £2,000,000. The right hon. Gentleman, after giving full effect, and more than full effect, to the stipulations of treaty, found himself with a million of surplus, and what did do with it? He was not obliged by the treaty with France to repeal the paper duty, yet he proposed to give up—and would have done it but for the interposition of the House of Lords—more than a million for this purpose, although the country was on the eve of a China war, and although he was warned the year would be one of exceptional expenditure. Then in the month of July the right hon. Gentleman, after having thrown away his resources as far as he could, came forward with a Vote of Credit for £3,800,000. In the same year arose the question of the fortifications. The Government were pressed to tell the House what they proposed to do. It was known that the Defence Commission had reported, and that a large sum would be wanted. Yet all that the House was told was, "Pass our measures, and then you will see what we propose to do." That was not fair; the House could not possibly do its duty, or make a proper provision for the expenditure with such demands. However desirable it might be to repeal different duties, and however true it might be that at the end of five or ten years they would be the richer for having done so, yet nothing could excuse the Government for making a provision for the year.

There was another point he had adverted to, immediately after the budget statement, on which he would offer a few remarks; it was in reference to a portion of the calculations of the Chancellor of the Exchequer. He had asked how the right hon. Gentleman expected a larger revenue from the Excise that year than in the last. The paper duty had been taken off; and that they were told last year would cause a further loss of £500,000 on the Excise in the present year. Hon. Members on that (the Opposition) side of the House had been told more than once, and again that night, that they had proposed to give up a larger amount on the tea duties than the Chancellor of the Exchequer had sacrificed by the paper duty. He denied the fact: but in the way the argument had been used it was used unfairly. In the first instance many of them doubted whether there was a surplus at all. But on being assured there was a surplus, and that some taxation might be reduced, they preferred a reduction of the duty on tea to the abolition of the duty on paper, not only because they thought there were stronger claims in the one case than in the other, but because they thought the reduction of the tea duty would cause a smaller loss to the revenue than the abolition of the paper duty. They might have been wrong; they had not access to the official calculations and information possessed by the Chancellor of the Exchequer. It was perfectly legitimate for him to say, You think you are only sacrificing £500,000 by your proposal, but you are really sacrificing £900,000. Had it been fairly put in that way, they might have been prepared to modify the proposal so as to bring down the reduction to what the revenue could afford. But it was not fair to taunt them with having proposed to throw away a greater amount of revenue than had been lost on the paper duty, when their proposal was in the directly opposite sense. And he still thought, that if they had passed the Resolution of the hon. Member for Liverpool (Mr. Horsfall), they would not have thrown away so large an amount as the Government had sacrificed by abolishing the duty on paper. It might have been very wrong in them to make a miscalculation in the financial measure they proposed; but if so, a mistake on the part of the Governnent was much more inexcusable. With all the advantage of official information, and a careful survey of the ground for two years, it now appeared that the Government had made miscalculations as to the loss which would be occasioned by the repeal of the paper duty that deprived it of any right to taunt them with having committed an error as to the loss of revenue by the remission of the tea duty. It was a serious thing for an independent Member to venture to criticise the estimates of the Chancellor of the Exchequer. They were told, and justly, that the estimates were not prepared by the Chancellor of the Exchequer alone, but with the assistance of the permanent heads of the revenue departments on the best information they had at command. Yet the Chancellor of the Exchequer had made mistakes in the calculation of revenue from several sources, and especially from the Excise. In 1860 the Chancellor of the Exchequer estimated that the Excise would produce £21.361,000; in reality, it produced only £19,439,000. In the following year it was estimated that it would produce £18,780,000, whereas it produced £18,330,000, or £450,000 less; and he therefore thought, that considering the wide difference between his former estimates and their result, they were fairly at liberty to criticise the right hon. Gentleman's estimates, and especially those of the Excise. The right hon. Gentleman estimated that the revenue from the Excise would be as large this year as the last. The right hon. Gentleman calculated the loss on the paper duty at £300,000, and estimated that he would make up that amount in the malt duty. He thought the right hon. Gentleman was mistaken in that. And if he did realize the full gain expected on malt, that was not the principal article on which revenue was gained from the Excise. What were the prospects of the revenue from spirits? There had been a serious diminution in the consumption of spirits in the past year—not less than 2,000,000 gallons. That was attributed to a decrease in the consuming power of the population. But did they see any symptoms of a revival of the consuming power? It used to be said that in a period of distress the revenue from spirits increased, because the first thing Englishmen did under depression was to take to drink. But now, from a fortunate change in the disposition of the people, that was happily not the case. In a period of distress, the first pressure did not fall on tea, or other necessaries of life; it appeared first in the reduced revenue from spirits and tobacco. That was a most gratifying circumstance, as indicating the improved moral character of the people; but, regarded merely as a question of finance, it affected the prospects of the revenue very seriously. The deficiency in the consumption of spirits in 1861 was 2,000.000 gallons, as compared with 1860. The duty on spirits was 10*s.* a gallon; the decrease, therefore, meant a deficiency in the revenue of £1,000.000. These were the sort of calculations they must look at. They were operating on a very small surplus indeed; and in the sanguine estimates of the Chancellor of the Exchequer he had no confidence whatever. They had heard a great deal of the increase in the Military and Naval Estimates. That increase had been 37 per cent since 1853. But the Miscellaneous Estimates had increased in the same period from £4.800,000 to £7,890.000—an increase of 64 per cent. At the same time, the national defences were the first object to look at, and they could not take the responsibility of cutting down the necessary demands for them. But, if they could not keep down the Naval and Military Estimates, why could not the hon. Gentlemen below the gangway attempt some reduction of the continually growing Miscellaneous Estimates? That was a point for consideration. He did not wish to raise questions or discussions which had no practical object whatever. He did not wish merely to lay the foundation of a party vote, or to make use of an opportunity like that for the purpose of gaining anything like a party triumph; but he thought the House must admit that the distrust which he and his friends had felt in the system of finance adopted during the last two years had been very much justified by the results. He should not go in detail into several of the Chancellor of the Exchequer's schemes, to which he did not object in the abstract. He should have approved almost everything that had been done by the right hon. Gentleman if it had been done at the right time. What he objected to was, that the right hon. Gentleman had attempted to accomplish in two years what ought to have been the work of, perhaps, ten. He could not bring himself to believe that they had not suffered anything in the revenue of the last year, and would not suffer anything in the revenue of the present, by the repeal of the paper duty. He could not bring himself to believe that the exceptional years were at an end. On the other hand, he ventured to say that the resources to be derived from exceptional taxation were coming to an end. A few years ago they were told the taxes on which they could fall back in cases of emergency were the income tax, the malt tax, the spirit tax, and the taxes on tea and sugar. It was evident that neither the malt tax nor the spirit tax was available any longer. They had pushed the spirit duties as far as they could go. The House had been told that the falling-off in the consumption of duty-paying spirits was not the result of illicit distillation; but they must remember that the spirit duties both in Scotland and Ireland were now four times as much as they had been some years ago; and they knew that when Chancellors of the Exchequer tried to increase those duties in former times, they were beaten by the smuggler. Well, then, as to the malt tax, they could not carry that much further. The tea and sugar duties also were maintained at a war level. He did not mean to say that in a great emergency they might not raise them still higher; but it was very doubtful whether they would get more by doing so. There was then the income tax; but that, too, was at a war level. Sir Robert Peel put on a 7*d.* income tax; and if it stood at that figure, they might have considered that they were paying a peace income tax; but while they paid 9*d.* or 10*d.* in the pound, they must, he thought, feel that they were paying a war income tax. The hon. Member for Sunderland had charged the Conservatives with adopting a party proceeding in reference to the Chancellor of the Exchequer's financial policy. He did not think they were open to that hon. Gentleman's accusation, that they showed no anxiety to suggest any practical remedy. He was anxious to say that they ought not to accept the excuses that were made to them, but ought to call on the Government to accept the responsibility which *bonâ fide* belonged to them—to discharge the duty for which they sat on the benches opposite and which the country expected them to perform—namely, that of providing a revenue to meet the national expenditure.

House in Committee of Ways and Means.

Mr. Massey in the Chair.

The CHANCELLOR of the EXCHEQUER said, he had to propose the following Resolutions:—

"2. That, towards making good the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorized to raise any sum of money not exceeding £1,000,000 sterling, by the issue of Exchequer Bonds.

"3. That the Principal of all Exchequer Bonds which may be so issued shall be paid off at par, at the expiration of any period not exceeding six years from the date of such Bonds.

"4. That the Interest of such Exchequer Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof."

Sir STAFFORD NORTHCOTE said, he wished to ask whether the Chancellor of the Exchequer had any information to communicate to the Committee with respect to the working of the new Exchequer Bonds—as to whether any had been paid in for taxes.

The CHANCELLOR of the EXCHEQUER said, that as far as regarded the working of the new system, he did not think a single bill had been paid into the revenue. Such payment could only happen when those bills were not at a premium, and they had been steadily at a premium.

Resolutions *agreed to.*

THE CHANCELLOR OF THE EXCHEQUER said, he would then propose the following Resolution:—

"5. That, towards raising the Supply granted to Her Majesty, the several Rates and Duties granted to Her Majesty by the Act of the last Session of Parliament, chap. 20, for one year, commencing on the 6th day of April, 1861, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the 16th and 17th years of Her Majesty's reign, chap. 34, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, shall be granted and continued, and shall be charged, raised, levied, collected, and paid unto and for the use of Her Majesty, Her heirs and successors, from and after the 5th day of April, 1862, for the term of one year thence next ensuing."

LORD ROBERT CECIL said, he wished to ask a question with regard to the collection of the income tax. The collectors had sent round a paper, dated the 20th of March, stating that the tax was due, and requiring that it should be paid immediately. He presumed that they would be liable to the penalties for obtaining money under false pretences if they were not justified in the assertions made in their circular. The 20th of March was a strange date for the tax to become due on.

THE CHANCELLOR OF THE EXCHEQUER said, he did not know how it was that the quarter fell due on the 20th of March, but he had no doubt that the date stated in the collectors' paper was the correct one. He supposed that in strictness the tax was due on that day; but no instructions had been given by the Government for the collection of the quarter due on the 20th of March before the 1st of April. The proceedings of the collectors were not, however, taken by the direction of the Government, and the Government had no way of interfering with them, except when they were brought under their notice in a particular case.

Resolution *agreed to.*

The Chancellor of the Exchequer then moved—

"6. That towards raising the Supply granted to Her Majesty the Duties and Drawbacks of Customs now charged and allowed on the articles undermentioned shall continue to be levied, charged, and allowed on and after the 1st day of July, 1862, until the 1st day of July, 1863, on Importation into Great Britain and Ireland, or on Exportation therefrom to Foreign parts, or on removal to the Isle of Man for consumption therein, or on deposit thereof in any approved warehouse, upon such terms and subject to such regulations as the Commissioners of Customs may direct, for delivery therefrom as Ships' Stores only, or for the purpose of sweetening British Spirits in Bond, namely:—Tea; Sugar, as denominated in the Tariff; Molasses; Almonds, paste of; Cherries dried; Comfits, dry; Confectionery; Ginger, preserved; Marmalade; Plums, preserved in Sugar; Succades, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated."

Resolution *agreed to.*

THE CHANCELLOR OF THE EXCHEQUER said, he then rose to propose the following Resolution—

"7. That, towards raising the supply granted to Her Majesty, there shall be charged and paid for the use of Her Majesty, Her heirs and successors, the following Duty of Excise:—For and upon every Occasional Licence to be granted to any person who shall be duly authorized to keep a common Inn, Alehouse, or Victualling House, and licensed to sell therein beer, wine, spirits, or tobacco, to sell the like articles for which he shall be so licensed at any such other place, and for and during such space or period of time, not exceeding three days, as the Commissioners of Inland Revenue shall approve, and as shall be specified in such Occasional License, the Duty of 5*s*."

The Licences referred to in the Resolution would be confined to persons already licensed under the present law. Persons licensed to sell in their houses were also allowed to sell the articles for which they were licensed at "fairs or races;" so that the principle of their selling at fairs or races was recognised, and he thought justly so, by the existing law; but there were other gatherings—such as reviews, archery meetings, &c.—at which under the new regulation leave would be given to licensed publicans to sell. Their being no power in licensed publicans to sell at those places at present, sales of liquors were made by all sorts of persons, licensed and unlicensed. By giving licensed publicans authority to sell at such places, they would bring the whole of the sales under the control of the police; for those publicans would take care, for their own sake, to keep other people off the ground. The existing law was not only difficult but impracticable, and the Board of Inland Revenue had been obliged to give up the attempt to enforce it. They had directed their officers to abstain from interference; but of course they had no power over the common informer, and therefore it appeared to them that the best course would be to organize, under proper restraints, a supply of liquors which did appear to be required in these assemblages of people and for that reason the present Resolution was proposed. But it had been suggested to him that these licences ought on no account to include power to sell liquors on Sundays. He believed that no such power was ever intended to be taken, but he would take care, in answer to the suggestion, to have any risk of any such power being granted under the words of the Resolution, effectually corrected by the Bill.

Mr. W. E. FOSTER said, he did not object to the Resolution, and he quite agreed that any discussion had better take place upon the Bill. He would take that opportunity, however, of expressing his regret that they had a fresh tampering with the licensing system without an attempt to deal with the whole subject, with a view to avoid the anomalous condition of having four different licences for the sale of intoxicating liquors.

Resolution *agreed to.*

The CHANCELLOR of the EXCHEQUER said, he would move the following Resolutions:—

"8. That, towards raising the Supply granted to Her Majesty, there shall be charged and paid to and for the use of Her Majesty, Her heirs and successors:—For and in respect of every Pack of Playing Cards made fit for sale or use in the United Kingdom, the Stamp Duty of *3d.*; and for and upon every Licence to be taken out annually by any person in the United Kingdom who shall sell Playing Cards:—If such person shall be a Maker of Playing Cards, £1; if he shall not be a Maker of such Cards, *5s.*; the said Duties to be in lieu of the Duties now chargeable on Playing Cards, and on Licences to the Makers thereof."

"9. That, towards raising the Supply granted to Her Majesty, in lieu of the Duties of Customs now charged on the articles undermentioned, the following Duties of Customs shall be charged thereon on importation into Great Britain and Ireland, from and after the day when the Duties of Stamps now payable on Playing Cards shall have been reduced to a like or lower amount—viz., Cards, viz., Playing Cards, the dozen packs, *3s. 9d.*"

The object of these Resolutions was to secure a real revenue on the article of playing cards, for at present the duty was not paid on one pack out of twenty, in consequence of its amount and the manner in which it was levied. The hon. Gentleman, the Member for the Tower Hamlets, objected to the payment of the licence of £1 for the maker of playing cards, and of *5s.* for the vendor; but the Government could not undertake with any degree of security to work the selling of a stamped commodity except in the hands of a licensed vendor, and it was merely applying in this case a principle upon which they already acted with regard to postage stamps, draft and receipt stamps, and with regard generally to all stamped documents.

Resolutions *agreed to.*

The Chancellor of the Exchequer next moved—

"10. That, towards raising the Supply granted to Her Majesty, there shall be charged and payable to Her Majesty, Her heirs, and successors, upon and in respect of any Bond, Debenture, or other Security for Money, by whatever name it shall be called, made in the United Kingdom or elsewhere, by or on behalf of any Foreign or Colonial Government, State, or Company (not being a Bill of Exchange or Promissory note, chargeable as such with Stamp Duty, not being an instrument already chargeable with the same Stamp Duty as a Bond, or for which a composition in lieu thereof is payable), which shall be issued, delivered, assigned, transferred, or negotiated within the United Kingdom, the same Stamp Duty as is chargeable on a Bond made in the United Kingdom for securing the payment of the like amount of money.

Mr. AYRTON said, the Resolution as it stood was not very clear, for its language would impose a stamp duty on every security issued by a foreign Government which might be brought into this country and sold by one person to another. It would be necessary, therefore, to alter it so as to confine it—which, he believed, was the right hon. Gentleman's real intention—to loans raised in this country, or to debentures which bore on the face of them that the interest was to be paid in this country. Then, if foreign Governments chose to come to the English market to raise money for their purposes, they were bound to submit to any conditions that the law of this country imposed.

The CHANCELLOR of the EXCHEQUER said, he would suggest that really the only question which the Committee was called upon to deal with at that moment was the question whether in its general principle the Resolution was equitable; and upon that matter he did not think there was any difference of opinion. He thought the hon. Gentleman was quite right in paying strict attention to the exact scope of the Resolution, but he would recommend that he should postpone his remarks till he saw the precise terms of the Bill and the exact regulations for stamping when they were before the House.

Resolution *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow.*

Committee to sit again on *Wednesday.*

THAMES EMBANKMENT BILL.

SECOND READING.

Order for Second Reading read.

Mr. COWPER moved the second reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

Sir JOHN SHELLEY said, he should have thought his right hon. Friend (the First

Commissioner of Works) would have felt it his duty to have made some statement on the occasion of the second reading of the Bill; but as he had not done so, he (Sir John Shelley) must trouble the House with a few remarks. The proposition was nothing less than to tax the inhabitants of the Metropolis to the tune of £1,500,000 out of the coal tax; and he therefore thought that good reason ought to have been shown for the proposition. He hoped he should not be twitted with being inclined to set his face against Metropolitan improvements. He begged distinctly to say that he entirely concurred in the opinion that, of all propositions, not one was more likely to contribute to the welfare of the Metropolis than the embankment of the Thames. But he represented a portion of the community which would have to pay for it, and the Metropolitan Board of Works reported that ten years' produce of the coal and wine duties would not be sufficient to carry out the necessary improvements of the Metropolis. He was astonished to find that the opinion of a Select Committee, which had devoted great pains to the inquiry, was deemed unworthy of consideration; and that a Royal Commission should have been appointed, at the head of which was the Lord Mayor, who, being anxious to obtain the sweet voices of the constituency of London, was naturally anxious that the Report should contain nothing which would militate against the interests of the City. He had every respect for the members of the Commission, but he did not approve of the composition of that body, for the purpose of determining upon a plan which was not to be paid for in any shape either by the Government or Parliament. They were nominees of the Government, and included the names of Sir J. Jebb, Inspector of Prisons, Captain Burstall, Secretary of the Thames Conservancy, Mr. Henry Hunt, and Mr. Thwaites. The Chairman of the Metropolitan Board of Works might, in some respects, be said to represent the Metropolis, but Mr. Thwaites seemed to think his only duty was to see that the low-level sewer was put in the embankment, without regard to what scheme would be most economical. What was sauce for the goose was said to be sauce for the gander; but it was clear that what was sauce for Westminster was not sauce for the City of London. While the wharves of his constituents were to be unscrupulously swept away, the wharves in the City were to be preserved. Such a scheme had manifestly a very suspicious appearance. It appeared that the wharves in Westminster were principally devoted to the coal trade, and the Commissioners who had inquired into the question of the Thames embankment seemed to think that the removal of those wharves would lead to no public loss or inconvenience. It was, however, of the utmost consequence that coals should be carried, as near as possible, to the doors of consumers. It was calculated that the abolition of the wharves would add 2*s.* or 3*s.* per ton to the price of coals to the inhabitants of Westminster; while the filling-up of the wharves would entail an outlay of between £300,000 and £400,000. Early the other morning he moved for a detailed statement of the scheme, and he was much obliged to the right hon. Gentleman for hanging up a plan in the Library. He had examined it, and must pronounce it one of the wildest he had ever heard of. It was significant, that although engineers were invited to compete, none of the plans sent in were adopted. The one which was chosen was the work of a Commissioner. That, on the face of it, was extremely suspicious. Seeing that the plan was entirely contrary to every plan which up to that time had been before them, and all of which went as far down as Queenhithe, and there communicated with Cannon-street, instead of stopping at Blackfriars and leaving the wharfage untouched; and seeing that the plan did away with the wharfage property down to the Temple, treated with great respect the wharves of the City as far as Blackfriars, and conveniently turned there, giving the City of London a most magnificent street to which the Corporation did not contribute a farthing; considering further, the Lord Mayor of the City was at the head of the Commission, he (Sir John Shelley) had a right to ask for further explanations. He wished, therefore, to know how much of the £1,500,000 was to be spent on the embankment proper, and how much on the new street in the City and other unnecessary operations? He believed that a needless expense of £500,000 would be incurred. This embankment was, in his opinion, somewhat of a national improvement, and he regretted that the Consolidated Fund was not to be called upon to contribute to the expense, because in that case the subject would receive more attention than it was at present likely to obtain from the House. He should, no doubt, be told that it was what was called a hybrid

Bill, and would have to go before a Committee upstairs; but he should not be satisfied with that unless he received an assurance that there would be upon that Committee some representatives of the interests of those who were to pay for the undertaking. As he thought that the House ought not to proceed with this measure without further information, he should move, as an Amendment to the Motion, the postponement of the second reading until a detailed Estimate had been presented.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will not proceed further with the Bill, until the Estimate of the cost of the Works to be authorized thereby shall have been laid upon the Table of the House."

—instead thereof.

MR. W. WILLIAMS said, he would second the Amendment. He thought that the House, before proceeding further with the Bill, ought to be in possession of every information as to the cost of the scheme; and especially ought to have before it the Report of the Commissioners upon the embankment of the south bank of the river, which he believed would soon be presented.

MR. COWPER said, he was so far from thinking that the subject was uninteresting to the House that he believed it concerned every inhabitant of the metropolis, in whatever part of it he might reside. Every one who was in the habit of passing through the centre of London must feel the urgent necessity for the great thoroughfare which it was proposed to construct. He had been much surprised at the Amendment which had been moved. He could not consent to give the return for which the hon. Member moved on Friday night: but as the hon. Gentleman had amended the form of his Motion, he should be glad to give him the information for which he sought. Without waiting for the formal production of the document, he might state the substance of it in a few words. The estimated expenditure for carrying into effect the provisions of the Thames Embankment Bill was £1,500,000. The amount was made up in the following manner:—£500,000 for the works, embankment, roadway, and new streets opening on to the embankment; £500,000 for compensation to wharfingers, persons having frontage on the river, and others; and the remaining £500,000 of the estimate was attributed to the total loss which was expected to arise in connection with the new street to the Mansion House, after the purchase and sale of lands. The length of the embankment would be 1 mile, 17 chains, and 90 links. The short street going into Whitehall would be 11½ chains. The street parallel with the Strand, which would run from the embankment to opposite Somerset House, would be 34 chains in length, and the remaining short streets would be 34 chains and 16 links. The street from Blackfriars Bridge to the Mansion House would be 58 chains. It was quite impossible that any document could be presented to the House giving all the details; in fact, it would be unfair towards the engineer to oblige him to lay these on the table without an accompanying explanation. The measure stood precisely on the same footing as any private Bill, and ought to be treated in the same way. Parties whose rights were affected would have a right to appear by counsel before the Select Committee upstairs, and after they had pronounced their decision the Bill would again go through Committee in that House, when every hon. Member would have an opportunity of sifting the different items. The Committee which sat in 1860 went very fully into the subject, but did not recommend any particular design. They received nine plans, and thought very highly of five of them, but they naturally felt they were not the body which could properly decide upon their relative merits. The hon. Member for Westminster seemed to think that he ought to have taken the responsibility which the Committee shrank from assuming. He, however, thought it would be more satisfactory to the House that the Crown should be advised to appoint a Commission of competent persons to go very carefully into the details, and to point out the plan which on the whole seemed most likely to combine economy with efficiency. For he must remind his hon. Friend that the terms of the reference distinctly contemplated both these objects; the Commission, accordingly, in the plan which they recommended, kept both these objects in view. Now, who were the members of the Commission? Sir Joshua Jebb was appointed, not because he superintended the prisons, but because he was a very eminent engineer, who was known to be quite impartial. Captain Galton was also a very eminent engineer, and it was thought desirable to have on the Commission two military engineers who would be quite free from that feeling of jealousy or rivalry which was supposed to exist between members and non-members of the College of Civil Engineers. At the same time it was felt that at least one Member of the body of civil engineers ought to be appointed, and Mr. M'Clane was selected, because he was one of the few eminent engineers who had never prepared a plan relating to the Thames, and who might, therefore, be supposed to come fresh to the consideration of this particular subject. The great difficulty which had been felt in all previous schemes lay in the preservation of the wharves. All the eminent engineers who formerly considered the subject had taken it for granted that docks must be constructed. But docks would soon fill up; they would become receptacles for the mud and filth of the river, and would have to be continually dredged; while there would be not only inconvenience but danger in getting barges into these docks through entrances at right angles with the stream. Docks also involved the necessity of carrying the road at a level sufficiently high to allow barges to pass underneath; and yet, as the roadway would have to dip under the bridges, there must of necessity be great variations of the level. But the Commission, having once decided that docks were no longer necessary, found that the level of the roadway might be carried along at a height of only 4 ft. above Trinity high-water. Captain Birstol, who possessed probably a more intimate knowledge of the navigation of the river Thames than anybody else, was also a Member of the Commission, as was likewise Mr. H. A. Hunt, whose ability in the valuation of property was well known, and whose advice had been particularly useful with regard to the claims of wharfingers—the very point to which his hon. Friend had alluded. The Chairman of the Board of Works was placed upon the Commission, not merely because of his interest in the low-level sewer, but also because he might be looked upon as the representative, and by an indirect process the culminating point of the ratepayers. The Lord Mayor, it was needless to add, was not only the representative of the City, but personally extremely well qualified to deliver an opinion on a matter of this kind. He hoped the House would not refuse to read a second time the Bill giving effect to the recommendation of these practical men, especially as the second reading only affirmed the principle that the produce of the coal duties ought to be applied to the construction of the embankment, any changes of detail which might appear desirable being within the power of the Committee to introduce. He had been rather surprised to hear his hon. Friend the Member for Westminster speak of the plan for a street from Blackfriars Bridge to the Mansion House as a wild scheme; so far from that, it had been pondered over by the City for many years, and its execution only delayed from want of the necessary funds. The object of the Bill, which he understood the House to concur in, was the construction of a thoroughfare from west to east, either from Westminster Bridge or Charing Cross to the Mansion House. But an embankment merely leading to Blackfriars Bridge or Southwark Bridge without a street conducting to the Mansion House would not divert the traffic from the crowded thoroughfares of Ludgate Hill, Cheapside, and the Poultry. A direct thoroughfare from Westminster to the Mansion House, by means of which the traffic which now blocked up the Strand and Fleet Street would be diverted to some extent into another channel, could not, he thought, be looked upon otherwise than a great advantage. It was, however, made a cause of complaint that the powers under the Bill were to be executed by a Committee of the Metropolitan Board of Works; but if it was borne in mind that the Board consisted of forty-five members—an excellent number, no doubt, for deliberation—he did not think the House would be willing to intrust so large a body with the working of the details of the measure. It would, therefore, in his opinion, be a great improvement that a small Committee should be charged with their execution, while he considered it but right, seeing how large a portion of the work would lie within the City, that two representatives of the corporation should be among the number. Under all the circumstances of the case, he hoped the progress of a really important Bill, whose operation would be greatly to ornament the metropolis, to open up the beauties of a noble river, and to bring the fine buildings on its banks prominently into view, would not be retarded merely because the hon. Member for Westminster had not been able to obtain a copy of a Report with the substance of which he had been already furnished.

MR. AYRTON said, that having been Chairman of the Committee which had last session reported that the Thames Embankment was the first public improvement which ought to be carried out at the expense of the metropolis, he could not fairly be supposed to be averse to the great work. He at the same time felt, with his hon. Friend the Member for Westminster, that the inhabitants of the metropolis ought, before the House proceeded further with the Bill under discussion, to know what the real nature of the scheme was which it was meant to carry into effect. When, a few evenings before, his hon. Friend had asked for information on the subject, the Government had counted out the House in point of fact by their own action. Now, it was not, he contended, fair to the ratepayers that their interests should be so dealt with; and he, for one, thought they were clearly entitled to have that authentic statement with respect to the Bill for which they sought. The scheme was not a new one. It had been propounded so long before as twenty-two years, and had been examined into by one of the most distinguished Commissions which had ever been issued by the Crown—a Commission which numbered the Duke of Newcastle, Lord Lyttelton, Sir Robert Inglis, Sir R. Smirke, and Sir Charles Barry among its Members. The city of London, moreover, in its corporate capacity, had examined the scheme for the extension to the Mansion house, which also was by no means a new scheme; and each came to the conclusion that to make a street extending thus far would be so costly and of so little utility as compared with the cost, that they did not think it expedient to approve it. The surveyor of the corporation (Mr. Bunning) when asked at what he would estimate the cost of such an extension, stated that he could not undertake to put it at less than £1,000,000, and he should defy the right hon. Gentleman the President of the Board of Works to show that his Bill was founded on any authentic estimate of the necessary expenditure. The object, then, with those who asked for the delay was, to secure authentic information on the subject, and to enable those who were most interested in it to form a correct opinion with respect to it. He had no wish—far from it—to prevent the embankment of the Thames; but as representing a constituency which would contribute the largest sum towards the cost of the undertaking, he desired to see it carried out with economy, judgment, and discretion.

MR. LOCKE said, it had been left unexplained why a different plan was to be carried out with respect to that part of the river between the east end of the Temple Gardens and Blackfriars Bridge and the other portions. He differed from the hon. Baronet the Member for Westminster, and thought that a solid embankment was very much preferable, and regretted that the Government had not decided upon such an embankment throughout, for by the proposal of open arches under viaducts they would never get rid of the mud-banks by the side of the Thames. Down to the east end of the Temple Gardens the solid embankment had been adopted; but from that point to Blackfriars Bridge they were to have a viaduct upon arches, through which there was to be a communication with the wharves behind. He could not understand why one plan should be adopted for Westminster, and another for the city of London. The viaduct from the Temple Gardens to Blackfriars Bridge would lead to an accumulation of filth, and necessitate a difference in the level of the roadway; and as the ascent would commence in front of the Temple Gardens, the appearance of those grounds would be very much impaired. He believed the object was to accommodate the City Gasworks, which were certainly not an ornament to the metropolis; and he trusted, that when the Bill came to be considered in Committee, care would be taken to have a uniform plan adopted from Westminster to Blackfriars. One part of the scheme was the formation of a new street from Blackfriars Bridge to Cannon Street and thence to the Mansion-house. Now, the city of London had already commenced a street from Cannon Street to Blackfriars Bridge, and he saw no reason why the corporation should not be asked to complete it out of the proceeds of the 4*d.* coal tax, which ought to be devoted to public improvements. A considerable reduction might thus be made in the estimated cost of the undertaking, and a fund obtained out of which provision might be made for completing the whole line as a solid embankment, and compensating the City Gas Company and the other holders of property between the east end of the Temple Gardens and Blackfriars Bridge.

MR. COX said, that if the present were only a Thames Embankment Bill, he should offer it no opposition; but it proposed to make a new street from Blackfriars Bridge to the Mansion-house, which, he believed, would cost at least £1,000,000. A new route from east to west was, no doubt, urgently required, but the Bill did not go about the business in the proper way. By pulling down Temple Bar and widening Ludgate Hill an easy communication might be established with Cannon Street. Take the parallel line of street from New Oxford Street: pull down Middle Row, Holborn, and they would have a good broad thoroughfare to the Poultry; pull down one side of the Poultry, and there would be a good thoroughfare to Gracechurch Street; pull down a few houses at Gracechurch Street, and there would be two continuous broad thoroughfares from east to west, all made at one half the money to be laid out under this Bill. He hoped the hon. Baronet would divide against the second reading of the Bill, in order to give further time for the examination of the scheme.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 116; Noes 9: Majority 107.

Main Question put, and *agreed to.*

Bill read 2°, and *committed.*

Motion made, and Question proposed, "That the Bill be committed to a Select Committee."

MR. E. P. BOUVERIE said, he rose to move an Amendment. The matter was one of great importance; public interests were involved to a large extent, and there was also an enormous amount of private interests at stake. He was satisfied that those whose private interests were largely concerned in the scheme would not be content if the question were referred to a Committee of shifting or uncertain character. He therefore proposed to add to the Motion that the Bill be referred to a Select Committee the following words:—"Such Committee to be chosen by the Committee of Selection, and whose attendance shall be subject to the same regulations as attendance on a private Bill." His object was that five impartial members should be selected to give their attention to this important subject, and that those only should vote who heard the evidence.

Amendment proposed,

At the end of the Question, to add the words "to be chosen by the Committee of Selection, and whose attendance shall be subject to the same regulations as on a Committee on a Private Bill."

Question proposed, "That those words be there added."

MR. COWPER said, that if the Amendment were carried, it would make a great change in the practice which had hitherto prevailed. The Bill was promoted with a view to the public interest, but affected private property. The invariable course was to combine the gentlemen named by the Committee of Selection, who would endeavour to find persons most impartial and least connected with the subject, with gentlemen who were supposed to have some public connection with the project. That practice, he believed, had hitherto worked well, and he was sure the gentlemen forming the Committee would feel it to be their duty to attend, even though not named by the Committee of Selection.

COLONEL WILSON PATTEN said, he was in favour of compulsory attendance. It was, he thought, desirable that the same practice should prevail with respect to private and public Bills, and that no member of a Committee should be allowed to vote who had not heard the entire of the evidence.

SIR JOHN SHELLEY said, that practically the ratepayers would be unrepresented before the Committee. They could only be heard by counsel, and the expense attendant on having the services of counsel from day to day while the inquiry lasted would be very heavy. He spoke in the interest of the public, whose money should not be devoted to the buying up the wharfingers.

SIR WILLIAM HEATHCOTE said, he saw no reason for deviating from the usual course on similar questions. He should therefore give his opposition to the Amendment.

SIR GEORGE GREY also briefly opposed the Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Ordered, That the Bill be committed to a Select Committee.

HULL SOUTH BRIDGE (ADVANCE).

COMMITTEE.

Order for Committee read.

MR. PEEL moved that the House resolve itself into Committee on this subject.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. AUGUSTUS SMITH observed, that this was the first time that a matter of this kind had been brought before the House in consequence of the adoption of a standing order requiring the Chairman of Committees, whenever it was proposed to apply public money in furtherance of the objects of a private Bill, to draw attention to the subject.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Report of the Chairman of the Committee of Ways and Means of the 27th day of February last, in pursuance of the 69th Standing Order, be referred to a Select Committee, to examine into the facts stated therein, and to report their opinion thereon, as well as on the merits of the proposed Grant."

—instead thereof.

Mr. PEEL opposed the Amendment on the ground that the Crown had exercised rights of property in the land in question from the time of Henry VIII.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

House in Committee.

(In the Committee.)

Resolved,

That the Commissioners of Her Majesty's Woods, Forests, and Land Revenues be authorized to advance, by way of loan, to the Company to be incorporated under the provisions of the Hull South Bridge Bill, the sum of ten thousand pounds out of the capital of the Land Revenues of the Crown, upon such terms and conditions as may be prescribed by any Act to be passed in this Session of Parliament.

House *resumed.*

Resolution to be reported *this day.*

House adjourned at a quarter before One o'clock.

* * *

HOUSE OF LORDS,

Tuesday, April 8, 1862.

Minutes.]—Public Bills.—1ª College of Physicians (Ireland).

3ª Industrial Schools Acts (1861) Amendment.

Their Lordships met: and having gone through the business on the paper, without debate—

House adjourned at a quarter past Five o'clock, to Thursday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Tuesday, April 8, 1862.

Minutes.]—Public Bills.—1° Exchequer Bonds (£1,000,000).

2° Australian Colonies Government Act Amendment.

THE INSOLVENT DEBTORS' COURT. QUESTION.

Mr. ROEBUCK said, he rose to ask the First Lord of the Treasury, Whether he means to propose any measure for the relief of the Clerks of the Insolvent Debtors' Court; and whether he intends to introduce a Declaratory Act for that purpose?

The ATTORNEY GENERAL said, the circumstances to which the question of the hon. and learned Gentleman referred certainly required full investigation. If compensation was to be awarded to the Clerks of the Insolvent Debtors' Court, the amount must of course be voted by that House, and the House could not be expected to proceed in the matter until it was satisfied of the justice and extent of the claims put forward. The Government remained of the opinion they had previously expressed, that the proper course to be pursued was that the Clerks should petition the House, setting forth the nature and amount of their claims. The Government would not object to such a Petition being referred to a Select Committee, and would be further prepared to act upon the Report of that Committee. He need not add that there was no intention on the part of the Government to bring in any declaratory measure upon the subject.

THE CUPOLA SHIPS.—QUESTION.

Lord ROBERT MONTAGU said, he wished to ask the Secretary to the Admiralty, When Captain Cooper Coles first submitted to the Admiralty his plans which have lately been adopted for ships of war; if such plans were reported on at the time; and, if so, by whom; and whether that Report was favourable or otherwise; and whether there is any objection to lay the Papers on the subject upon the table of the House?

Viscount PALMERSTON: Sir, I have no knowledge of the details that would enable me to answer the question; but when my noble Friend (Lord C. Paget) is in his place, I have no doubt he will be able to give a satisfactory reply.

TURKISH FINANCE.—QUESTION.

Mr. FREELAND said, he would beg to ask the First Lord of the Treasury, Whether any application has been made to the Turkish Government for their consent to have laid upon the table of the House the Report of Lord Hobart and Mr. Foster on the Finances of Turkey; whether the responsibility of withholding that Report rests on the English Government or on the Turkish Government; and, whether that Report has been printed; and, if so, to what class of readers Her Majesty's Government are of opinion that a knowledge of its contents should be confined, at a time when many millions of British capital are being invested in Turkish securities.

Viscount PALMERSTON: I think, Sir, I stated on a former occasion that the Report in question was presented to the Turkish Government. It was made for the information and use of the Turkish Government, but it was delivered in the first instance to Her Majesty's Government, and was by them sent to Constantinople. I believe it has not yet been translated into a language which the Turkish Ministers can read, it being drawn up in English; and therefore I can hardly say at the present moment that the Turkish Government have knowledge of it. They have it, but not in a form in which they can make use it. The responsibility of not producing it rests so far upon Her Majesty's Government, that we did not think ourselves entitled to publish a Report relating to the financial details of the Turkish administration until the Turkish Government had full cognizance of it and had intimated that they would have no objection to its publication. Whether they may object or not I really am unable to say. The Report has been confidentially printed at the Foreign Office, as is the custom with documents which are intended to be read by Members of the Cabinet. It saves a good deal of time, and is otherwise very convenient to have them thus confidentially printed rather than to multiply manuscript copies for the Members of the Cabinet. But the documents are printed for the confidential use of the Cabinet, and I do not apprehend that any other person has had access to the Report on Turkish finances. If it has reached the hands of any other person, it can only have done so by breach of faith on the part of those who had the custody of it.

Mr. FREELAND: Am I to understand that the Turkish Government have received a copy of the report in English?

Viscount PALMERSTON: Yes. The Report itself was sent to Turkey, and it is now being translated into French, which is a language which the Turkish Ministers know. There are very few of them who have sufficient knowledge of English to enable them to read a report in that language.

EASTER HOLYDAYS.—OBSERVATIONS.

Viscount PALMERSTON: Sir, I was asked yesterday about the day on which this House would adjourn for the Easter recess. It may be convenient to hon. Members that I should now state exactly how that matter stands. There are certain Resolutions connected with the Budget relating to brewers' licences, and other matters, which have yet to be passed in Committee. We hope they may be passed through Committee on Thursday, and reported on Friday, for it is essential they should be reported before the recess. In that case the House may be adjourned on Friday. On the other hand, if there should be any unforeseen delay on Thursday so as to prevent the Resolutions being passed through Committee before Friday, I am afraid we must ask the House to sit on Monday in order to receive the report. I should hope, however, after what has taken place, that we may be able to get the Resolutions passed through Committee on Thursday, in which case the House might be adjourned on Friday until Monday the 28th.

CHINA—THE TAEPINGS.

PAPERS MOVED FOR.

Colonel SYKES said, that he wished to state that he was not a friend of any party in China, but that he was a friend of an honest neutrality in China, and he wished to be the friend of the tax-payers of this country. In that sense alone was he connected with the Taepings in China. He understood from his hon. Friend the Under Secretary for Foreign Affairs that the whole of his motion for papers would be acceded to, and therefore he would not trespass on the time of the House, further than to observe that the opinion of the House upon the policy of the Government in China would no doubt be influenced by a perusal of those papers.

Mr. LAYARD said, he was much obliged to his hon. and gallant Friend for having confined himself to moving for the papers. There was no objection to give him any information the Foreign Office possessed on the subject. In fact, a large bulk of the papers had already been published; and if the hon. Gentleman looked back to the papers published in 1853, he would find among them the identical despatch of Sir G. Bonham for which he then moved. The only return which the Government were unable to give was the last one moved for by the hon. Gentleman. There were no British subjects in the military employment of the Tartar Government that he knew of; some idle adventurers had attached themselves to the Chinese troops, but the Foreign Office had no cognizance of them, and could give no account of their proceedings.

Mr. KINNAIRD said, he thought if his hon. and gallant Friend had proceeded with his speech in support of his Motion, that he should have been able to show him that the movement of the Taepings which he considered so excellent, was not all he had represented it to be.

Motion *agreed to.*

Address for,

"Copies of the Despatch of Sir George Bonham, K.C.B., dated the 30th day of April 1853, to the Taeping Authorities at Nankin, of the Answer thereto, and of any Correspondence consequent thereon:"

"Of any Despatches or Letters, subsequent to the above Correspondence, addressed to the Taeping or other insurgent Authorities in China, and of any written Overtures by the Taeping Authorities to the British Agents to enter into friendly and commercial relations with them:"

"Of Correspondence between Prince Kung and Mr. Bruce respecting modifications of the Treaty of Tien-Tsing, and the establishment of Customs Departments on the Yang-tsze-Kiang:"

"Of all Communications from the Taeping Chiefs on approaching Ningpo and subsequently to the capture of the city, and of Answers thereto:"

"Of Communications from the Taeping Chiefs now threatening Shanghai, and of Answers and Proclamations consequent thereon:"

"And, Return of the names of all British Subjects in the employment of the Tartar Government, the nature of their employment, and the amount of Salary or Fees attached to each office or situation."

WEIGHTS AND MEASURES.

SELECT COMMITTEE MOVED FOR.

Mr. W. EWART said, he rose to move for a Select Oommtttee to consider the practicability of adopting a simple and uniform system of weights and measures, with a view not only to the benefit of our internal trade, but to facilitate our trade and intercourse with foreign countries. He believed there would be no objection on the part of the Government or the House to his motion, and therefore he would not further trespass on their time.

Motion *agreed to.*

Select Committee *appointed,*

"To consider the practicability of adopting a simple and uniform system of Weights and Measures, with a view not only to the benefit of our internal trade, but to facilitate our trade and intercourse with foreign countries."

DRAINAGE (IRELAND).—LEAVE.

Colonel DICKSON said, he wished to move for leave to bring in a Bill for the amendment of the laws relating to the drainage of land in Ireland. As he understood there was no intention to oppose his Motion, he should not trouble the House with many observations on the subject. The necessity of some such measure was, he believed, universally admitted. For the last two years they had had sad experience of the want of an effective law of the kind. The climate of Ireland for the last few years had changed very much. Enormous quantities of rain had fallen, which seriously affected the crops, as well as the usual arrangements of the farmers. The results were a considerable diminution in the quantity of land under tillage, and in the employment of the rural population. Those circumstances had steadily increased the emigration movement, and thus tended seriously to diminish the national resources. There was also an increasing want of fuel and food. Nothing added so much to the agricultural wealth of this country and the promotion of its prosperity as a really good system of drainage. Many attempts had been made to establish an effective system of drainage in Ireland, but they all failed. A large portion of the country with which he was connected was under water during a great part of the year, and thousands of acres of hay were destroyed from the want of a proper system of drainage. In Westmeath and the King's County the estimated expense of draining 15,800 acres was £45,000. The amount actually spent was £66,000, and the debt from the expenses of management, accumulation of interest, &c., raised that sum to £107,000. A more simple system, worked by better machinery, in the same manner as under the Bill of last year for England, was absolutely necessary; and he should be ready, if the House allowed him to introduce this Bill, to explain its provision on the second reading.

Leave given.

Bill for the amendment of the Laws relating to the Drainage of Land in Ireland, *ordered* to be brought in by Colonel DICKSON and Colonel FRENCH.

House adjourned at Five o'clock.

HOUSE OF COMMONS,

Wednesday, April 9, 1862.

MINUTES.]—PUBLIC BILLS.—1° Drainage (Ireland).

2° Clergy Relief; Bills of Exchange (Ireland) Act (1861) Amendment; Protection of Inventions and Designs (1862); Exchequer Bonds (£1,000,000).

THE CHANNEL FISHERIES.—QUESTION.

MR. CAVE said, he wished to ask the President of the Board of Trade, Whether the recent Decree of the Emperor of the French, which permits sea fishing at all periods of the year, is intended to apply to the deep-sea oyster fishery; and if not, whether he can assign any cause for the exception?

MR. MILNER GIBSON replied, that the Decree which had appeared in the *Moniteur*, to which the hon. Gentleman's question referred, did not apply to the oyster fishery. The case of the oyster fishery was provided for by a special Convention. The Decree in the *Moniteur* was merely to extend to French fishermen certain privileges of which they had hitherto been deprived by their own law, but did not trench on the stipulations of the Fishery Conventions between England and France. This Decree was intended to apply to French fishermen who had been prevented from fishing nearer than within six miles of the shore, but who were now to be permitted to fish within three miles' distance of the shore at any time.

LAND DEBENTURES (IRELAND) 1862.

SECOND READING.

Order for Second Reading read.

MR. VINCENT SCULLY said, he hoped no objection would be raised to his moving that the Bill be read a second time. The object he had in view was to have the Bill referred to a Select Committee. He had obtained leave to introduce the Bill shortly after the commencement of the present Session. Its purpose was to enable the proprietors of land in Ireland to raise loans on debentures, to the amount of half the value of the property in respect to which the debentures were to be issued. He might state that the plan of land debentures was not new, though their application to Ireland, as proposed by the present measure, was novel, and would be found in practice extremely useful. The system had been long in operation in Prussia, and had been likewise tried in France and Austria. There was, therefore, no good or valid reason that he had ever heard, or that had suggested itself to him, why they would not be found to work well in Ireland. If an estate was worth £20,000, the Bill would give the proprietor power to raise money on it to the extent of £10,000; and he might obtain debenture securities of the value of £100 each, on which interest would be payable, as in the case of a mortgage. It was many years since he had called attention to the subject. In 1853 he introduced in the House a very important scheme for the registration of titles, of which the system of land debentures formed a part. The latter proposal was considered by many as visionary; but after the introduction of his larger scheme a Royal Commission was appointed to consider the question of registration of titles, and his plan of land debentures was brought before the Commissioners, of whom he had the honour to be one. Having considered the measure, the Commissioners were of opinion that it formed no part of the subject which had been specially referred to them. They nevertheless stated in their Report that it had been spoken very highly of by competent authorities, and that it might be well to try it in Ireland, where the machinery of the Encumbered Estates Court, which had been superseded by the Landed Estates Court, was in operation to work it, and where strong opinions were expressed in favour of the measure. Amongst those who had given evidence in favour of a system of land debentures, he might mention the names of Judges Longfield and Hargreave, two of the Judges of the Landed Estates Court, whose long experience in dealing with questions connected with the sale and transfer of land in Ireland, entitled their opinions on the subject to much weight. He was glad to see that a measure to facilitate the transfer of land through a registry of titles, in many respects like the one which he had introduced in 1853, had been brought into the House of Lords by the Lord Chancellor, and that the question of land debentures had been taken up by the right hon. Gentleman the Attorney General for Ireland under the administration of the Earl of Derby (Mr. Whiteside). That right hon. Gentleman had brought in a Land Debenture Bill a few nights ago, which had received a first reading. Under these circumstances he (Mr. Scully) thought it would be well to refer the Bill now before the House to a Select Committee, and to take the discussion as to its details at a future stage. He should mention that he had spoken to the noble and learned Lord the Lord Chancellor, who had authorized him to say that he approved of the principle of the Bill. He had, indeed, received a letter to that effect from the noble and learned Lord, which, with his express permission, he (Mr. Scully) would read to the House. It was as follows:—

> "34, Belgrave Square, April 9, 1862.
>
> "My dear Sir,—I have read your Bill carefully, and have no objection to its principle, guarded as it is by the 8th, and by the 11th and 12th clauses.
>
> "I have written to the Attorney General, recommending entire assent to the second reading. I think you must define, and if possible facilitate the remedies of the debenture holders.
>
> "Yours sincerely,
> "Westbury."
>
> "Vincent Scully, Esq., M.P."

No objection would, he believed, be made by Her Majesty's Government to the second reading of the Bill. He trusted the House would accede to the course which he now suggested, and allow the Bill to be read a second time, with the view of referring it to a Select Committee.

Colonel DUNNE: The Bill is not unopposed. I oppose the second reading.

Mr. SPEAKER: Then the discussion cannot now be proceeded with, as, according to the Standing Orders of the House, no opposed business can be taken after a quarter to six o'clock.

Mr VINCENT SCULLY: Of course, if the hon. and gallant Gentleman opposes the Bill, it cannot be read a second time at this moment.

Colonel DUNNE: I shall certainly oppose it.

Mr. VINCENT SCULLY: Then, I shall say the 7th of May for the second reading.

The order of the day for the second reading was then postponed until Wednesday the 7th of May.

CLERGY RELIEF BILL.

SECOND READING.

Order for Second Reading read.

Mr. E. P. BOUVERIE said, he hoped to be able to satisfy the House that some such change as that which the measure proposed to carry into effect was not only called for and just, but would also be salutary and advantageous to the Church of England itself. The position of things which had led him to ask the assent of the House to the Bill was, that for a considerable number of years a good many of those who had taken orders had, from various reasons, deemed it to be their duty to change the opinions which they had professed at the time of their entry into the Church, and had, owing to the scruples which thus arose, considered themselves bound to resign the benefices which they happened to have held. It was matter of notoriety, indeed, that several clergymen, occupying positions of great eminence, had formed opinions which they had publicly avowed, and which, though representing the opposite poles of Christianity, were equally inconsistent with the formularies of the Church of England; and that they took the course of giving up their benefices, and thus endeavouring to free themselves, as far as lay in their power, from all their obligations as ministers of the Church to which they originally belonged. He might allude to the names of Archdeacon Manning and Mr. Newman on the one hand, and to those of Mr. Baptist Noel and Canon Woodhouse on the other, to show that the scruples of such men as those to whom he was referring were entitled, at least, to the respect of those who were the advocates of liberty of conscience. They felt—and in the opinion of every reasonable man they justly felt—that the opinions which they had formed were inconsistent with the subscriptions they had made at the time of their ordination, and they took the true and righteous course of resigning the preferments which they held. The laity of the Church of England, fortunately, were not required to trouble themselves much about subscribing to its formularies; and therefore, although much had been said and written within the last few years respecting matters theological, there was among the public generally a considerable amount of ignorance as to what the oaths and subscriptions of the ministers of that Church really were. With such obligations our forefathers, however, seemed desirous to load the clergy, forgetting the dictum of a great contemporary of theirs—namely, "It is not the many oaths that make the truth, but the plain single vow." That was not the opinion of our forefathers, and he wished very briefly to state to the House in what the obligations of the clergy really consisted. When a person happened to be ordained deacon of the Church of England, he was, under a statute of Elizabeth, required to subscribe to the Thirty-nine Articles; he had to take the oaths of allegiance and supremacy, under an Act of William and Mary; and further, by a canon of the Church adopted in 1603, to sign three articles, which were to the following effect:—

> "I. That the King's Majesty, under God, is the only supreme governor of this realm, &c.
>
> "II. That the Book of Common Prayer, and of ordering of Bishops, Priests, and Deacons, containeth in it nothing contrary to the Word of God, and that it may lawfully so be used, and that he himself will use the form in the said book prescribed in public prayer and administration of the Sacraments, and none other.
>
> "III. That he alloweth the Book of Articles of Religion agreed upon in the convocation holden in London in the year 1562, and that he acknowledgeth all and every the articles therein contained, being in number 39, besides the ratification to be agreeable to the word of God.
>
> "To these three articles whosoever will subscribe he shall for the avoiding all ambiguities, subscribe in this order and form of words—
>
> "I, N. N., do willingly and *ex animo* subscribe to these three articles above-mentioned, and to all things that are contained in them."

Such were the oaths and obligations imposed on a clergyman when he was first ordained; but when he was admitted to a benefice, the operation was repeated, with a further extension, he being obliged to take in addition what was called "the oath of canonical obedience," which was this—

> "I, A. B., do swear that I will perform true and canonical obedience to the Bishop of ——— and his successors in all things lawful and honest. So help me God."

That, however, was not all. The Act of Uniformity enjoined that—

> "Every person put into any ecclesiastical benefice shall within two months after he shall be in actual possession, upon some Lord's-day openly read the morning and evening prayers appointed to be read by the said Book of Common Prayer, and after such reading shall declare as follows:—I do here declare my unfeigned assent and consent to all and everything contained and prescribed in and by the book entitled the Book of Common Prayer, &c."

Such was the process in accordance with which a clergyman became entitled to hold a benefice of the Church of England; and he, for one, did not wonder that any clergyman who took the oaths in question should entertain scruples with respect to the obligations which they imposed in after-life. Indeed, he doubted very much whether one layman in a thousand would, in mature life, be prepared deliberately to subscribe to all these obligations, especially the declaration required by the Act of Uniformity, that he gave his "unfeigned consent and assent to all and everything contained and prescribed in and by the Book of Common Prayer." Since that declaration had been framed thousands of men had scrupled first of all taking it and afterwards remaining in the Church with such opinions as they felt themselves bound to hold. What was the history of the declaration? It was framed with the express object of driving out of the Church of England some of the most pious ministers whom she had ever numbered among her members. It was the triumph of a political and religious party in this country, which had obtained complete dominion over the first Parliament of Charles II., and which sought to make the Prayer Book as offensive as it could be to the prejudices, as some would maintain, but also to the scruples of many of the best men in the Church. The party to which he alluded had been successful in their aim, and the subscription had, from that day down to the present, been a constant source of serious discontent and dissatisfaction. The House was aware how, within recent times, the scruples of which he was speaking had again sprung into active existence. It was but a few years ago that some 5,000 clergymen prayed for some relief with respect to the reading of certain portions of the burial service. But what, let him ask, was the ordinary history of the case of a man—he did not speak of those brilliant exceptions who did honour to their profession—going into the Church? He was destined from his boyhood for the ministry. He went to college, pursued the necessary course of study, and went up to be ordained, and having accomplished the *minimum* amount of the requirements for the purpose, and having succeeded in being ordained, he took the oaths which had been enumerated, a process which upon his admission to a benefice he repeated with certain additions which had also been mentioned. Then one of three things happened. He either settled down to the energetic performance of his every-day duties, and did not occupy his mind much with theological controversy; or he subsided into what Mr. Gibbon called "the fat slumbers of the Church;" or, being of an inquiring turn of mind, he devoted himself to the acquisition of that knowledge which his profession would naturally lead him to seek. Taking the latter course, he in many instances became satisfied by further research of the truth and force of those convictions which at the time of his ordination he entertained. It, however, not unfrequently occurred that doubts and scruples arose in his mind with regard to those convictions, and with respect to the possibility of retaining, as a consequence, fairly and honourably his preferment in the Church. So situated, and harassed by contending feelings, let it be supposed that he adopted the conscientious course, and resigned his benefice. What was he under the circumstances to do? If he desired, like many good men, to continue in the service of the great Being whose ministry he had already entered, and sought to become a clergyman of a Dissenting congregation, he was immediately met by the fact that the law prohibited him from following out his wishes, as was decided in the well-known case of Mr. Shore, in which it was settled by law that no act that such a person could do would enable him, without breaking the law, to act as a minister of a Dissenting congregation. It was to be supposed that such a person ought to obtain protection under the Toleration Act, and he was sure that such was the intention of that Act, because the very case which the Act of William and Mary was framed to meet was the case of men who had been ministers of the Church of England, but had become Nonconformists. It remained for persons in the nineteenth century to find out that such a clergyman was not protected by that Act —was totally unable to free himself from the obligations to the Bishop—and that the bishop was able at any time to prevent him from acting as a Dissenting clergyman, and to send him to prison if he did act as a Dissenting clergyman. The result of the decision was, consequently, to debar a clergyman who had resigned his benefice from entering into the ministry of any other Protestant church. It was true that in many cases that was done; but it was equally true that in a well-known case it was not done with impunity, but that the gentleman was prosecuted in the Bishop's Court and sent to prison. That was what by law might be done at any time, and it was not right that the law should be in a state that would permit its being done. Well, then, although prohibited from becoming a dissenting minister, was a lay occupation open to the seceding clergyman? He might wish to go to the Bar, but the effect of the law was too debar him. That was shown by the case of the clergyman from whom he had that very day presented a petition, who was refused to be admitted as a student of their inn by the benchers of the Middle Temple.

The following canon, the 76th, 1603, was against him:—

> "No man being admitted a deacon or minister shall from thenceforth voluntarily relinquish the same, nor afterwards use himself in the course of his life as a layman, upon pain of excommunication."

Having been then refused, he again made application for admission to the inn to the benchers; but they told him that they could not grant his request, and that their refusal was based upon the canon and upon a rule of their own, passed in the last century, he believed in reference to the case of Mr. Horne Tooke. Now, against the decision of the benchers there was no appeal; for though it had been decided that an appeal would lie to the judges in case of their refusal to admit a student to the Bar, yet, no such right to review the decision of the benchers existed in the case in which they refused to admit a person as a student of their inn. The Bar, therefore, was shut up; but was a clergyman who had left the Established Church at liberty to engage in any other lay occupation? Not if he obeyed the law which bound him. Many clergymen were engaged in lay occupations, but they were under the ban of the law, and were liable to be proceeded against in the ecclesiastical courts. It was to be remembered, moreover, that by a modern Act of Parliament a clergyman sentenced by the ecclesiastical courts to excommunication was liable to be sent to prison for any term not exceeding six months. Under the existing state of the law, clergymen who had left the Church were wholly excluded from every pursuit of life with one exception: they might with impunity become Roman Catholic priests. The 31 *Geo.* III., c. 32, contained the following provision:—

> "After the said 24th of June, 1791, no person who shall take and subscribe the oath hereinbefore appointed to be taken and subscribed in manner hereby required, shall be presented, indicted, sued, impeached, prosecuted, or convicted in any civil or ecclesiastical court of this realm for being a Papist or reputed Papist, or for professing or

being educated in the Popish religion, or for hearing or saying mass, or for being a priest or deacon . . or for being present at or performing or observing any rite, ceremony, practice, or observance of the Popish religion, or maintaining or assisting others therein."

So that the law excluded clergymen who had left the Church from the Ministry of Dissenting congregations, from the Bar, from every lay occupation; but it had such regard for the position of a Roman Catholic priest in this professedly Protestant country, that if a man took orders in the Roman Catholic Church, after having been a minister of the Church of England, it exempted him from the penalties enforced in all other cases. The law, in short, was a disgrace to our time and country, and a remedy was urgently required. A few days previously he had presented a petition, signed by a good many gentlemen of the highest eminence who had been ministers of the Church of England. The petitioners stated the grievances which he had endeavoured to set forth, and they asked for a remedy. Was the House not bound to give them one? It was but justice that he asked for them. Could anybody maintain that there was not persecution for religious opinions in this country? Was it not persecution to inflict temporal penalties for the avowal of religious convictions? There was no use saying that a man was not punished for his opinions, but for the avowal of them. It was his duty to avow them if he had them. Would they wish a man to remain in the Church a base hypocrite, teaching doctrines which he did not believe, and observing forms which were repugnant to his feelings and his judgment?

But he did not ask the House to assent to the principle of his Bill merely on grounds of justice. It was for the interest of the Church of England herself that a change should be made. Which was better—that secret disaffection within the pale of the Church should exist, or open and avowed nonconformity? He was persuaded it was for the true interests of the Church that those who were galled by the fetters imposed by her subscriptions should be permitted to leave her communion if they pleased. There would then be far less discontent and disaffection within the Church itself. Would anybody say that the formularies of the Church were not the cause of much discussion and dissatisfaction? What answer had they for those who were discontented? They could not tell them to leave the Church. Like Sterne's starling, they were beating their wings against the cage, crying "Let me out; let me out;" but the law said to them, "No, you shan't go out; you must remain within, a source of discontent and disaffection, because the Legislature insists upon your continuing liable to the obligations of the oaths and subscriptions imposed upon you by the Church." The religious world had been startled within the last twelve months by the publication of a certain book. His private opinion was that the book in question was a very dull book, not particularly well written; but the *Essays and Reviews* had frightened the Church of England from her propriety, and after reading them men had wondered how the authors, who were ministers of the Church of England, could at one and the same time maintain their position in the Church, and avow opinions which, at any rate on the first blush, appeared inconsistent with her standards. What did the heads of the Church say upon that point? In a letter addressed to the Rev. Mr. Williams, and signed, with one exception, by all the archbishops and bishops, he found the following passage:—

"Rev. Sir,—I have taken the opportunity of meeting many of my episcopal brethren in London to lay your address before them. They unanimously agree with me in expressing the pain it has given them that any clergyman of our Church should have published such opinions as those concerning which you have addressed us. We cannot understand how these opinions can be held consistently with an honest subscription to the formularies of our Church, with many of the fundamental doctrines of which they appear to us essentially at variance."

That was merely the expression of an opinion generally entertained throughout the country—an opinion in which he shared; but it showed in how false a position the heads of the Church were placed by the existing state of the law. The authors of *Essays and Reviews* were told that they had published opinions which were inconsistent with the formularies of the Church, and that they ought not to remain in the Church. Their answer was, "We can't go; you wont let us out."

MR. WALPOLE: They say they remain in.

MR. E. P. BOUVERIE: But the law kept them in. They were shut out from every occupation in life, except that of a Roman Catholic priest. It came to this—the right hon. Gentleman would drive them out to starve in the streets, or he would compel them to be silent. Was it, then, mere silence which the Church of England ought to require from men who had formed conscientious opinions upon the highest and holiest subjects? The only other alternative was to let them out and to invite them to go.

But he wished the House to regard his Bill from another point of view. Within the last few years the standard of ability and intellectual power among those who sought admission to the ministry of the Church of England had decidedly deteriorated. He had heard the fact acknowledged by those who were well capable of forming an opinion, and he could understand why it should be so. It might be partly because the prizes of the world outside the ministry of the Church were greater now than at any previous period of our history, and partly because the prizes within the Church herself were less: but he was quite sure that one of the motives which must operate to deter men of intellect from entering the ministry of the Church was the notion, that if they did enter it, they must become slaves for life. There were no means, however they might alter their opinions, for them to escape from the service of the ministry, and he could understand why men of the highest capacity and intelligence, though honestly desiring to enter the Church, and thoroughly convinced of the truth of her formularies and standards, should yet be unwilling to abandon the full right to exercise their brains, and indisposed to enter into an engagement as to what their opinions should be for all time coming. There were many men who late in life had deeply regretted that they ever entered the ministry of the Church, not from worldly views, but owing to a change of opinion which induced a constant struggle between their interests and their consciences. It was for the interest of the Church herself—for her peace, her purity, and her prosperity—that such men should be released from a life of slavery. He would not anticipate the objections that might be urged against his Bill, but he could not conclude without referring to the proposition of which notice had been given by the hon. Baronet the Member for Oxford University (Sir W. Heathcote), for referring the Bill to a Select Committee. Thirteen years ago the Bill was before a Select Committee; and therefore, although it was altered by the House itself after it had been reported by the Committee, he should not himself have been disposed to move that it should be referred again to a similar tribunal. But a long period had elapsed since the Bill was last under discussion; the subject—one of great doubt, difficulty, and delicacy—was novel to many hon. Members; and if he found that there really was a wish on the part of the House generally that the Bill should be sent to a Select Committee, he should not think himself justified in resisting a Motion to that effect. In conclusion he begged leave to move the second reading of the Bill.

SIR WILLIAM HEATHCOTE said, that since his right hon. Friend had signified his willingness to refer the Bill to a Select Committee, he would not offer any opposition to the Motion for the second reading. At the same time, if he were bound to take the Bill as it stood, with only the chance of such Amendments as might be introduced in a Committee of the Whole House, he should have no difficulty in making up his mind to vote against the second reading. He had listened to the speech of his right hon. Friend with great attention, and he found considerable difficulty in following his arguments so as to discover how they applied to the Bill. There appeared, indeed, to be a good deal of confusion in the mind of his right hon. Friend on the subject. His right hon. Friend had confounded the holding of a benefice with the *status* of a clergyman pure and simple, and he had also confounded the *status* of a clergyman with the alleged necessity of giving effect to his opinions by performing the services of the Church. He was not aware that any clergyman, unless he held a benefice, was liable to any proceedings whatever if he abstained from taking part in the services of the Church. When his right hon. Friend enlarged upon the case of the authors of *Essays and Reviews*, he expected him to come to the conclusion—a conclusion to which the whole of his argument pointed—that the ecclesiastical courts ought to be armed with greater powers and facilities for passing the sentence of excommunication. The *Essays and Reviews* were not the productions of gentlemen who said, "We are trying to get out of the Church;" on the contrary, the essayists and reviewers maintained that they were the real Church; and although the archbishops and bishops took a different view of the matter, they had done nothing to keep these gentlemen in the Church. There, however, the gentlemen were, claiming to be the Church, although the rest of the world regarded their claim with considerable misgiving. His right hon. Friend had raised a cheer, which was easily done in that House, by drawing a contrast between the position of a clergyman who should think fit to be a Dissenting minister and the position of a clergyman who should think fit to be a Roman Catholic priest; but the Act which his right hon. Friend had cited merely provided that the clergyman who should become a Roman Catholic priest was to be free from the penalties attaching to Papists. There was not a single word in the Act which touched the question of canonical obedience to his own bishop. His right hon. Friend was, generally speaking, a calm and moderate man; but in the present instance he had not escaped the error which was apt to befall the framers of Bills on the subject—namely, while remedying a grievance, perhaps, of no great magnitude, to contrive to combine with it the *maximum* of insult and injury to the Church. Here was a Bill, on the one hand, to encourage and facilitate secession from holy orders, enabling a man to relieve himself from certain solemn vows and engagements into which he had entered; and, on the other hand, to subject the ministers of that Church from which the seceder had ostentatiously divorced himself to the most rigorous legal proceedings, if they refused to afford to him all the immunities which he enjoyed before his secession. Nevertheless, he was disposed to vote for the second reading, provided the Bill should be referred to a Select Committee. Although he thought that some of the grievances alleged by his right hon. Friend were visionary, and that others were to be regarded, not as grievances, but as the inevitable consequences of deliberate acts, yet he admitted there was a certain *residuum* of grievance which was real, though not, perhaps, very important. That *residuum* he wished to deal with. It appeared that a clergyman of the Church, if he became a Dissenter, was liable to temporal consequences which did not attach to a layman taking the same step, and might be exposed to certain pecuniary or personal penalties. He desired to relieve clergymen from that liability, and therefore he could not refuse to support the second reading of the Bill, provided his right hon. Friend would consent to refer it to a Select Committee, where every word of it would be carefully weighed. The Committee had not a very easy task before it. A good deal of difficulty would arise from the attempt made in the Bill to deal with several distinct classes of persons. One could understand the position of those clergymen of the Church of England who desired to withdraw from her communion for the purpose of joining an existing sect, or of establishing a new sect for themselves; but his right hon. Friend seemed to regard with peculiar favour another and a very different class—namely, those who were going to trade upon the very orders they had repudiated, and to claim the right to read the prayers and administer the sacraments of the Church they had rejected. It might be right to deal with these men as the Bill proposed, but at least he might be permitted to say that they did not approach the House with very clean hands, especially when they wanted to do what he had stated, after they had taken a declaration to the effect that they entirely dissented from the doctrines of the very Church whose Liturgy they were to be allowed to use. There were other clergymen, again, who desired to become laymen. They might be divided into two classes. First, there were some grave and respectable men who had been pressed with the weight of the reasons urged by his right hon. Friend, who, perhaps, did not believe in the legitimacy of the orders, and who only wished to be set free to pursue some secular calling; but were there not others who might be tempted to enter the Church for the purpose of trying whether they should draw prizes or blanks, and who, if they should draw blanks, would not hesitate to leave it to try their hand in some mercantile or legal occupation, or, perhaps, to obtain seats in that House? These were some of the points which the Select Committee would have to consider; and he frankly confessed that if the Bill should not be returned to the House in a very different shape from that in which it now appeared, he would not be disposed, at the next stage, to show it that indulgence which he was prepared to extend to it on the present occasion. He could not help thinking that a great change had taken place since the question was last agitated in the House. People were now more disposed to recognise the truth that the Church of England was not to be the one religious community which was not to have religious liberty. He trusted, that if certain clergymen were to be relieved from their obligations to the Church, and exempted from all legal dependence on the Church, they would not be allowed to invoke as against the Church and her ministers those very laws from which they were now trying to emancipate themselves. No permanent good or permanent peace could result from any arrangement which might be made if they were determined, while aiming at relieving some persons from engagements which they had found disagreeable to themselves, to effect that object at the expense of a tyrannical interference with the Church—not an interference with mere temporalities, but an interference with the inner life of a religious community, the ministers and members of which were entitled to the credit of being deeply sensible of their duties and responsibilities, and of having consciences leading them to act upon their convictions.

Mr. MONCKTON MILNES said, he believed that the success of that important Bill would entirely depend upon the spirit in which the Select Committee undertook the inquiry. For his own part, seeing much that was unsatisfactory in the measure—much that fell short of what was required, and much also that was done in an ungainly manner—he was glad that it was to be referred to a Select Committee. He thought, however, that the hon. Baronet (Sir W. Heathcote) had not quite fairly stated the question before the House when he said that it related solely and exclusively to the inner life of a religious community. It related to a grievance which had become so obvious and flagrant that it could not fail to force itself upon the attention of the Legislature. At the bottom of the whole discussion lay the broad fact that there were many men of the highest integrity, who in their youth had taken orders in the Church, but who for certain reasons either secular or religious, had come to feel that those orders, which ought to be the privilege of their lives, were a burden upon both their outward and their inward existence. How many persons were there who though having no ill-will against the Church, though capable of becoming excellent lay members of the Church, were yet disinclined to become teachers in the Church, and who at the same time, in consequence of having taken subordinate orders in early youth, were inhibited from following secular occupations in which they might distinguish themselves, or, at all events, earn a just remuneration? His main objection to the Bill was, that it did not meet the case of such persons. It contained what a churchman might fairly call a premium upon heresy. It placed before every one of the class he had mentioned the temptation, which in many cases would be irresistible, of saying to himself, "Though I have no wish to go out of the Church, though I am willing to remain a lay member of it, yet the only way in which I can relieve myself from obligations of which I want to get rid is by declaring myself a heretic." He regarded that as a very objectionable, not to say immoral, provision, and he trusted the Select Committee would amend it. There could be no danger to the Church of England—a Church which was assuming every day more of a voluntary character—a Church which was rapidly growing out of its Erastianism—in permitting persons who had taken deacon's orders in early youth, but who did not wish to become teachers of the Church, to engage in secular pursuits as laymen. He believed the Church of Rome not only maintained, but exercised the power of dispensing on certain occasions from deacon's orders, and he saw no reason why the same power should not be used in the Church of England. The hon. Baronet the Member for Oxford University, taking a rather low view of the Church, had spoken of it as a lottery, expressing the hope that men would not be encouraged to enter it for the purpose of trying whether they should draw blanks or prizes. Surely, that of itself could be no great injury to the Church; at any rate, it would diminish the number of blanks. But the religious question was not the only one which claimed attention. He believed, that if the existing law were amended in a wise and judicious spirit, a great social advantage would result to the community. It was not good for the Church or laity to see so many of what were familiarly called "grass Parsons" going about in society. Many of them were very respectable men, but they had become thoroughly secular in heart; and the sooner they were reduced to simple laymen the better for the Church, for themselves, and for the community at large.

Lord STANLEY said, considering that the question they were discussing was what was commonly called a religious question, he thought it was fortunate that the House had arrived at that degree of unanimity as to consent to send the Bill to a Select Committee; but from the speeches made it was abundantly clear that in that Committee, and in the House when the measure came out of Committee, there would be a wide divergence of opinion, and therefore some observations on its merits might not be superfluous at that moment. And before offering any remarks of his own he wished to quote, in favour of the principle of this Bill, an authority to which those who were the warmest friends of the Church of England would attach more weight than to anything which fell from him. He would quote a passage from the pamphlet by a Bishop of the Church, written, he believed, shortly after the case of Mr. Shore had been tried, and having reference to that trial. The passage was to this effect—

> "Before, however, I commence this statement, I rejoice to be able to say that your Grace as well as myself is entirely disposed to favour and support any well-considered measure (as the Bill now before the House of Commons must be expected to be) for relieving any clergyman who, after he has been admitted to holy orders in the Church, should conceive conscientious scruples against a continuance in its communion. So, far, indeed, from wishing to claim to the service of the altar any whose conscience bids them renounce that service, the true churchman would urge them rather quietly to withdraw than to persist in the performance of offices which they can no longer perform without peril to their own souls, and a serious offence to the souls of others."

Now, who was it who used that language? It was the Bishop of Exeter. He quoted his authority in order to show that the principle of the Bill found supporters among those the general tendency of whose opinions must be supposed to be in a different direction. If any division had been taken on the measure, he was prepared to support it on two grounds—first, as tending to the advantage of the Establishment, and next, as an act of justice to individuals. It was designed to set free from their obligations certain persons, who, by the position in which they found themselves, were compelled, or all but compelled, to continue in the service of the Church against the dictates of their consciences. When such a case arose, he could not see that any Church, established or not, could gain by the continuance of a clergyman so situated in its service. Could there be any advantage in services given unwillingly, under the fear of penalties on one side and starvation on the other? If such a man made up his mind to remain in the Establishment, he would do all he could to enlarge the boundary of opinion; he must do so for the ease of his own conscience; and would preach within the Church doctrines which would be in letter, perhaps, but not in spirit, those of the Church. Would not the clergy think it tenfold more dangerous that he should continue under his present obligations, exercising in that spirit the influence which his position gave him, than that he should be at liberty, if so determined, to break through them, and separate from the Church? And again, was it not clear that when he found his position was not recognised by the law, that would go far to make him an enemy to the Church, whereas, if allowed to retire peaceably, he would ask nothing better than to remain in a state of neutrality? More than that, they must look at the effect on public opinion. So long as the difficulty in withdrawing from the Establishment was great, the public would always believe that for one who went out half a dozen were inclined to go, but feared to take the step. Was it not, then, something gained that by opening the door they convinced the world that all those who remained did so of their own free will, and that the minority of those who quitted the Church was as inconsiderable as practically it would be found to be? Something had been said about no man being compelled by law to remain in the Church and perform its services. Strictly speaking, that was true: there was no legal compulsion; but three fourths of the clergy were without private fortunes, and as a general rule they had families. Was it not clear, then, that if they shut a man out of every other profession except that which he had taken up, they in practice compelled him, having a family, to remain in it? It had also been argued that the Bill would operate as a premium on dissent, inasmuch as a Churchman must remain in orders, while a Dissenter might quit them. There might be something in that; but public opinion would do what the law did not. There was always a certain amount of obloquy—he thought it unjust, but it was almost universal—attaching to those who changed their religious belief; and if that change was accompanied by advantage to themselves, the obloquy was the greater. And apart from that prejudice, in a country in the social condition of England, it was not an easy thing for a man to change his profession. All professions were crowded, most were overstocked; and when a man migrated from one to another at a later period of life than that at which others usually began their career, so far he was behind in the race. That was a position of disadvantage which no person without strong inducement would select. There appeared to be some apprehension, that if the Bill were passed, many persons were likely to leave the Church. That was matter of opinion. He did not think it would be so; but, if it should, the question was not whether the opportunity should be refused, but whether, if the state of the Church were really so unsound, the danger would not be increased by leaving things as at present. Something was said about the grievance which this Bill sought to remedy not being of a practical character. By the canon of 1603 it was declared that "no man, being admitted a deacon or minister, shall from thenceforth voluntarily relinquish the same, nor afterwards use himself in the course of his life as a layman, upon pain of excommunication;" and by the subsequent statute of George III. the sentence of excommunication rendered him liable to imprisonment. To be sure, there was no probability of that law being enforced; but if they put themselves in the position of clergymen against whom it might be enforced, they would feel that it was no light or agreeable thing for a man in a free country to know that he enjoyed his freedom by mere toleration or connivance, and that he might be deprived of it by any zealot who chose to put the law into operation. Again, it was contended, that if men were to be set free from orders on the ground of dissent, they ought also to be set free if on other grounds they felt unfit for the exercise of their profession. Personally, he did not shrink from that conclusion; but it was quite a different question from that raised by the Bill, a much wider question—one that ought to be considered on its own merits; and he should be sorry if by entertaining it the Committee risked the loss of the Bill. There were some other matters of detail, to which, if the Bill were not to be referred to a Select Committee, he should have adverted. He did not know what was the position, under the actual law, of persons in orders of the Church in Scotland. He believed those orders were recognised in England; and, if so, he presumed that such persons, ceasing to hold orders, were liable to all the penalties which attached to those connected with the Church of England. In that case he thought their position should be taken into consideration, and be provided for under the Bill. He hoped the Bill, when it left the Select Committee, would be in such a shape as would enable Parliament to come to some practical agreement on the subject.

MR. WALTER said, that although entirely agreeing with hon. Members who had spoken on the subject that the question was one which could only properly be dealt with in a Select Committee, he should yet have been prepared, if necessary, to have supported his right hon. Friend in the second reading of his Bill. Certainly he did not think that either the speech of his right hon. Friend who moved the second reading, or the measure itself, was open to those charges—at least they appeared to him as charges, so far as the Church of England was concerned—which the hon. Baronet opposite (Sir W. Heathcote) had held out. At the same time, he agreed with his hon. Friend the Member for Pontefract (Mr. M. Milnes), and with the noble Lord who had just spoken, that there were many difficulties of detail which would require the most grave and serious consideration. He thought there was force, although not so much as to affect his general opinion of the measure—still there was some force in the observation of his hon. Friend the Member for Pontefract (Mr. M. Milnes) that the limitation of the Bill to cases of dissent did, to a certain extent, amount to a premium on heresy. And when he looked at the oath proposed to be taken by persons seeking relief under this Bill, he was not quite sure that that oath would meet the case of the particular gentleman on whose account the Bill was introduced; because, so far as he recollected, in the letter of that rev. gentleman, which was not a very wise one, he did not discover any expression of dissent from the doctrines of the Church of England, or any statement that the writer would feel more comfortable as a member of any other community; that, at all events, was the impression left on his mind. However, the matter of the evading of the declaration could only be decided after very serious and grave discussion. But, while the Bill would afford relief to a class of persons who undoubtedly laboured under a very serious and cruel difficulty, it would afford still greater relief to the Church of England itself. And he thought the hon. Baronet (Sir W. Heathcote), who was a strong advocate for tightening the reins of ecclesiastical discipline, should have considered that it was impossible to tighten those reins unless they gave to the persons affected some *locus pœnitentiæ*. It had always seemed to him one great difficulty, in dealing with cases of immorality and heresy, that courts of law felt it a very serious thing to deprive a man of his only means of livelihood; some extraordinary case must be proved against a person in orders before a court of law would force his bishop to turn him out of the only profession in which he could gain his bread. He also thought the Bill was also called for in consequence of the peculiar practice which prevailed in the Church of England, which required those taking orders to do so at a very early period of life. A young man went to college at an early age; he had no opportunity of forming his opinions on many important questions. Instead of mixing with the world, where he would meet with men of different views, by which he might, perhaps, correct his early prejudices, he was frequently sent to what was sometimes the worst of all institutions—a training college—where the prejudices which he had formed at college were confirmed. No opportunity was afforded him of comparing his opinions with those of men he was likely to meet in after-life, and ascertaining whether the opinions he then held were likely to be so firmly based as to justify him in entering into indelible orders as a minister of the Church of England. He must entirely confirm the opinion expressed by his right hon. Friend the Member for Kilmarnock (Mr. Bouverie), that from all he had heard from those conversant with the state of the Universities at the present time there was a growing disinclination to enter into holy orders in the Church of England; and although it might be true that there were greater prizes in other professions at the present day, yet it had frequently been stated to him, by persons competent to judge, that the theological discussions in the religious world on controverted points formed one of the great obstacles to young men of talent entering the Church, and one reason of the marked inferiority of the clergymen of later days who had entered into holy orders. He thought it would be far better that the Church should encourage men to take orders at a later period of life, when they might have had time to mature and correct their opinions, to investigate the points which frequently formed the subject of controversy in the present day, and satisfy themselves that they had some special calling for the ministry on surer grounds than they were capable of forming at an early period of life. For the reasons he had stated, he should be glad to see some measure carried which would afford some means of relief for persons who had the misfortune —for it must be a misfortune—to repent their embarking in a sacred profession, and feel themselves prohibited from engaging in a secular calling without that scandal which must be the consequence of their remaining in a profession against their conscientious scruples.

Mr. HUBBARD said, that he would not deny that a certain amount of grievance existed, but he thought it was infinitesimally small. There were 20,000 clergymen, and only twenty to be relieved. He regretted that with the attempt to remove that grievance there should be associated an affront to the Church of England. He by no means agreed in the remarks made by the right hon. Gentleman who moved the second reading of the Bill as to the character and intelligence of those who took orders in the Church of England. He knew it was the opinion of the Archbishop of Canterbury that within his own experience there never had been a larger number of candidates presented for ordination, and better qualified, than at the present moment. He also demurred to the title of the Bill. It was called a Clergy Relief Bill. The clergy, as a body, did not require relief of this kind—it was for the relief only of the seceding clergy. He had no objection to its being called the Seceded Clergy Relief Bill. He particularly objected to that provision of the Bill which enabled a clergyman by sending a sixpenny letter to the nearest magistrate to relieve himself of his most solemn obligations. Such a letter might be despatched in a moment of despondency and doubt, whereas if he were brought in contact with his Bishop, a change of mind might be brought about. It was a monstrous proposal that a man should be deprived of holy orders by a simple stroke of the pen. What a clergyman received from his bishop he received for life; he might be relieved from the consequences of disability, but he could not possibly be relieved from the character he had assumed. The Bill ought not, he thought, to be entertained in its present form.

Mr. NEWDEGATE said, he could not at all approve of the measure, which was latitudinarian in principle. Its object was to enable a man to divest himself of all the functions conferred by ordination, with an absolution from all its liabilities. This appeared to him to be voluntaryism run mad. The functions of ordination were so sacred that they were not conferred till their recipient had fully made up his mind to all the consequences, and it was the universal doctrine of the whole Catholic Church, of which the Church of England was a branch—and the purest branch—that no man who had once received priest's orders could divest himself of them during his life: "Once a priest always a a priest." Moreover, by repeated Acts of Parliament, it had been declared that no person in priest's orders should be permitted to enter into any other profession. What was the meaning of that restriction? It was that the Legislature would not recognise the principle that the man who had once taken upon himself all the solemn obligations and privileges of ordination in the Catholic Church could be permitted to divest himself of that character, and repudiate his sacred functions. At the same time it was a question whether the period during which an inexperienced young man remained in deacon's orders was sufficient to enable him or the Church to judge whether or not he was fitted for ordination, or whether his mind was so constituted as to afford a reasonable probability that he would adhere to the doctrines, discipline, and ceremonies of the Church during his whole life. There was, no doubt, much in this; and it was a question whether the period of a deacon's probation might not be advantageously extended to five years. This would be beginning at the right end. This Bill began at the wrong end. The true course was to deal with the manner in which young men were originally admitted into the Holy Orders of the Church. The course proposed by this Bill was to afford to persons who had taken orders facilities to escape from their obligations, and to hold out to them the power of admission to the learned professions, and even into that House, as a premium to leave the Church of which they were ordained ministers. It was, no doubt, an evil to retain men in Holy Orders who had ceased to have an affection for the Church; but why should they offer a premium for quitting it? He thought it desirable that the probation should be longer; but it was inconsistent that those who had taken upon themselves priest's orders should be at liberty, whenever they liked, to abandon solemn obligations which they had taken upon themselves for life. He believed the Church of England to be the purest branch of the Catholic Church. Yet this Bill proposed to permit her ordained ministers to abandon the solemn functions and obligations to which that Church had ordained them, without her sanction, without the sanction of her Bishops, without the intervention of any ecclesiastical tribunal. This was only a small portion of a wide question. Suppose a clergyman of the Church of England to be guilty of a grave offence, under this Bill all he would have to do was to send a sixpenny notice, and he was no longer subjected to the penalties to which he was liable at the hands of the tribunal of his own Church. It was grievous to contemplate the possibility of great crimes being committed by ministers of the Church; but offences would come—they had come, and of late years too—and the power of the Bishops was insufficient to meet the evil. But this Bill would enable an offender, by means of a sixpenny notice, to avoid all the ecclesiastical penalties of his misconduct. By giving these facilities for secession they practically narrowed the Church of England to a sect. He rejoiced to find that the Government were considering the question of remodelling the whole ecclesiastical jurisdiction and tribunal of the Church of England; and he strongly deprecated the passing of a crude and partial measure such as this, which would in some degree tend to embarrass or preclude the satisfactory adjustment of those collateral questions which must be considered when the ecclesiastical jurisdiction came to dealt with.

Sir GEORGE GREY said, it seemed to be understood that the general desire was to refer the Bill to a Select Committee, and he should not have risen but that he wished to state, that having taken part in the discussion on a similar Bill in 1845, he retained the opinion he then expressed—that it was desirable some provision should be made by law to enable clergymen who had taken on themselves vows at their ordination binding them to the Church of England, if conscientiously at a subsequent period of life they entertained opinions at variance with the doctrines of that Church, to withdraw from its communion without rendering themselves liable to proceedings in the Ecclesiastical Courts for canonical disobedience. When that Bill was brought forward, there was a practical grievance existing in the case of a clergyman who, having left the Church of England, officiated as a dissenting minister. He was proceeded against in the Ecclesiastical Courts, and the penalty of imprisonment was actually enforced. He believed no similar case had subsequently occurred, and he could not think that the existing grievance was a very serious one. At the same time, the law remained unaltered, and it was quite right that an alteration should take place. He admitted, however, that while there seemed a general concurrence that some provision of this kind should be made for clergymen sincerely dissenting from the Church of England freeing themselves from their obligations, the provisions of the Bill would require most careful consideration, both as to the class of persons to whom its provisions should apply and the process by which their liberation from the Church should be effected. He agreed with the hon. Gentleman who had spoken last that they must be careful not to allow a clergyman who might by some offence have rendered himself subject to ecclesiastical jurisdiction to withdraw altogether from it by the process provided in this Bill. He was quite sure that was not the intention, and they must be careful that was not the result. The seventh clause would also require careful consideration. It referred to the extent to which clergymen would be affected by the disqualifications imposed on them after making the declaration of dissent from the doctrines of the Church. They should consider what was to be the position of clergymen who, after exempting themselves from all obligations incurred at their ordination, wish to return to the Church. If they desired to become again ministers in the Church, were they to be reordained, or were they to resume their functions by virtue of their original ordination? That was a question on which he would be sorry to express any opinion then, but certainly it ought also to be carefully considered in the Select Committee. There were, indeed, many difficult and delicate points connected with this subject, and he was therefore glad his right hon. Friend was willing to refer the Bill to a Select Committee. He thought the necessity for some measure of that kind very much arose from the very early age at which clergymen took upon themselves vows that were irrevocable, and he agreed with the hon. Member for Warwickshire that it might be much better if deacon's orders were not irrevocable, and if a longer interval were allowed between the entrance upon deacon's and upon priest's orders. Young men of three-and-twenty in many cases had scarcely experience enough of their own convictions, or of what were likely to be their own settled tastes and habits of life, to justify them in deciding upon dedicating themselves irrevocably to the sacred profession. That, however, was not a question which necessarily arose out of the Bill, although he had often thought it desirable that some change should take place respecting it. On the other hand, when once a man had taken holy orders, it was not expedient that he should be induced lightly to divest himself of them. He should assent to the second reading of this Bill, with a view to its being referred to a Select Committee.

Mr. BALL said, that though not himself a member of the Established Church, he recognised its great importance, and would be the last man to impair its stability. He hoped that the Select Committee, and also that the Government—who were understood to be taking ecclesiastical matters into their consideration—would inquire not only how clergymen were to be permitted to leave the Church, but how the obstacles which now prevented many valuable young men from entering its service could best be removed. The latter of those questions was much more important than the former. Hundreds and even thousands of young men were excluded from the ministry of the Established Church because the oath and the other requirements were so stringent that they could not conscientiously subscribe them. Again, the present law, by giving facilities to clergymen of the Church of England wishing to go over to the Church of Rome, while corresponding facilities were denied to those desirous of becoming Dissenting ministers, was unequal in its operation, and ought to be altered. The hon. Member for Berkshire (Mr. Walter) had correctly stated that young men at the Universities had very little opportunity of advancing themselves in ecclesiastical or religious knowledge. It was frequently a matter of great regret to those who had young friends and relatives at the University preparing for the Church, that while great pains and trouble were taken to advance those young men in the classics and mathematics, their instruction in the truths and doctrines of the Gospel which they would have to preach was much neglected.

Mr. E. P. BOUVERIE said, he wished to offer a word of explanation as to what the hon. Member for Buckingham (Mr. Hubbard) had termed the "sixpenny declaration" to be made under the measure. He could assure the hon. Gentleman that not the slightest insult or offence was either intended or conveyed by that part of the Bill; and if the hon. Member had been familiar with the Acts of Parliament relating to that subject, he would have known that the clause to which he objected really followed, *mutatis mutandis*, the enactments of the Toleration Act. The proposed declaration was taken from the Toleration Act, which statute also required the record of the declaration to be registered at Quarter Sessions on payment of a fee of 6*d*. He desired further to explain how that particular process was originally proposed in the Bill of 1849 and passed through Committee. The original object of the Bill of 1849 was to extend the operation of the Toleration Act to clergymen committing an offence against their canonical obedience, and it was found, that if they were merely exempted from all penalties, they would still have continued to be clergymen, and might afterwards have resumed their functions as such. It was necessary, therefore, to put some bar on their exercising the functions of clergymen, and that could be accomplished only by the process suggested by the Bill of 1849, and also by the Bill before the House—namely, deposition, a proceeding well known to the ecclesiastical law, and equivalent to the perpetual suspension of clerical functions.

Bill read 2°, and *committed* to a Select Committee.

METROPOLIS LOCAL MANAGEMENT ACTS AMENDMENT BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

Clauses 1 to 5 inclusive, *agreed to.*

Clause 6 (Sums to be assessed by Metropolitan Board).

MR. AYRTON said, he would move the omission of the first part of the clause, in order to obtain some explanation from the promoters of the measure. The sixth and the following clause related to the powers to be granted to the Metropolitan Board of Works for assessing and levying rates. When the Bill was originally introduced, a Select Committee of five Members was appointed, on his Motion, to arbitrate, as it were, upon the contributions to be raised from the different parishes. The measure did not pass that Session. In the following year it was re-introduced; but its framers set at naught the previous decision of the Select Committee relative to the contributions of the parishes, and inserted provisions wholly at variance with it. It transpired in Committee upstairs that a dispute had arisen between the Metropolitan Board of Works and the parish of St. George, Hanover Square, the latter refusing to have anything to do with these rates, and giving the former to understand, that if they wanted any money, they must collect it themselves. In consequence of that dispute the Metropolitan Board of Works attempted to establish a new and most arbitrary mode of levying their rates, arrogating to themselves the judicial powers of a Quarter Sessions, and sending forth over the whole metropolis an army of their own collectors. To check that, he drew up a clause divesting them of the judicial functions they had assumed, and requiring them to assess their rates on the basis of the county rate, but giving them the right to make a requisition on each parish, and to surcharge any parish, as the county magistrates were empowered to do, if it failed to pay its contribution. His declaratory clause was adopted, and, having submitted to that clause, he maintained that the promoters of the Bill were bound to frame the rest of its provisions in accordance with it. Instead of that, however, the measure, as it now reappeared before the House, contained contradictory and confused provisions, absolutely constituting the Board a Court of Quarter Sessions, and investing them with the most oppressive powers of summoning individual inhabitants. He wished, therefore, to know why the understanding entered into last Session on the matter was to be defeated, and all the evils incident to a conflict of authorities to be let loose upon the metropolis. He would suggest that the Bill should be referred to a Select Committee.

MR. BRISTOW said, he believed that the accusations brought by the hon. Member for the Tower Hamlets against the Metropolitan Board of Works had been entirely disposed of by the discussion upon the second reading of the Bill. As to the clause under consideration, it was one of those provisions which were most carefully examined by the Select Committee of five, and it met with their most unanimous approval. It did not extend the powers of the Board, but merely simplified a section of the existing Act, and enabled it to be practically carried out. There was nothing indefinite in the clause, and it would not impose any trouble on the inhabitants of the metropolis. The county rate would be the basis of the Amendment, except as regarded the City, where the police rate would be the basis. It would be a waste of time to refer the measure to a Select Committee.

Mr. LOCKE observed, that in his opinion the Metropolitan Board of Works had not acted fairly in the matter, and its conduct had created great dissatisfaction among the ratepayers.

Viscount ENFIELD said, he wished to know why the 170th clause of the existing Act was to be repealed if there was to be no change in the basis of assessment.

Mr. TITE said, there was some obscurity about the existing clause, and the Select Committee had thought it better to adopt the words of the clause now submitted.

Mr. BRADY said, he did not think they would be justified in opposing the Bill any further, in the face of the fact that the parishes which had formerly opposed it had withdrawn their objection.

Mr. COX said, he wished to know what there was of obscurity in the 170th clause of the existing Act, that they should have a new clause substituted for it.

Mr. AYRTON said, the Committee of five did not examine the Bill of last year in a public point of view. He had pointed out that the principle upon which it was based was an incorrect principle, and the right hon. Baronet the Home Secretary agreed with him in that view. The clauses of the present Bill, however, were framed upon the old and incorrect principle.

Sir JOHN SHELLEY said, he thought the matter required further explanation.

Mr. HARVEY LEWIS said, the 170th clause of the existing act was clear enough, and therefore there was no necessity to repeal it, especially as it was intended to replace it by another about which there would be considerable doubt.

Lord FERMOY said, the clause was intended to empower the Board to raise their rates over the whole Metropolis, instead of over the existing sewage district as at present. He thought, as applied to the main drainage rates, that was a good principle.

Mr. BRISTOW pointed out, that the 170th clause of the existing Act and the clause now under consideration were similar in intention, and the change was only meant to make the 170th clause more practical.

Mr. AYRTON said, he wished to know why the City of London was omitted from the clause?

Mr. CRAWFORD said, a reference to the interpretation clause would prove that the City of London was included in the Bill.

Sir GEORGE GREY said, the only substantial difference between the 170th clause and this clause was, that certain words had been omitted, with a view to make the assessment simply upon the rateable value of property. He did not understand that the words of the clause had anything to do with the collection of rates; and if the Metropolitan Board were to make the assessments he could not see how they were effectually to do that without they possessed the power which the clause would give them.

Clause *agreed to.*

Clause 7 (Basis of Assessment).

Mr. AYRTON said, he thought that the clause was not explicit as to the particular rate which should be taken as the basis of valuation for the purpose of the Bill.

Mr. BRISTOW explained that the assessment was to be generally upon the county rate; but in the City of London there was no county rate, and there the police rate would be taken as the basis of assessment.

Mr. WILLIAMS said, the rating in the City of London was on the same basis as that of the county of Middlesex.

Sir GEORGE GREY said, he thought there was some obscurity in the clause, and he would suggest the addition of words to make the intention of the clause more plain.

Mr. AYRTON said, he would move an Amendment, the effect of which was that in the City of London the assessment should be on the basis of the sewers rate.

Amendment *negatived.* Clause *agreed to.*

Clause 8 (Mode of Assessment by the Metropolitan Board of Works).

Mr. AYRTON said, he would move the omission of the words imposing penalties, with a view to limit the powers of the Board in respect of rates. The clause substantially constituted the Metropolitan Board a Court of Quarter Sessions, and invested them with judicial functions. It was something new in the history of the law to enable such a body, without a commission from the Crown, to act judicially and summon and examine witnesses.

Mr. BRISTOW said, the omission of the words would be the play of *Hamlet* with the part of Hamlet left out. It would deprive the Board of the power to enforce their own assessment.

Amendment *negatived.* Clause *agreed to;* as were also Clauses 9 to 35, inclusive.

Clauses 36 to 40 *struck out.*

Clause 41 *agreed to.*

Clause 42 *struck out.*

Clauses 43 to 86, inclusive, *agreed to.*

House *resumed.*

Committee report progress; to sit again on *Wednesday,* 30th April.

House adjourned at six minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, April 10, 1862.

Minutes.]—Public Bills.—2ª Chancery Regulation; Crown Suits (Isle of Man); College of Physicians (Ireland).

3ª Whipping; Pier and Harbour Act Amendment.

POOR LAW (SCOTLAND)—RELIGIOUS EDUCATION.—PETITION.

The Earl of WICKLOW *presented* a petition from James Toland and Elizabeth Murphy, the nearest relatives of a child who was born in Glasgow, and whose parents were Roman Catholics, complaining of a certain decision of the Board of Supervision. They stated that the parents of the child were Roman Catholics; that the mother was dead, and that the father had enlisted in the army in 1855, and had not been heard of since. They complained that all access to the child was denied to them and to any pastor of the Roman Catholic religion, and that the child had been sent from the poor-house to a purely Protestant institution. He had presented a similar petition last year from the neighbourhood of Edinburgh; and the answer was, that the child, though only nine years of age, had no objection to being brought up a Protestant. The law of this country was that a child under fourteen years of age was incompetent to form any opinion on such a subject. The matter called for some interference, and ought to be investigated either by a Government Commissioner, or that the Poor Law Committee of the other House now sitting should be directed to extend its inquiries to Scotland. It was a matter of gross hardship that a child should be subject to such treatment, and he trusted that the noble Duke, who must feel interested in the honour and integrity of his country, would aid him in abating the continuance of such an evil, if the evil existed.

The Duke of ARGYLL said, that last Session a similar complaint was brought before the House, and he, in consequence, communicated with Sir John M'Neill on the subject. The result was that counter-statements were presented, which satisfied the House that great exaggerations had been made in the petition. If his noble Friend would communicate to him the particulars of the present case, he would again refer to Sir John M'Neill, and he was quite sure that all proper measures would be adopted. There was some difficulty in dealing with these cases in Scotland. The children were the children of parents who had practically deserted them; and if, in the present instance, the parent enlisted, and afterwards sent home no means of support for his child, nor communicated with the family, the man might be said practically to have deserted the child. In many cases it was felt to be better, on the score of health, and more economical, to bring these children up in the country; and as there were very few rural districts in Scotland where Roman Catholics could be found to take care of them, the children were necessarily put to board with persons of the Presbyterian Church. Wherever it was possible, Roman Catholic children were placed under the care of Roman Catholics, or were sent to a neighbourhood where there was a Roman Catholic priest.

The Marquess of NORMANBY said, that a practical hardship had been alleged to exist in this case, and he thought that an investigation should take place. He would suggest to his noble Friend to move for a Committee after Easter. No one could more fitly preside over such a Committee than his noble Friend, who was well known for the honesty and impartiality of his opinions.

THE ADMIRALTY DEPARTMENTS AND BUILDINGS.—QUESTION.

Lord KINGSDOWN said, that in the course of the autumn formal notices had been served upon all proprietors and occupiers of premises in Spring Gardens and New Street, with a view to obtaining a site for new offices in connection with the Admiralty. He had lately heard that the intention of building those offices had been either suspended or entirely abandoned. It was a considerable hardship for anybody to be turned out of a house that suited him; but if the public convenience required it, individual inconvenience must be submitted to. The hardship, however, was, still greater, to have an eviction of the kind he had alluded to hanging over one's head—and to be kept in a state of uncertainty whether it would or would not be executed. A man could under such circumstances neither lay out money on his house, nor dispose of it, nor provide himself with another, and he thought Government ought not to serve such notices unless they had fully determined to act upon them. He wished, then, to know from the noble Duke at the head of the Admiralty, whether he had made other provision for the accommodation of his officers, or, at all events, whether or not the scheme for building new offices on the site in question had been abandoned?

THE DUKE OF SOMERSET said, the Admiralty had determined to bring all their detached offices into close contact with the Department, as they believed that such a step would contribute to efficiency and economy in the transaction of the great mass of business which the Admiralty had to perform. The Admiralty had therefore pressed the question of new offices on the Treasury and Board of Works; and while the subject was under consideration, he requested the Board of Works in the autumn to give notices to the inhabitants of New Street and Spring Gardens that their houses would be required, so that if they came to a conclusion upon the matter, the purchase might be completed without delay. The matter, however, did not rest with the Admiralty, and the sum that would be taken for the new buildings would be brought forward in the Estimates of the Board of Works. Upon consideration of the subject, the Board of Works thought that the plan would admit of some improvement before Parliament was asked for any money, and therefore some delay had occurred in the matter. He could not, however, give the noble Lord the assurance that the matter would not come before Parliament in another year. The close connection of the several branches in the War Office Department had materially contributed to the despatch of public business, and a similar advantage would be obtained for the Admiralty when all the departments were brought under one roof.

ITALIAN AFFAIRS.

CORRESPONDENCE PRESENTED.

EARL RUSSELL having *presented* (by command) correspondence respecting Southern Italy,

THE MARQUESS OF NORMANBY complained, that the production of these papers should have been postponed to the last day before the recess. Three or four weeks had elapsed since he made the Motion for this correspondence, and yet the few pages that were laid upon the table were all the result. It hardly required three or four weeks to extract such a valuable contribution to their Lordships' information. It was not of the number only of the papers that he had to complain, but of this—that there was among them only one despatch of Sir James Hudson written this year, the rest all related to 1861. With respect to the only despatch which related to this year, Sir James Hudson said that the law which regulated prosecutions of the press was well defined. But the question was, was it acted upon? He understood that, among other prosecutions, one newspaper had been prosecuted merely for reprinting an article from a London newspaper. The despatch did not contain any allusion to the proceedings in the Turin Parliament, nor to the speeches of M. Ferrari and other members, which described the atrocities which had been perpetrated in Naples, and which completely refuted his noble Friend's favourite idea of Italian unity. Notwithstanding the statement of Mr. Bonham on the subject of Major Fumel's proclamation, there was no doubt that Major Fumel had offered a reward of 100*f.* to any brigand who would shoot his comrade. If Her Majesty's Government followed out their preconceived notions, they would receive the smallest possible amount of information from their agents. He wanted to know whether the noble Lord could explain why Sir James Hudson had taken no notice of the important discussions which had taken place in the Chamber at Turin this year. Was it because they were very much against his favourite doctrine of the unity of Italy? One despatch alone had been presented, giving a report of a speech of a deputy last year who had no particular claim to notice: why had none been forwarded this year?

EARL RUSSELL said, that search had,

of course, been made at the Foreign Office for such papers as might appear to answer the terms of the Address in which they had been moved for by the noble Marquess, and very few were found to answer the description. With respect to the press prosecutions, Sir James Hudson had said that there was no case of oppression which had been brought under his notice, and he did not consider it necessary to give an account of what passed in the law courts. He was sure their Lordships would not think it necessary that an account should be sent to the Foreign Office of all the debates which took place in foreign countries. Our Minister at the Court of Turin sent reports relating to the condition of Italy, just as our Ambassador at the Court of Russia gave the Foreign Office much information about the case of Poland, and our Ambassador in Austria much information about the state of Hungary; but it was not the practice, and he did not think it would be desirable, to place all that information before Parliament.

THE MARQUESS OF NORMANBY wished to know whether he had rightly understood the noble Earl to say that there had been other reports of the late debates at Turin, which he had not thought it desirable to present?

EARL RUSSELL said, that the despatch to which he had alluded was the only one that answered the noble Marquess's description.

CHANCERY REGULATION BILL.

SECOND READING.

Order of the Day for Second Reading read.

LORD KINGSDOWN, in moving the second reading of this Bill, said, that it was an additional step, though a small one, in the progress of improvement in the Court of Chancery—a Court which, he would not hesitate to say, having regard to the nature of the cases which it decided, and the value of the property which it administered, was now one of the cheapest and most expeditious, as well as one of the the best in the kingdom. It had formerly been the practice for the Court of Chancery, in cases that came before it, to send questions of both law and fact to the Courts of Common Law for determination. The decision of these Courts, however, was by no means conclusive, and there was one case on record in which Lord Eldon sent a case to the Queen's Bench; but, being dissatisfied with the opinion, he sent it to the Court of Common Pleas. Lord Eldon was again dissatisfied with the decision, and he finally decided the case upon his own judgment, and a very large estate was now held upon that decision. This was on the construction of legal instruments—a question of law—but the same course was pursued with the same result in questions of fact. An issue was directed to be tried in a Court of Common Law; but if the Judge was dissatisfied with the verdict, he refused to act upon it. At that time the mode of taking evidence in the Court of Chancery was so defective that it was impossible to arrive at any satisfactory result. In the year 1852 a revolution was made in the practice of the Court of Chancery, and an Act was passed giving the Court the power of determining any question of law or fact which might arise previous to the decision of the equitable question. It was intended by this Act that the Court of Chancery should decide for itself all the questions necessary to enable it to pronounce judgment. This Act, however, was not obligatory, but only permissive. Another Act, passed in the year 1858, gave the Court of Chancery additional powers for determining all questions of fact. It was empowered to summon juries, and the verdicts of such juries had the same effect as if they had been given in a Court of Common Law. Last year, a Commission having issued, several suggestions were made for improving the practice of the Court. As the Judges were now provided with full means of ascertaining the truth in any manner which they thought most advisable, it was desirable to make it their duty to avail themselves of the facilities they possessed. At present, when parties came prepared, at great expense, to try the question of law and fact, they were sometimes told to go before a Court of Common Law to try their right, and then to come back to the Court of Equity and claim its interference. When the Bill was originally brought in, in the other House, it made it obligatory upon the Judges of the Courts of Equity to try all the questions that came before it in the proceedings in a cause; but it was afterwards thought desirable to insert some qualifying words, so that the Act might not cause additional expense beyond what was now incurred in certain cases. The Bill was not intended to effect a great deal; but he thought their Lordships would agree with him in thinking it desirable that the

Court of Chancery should avail itself to the fullest of those facilities for the administration of justice which the Legislature had already decided on placing at its disposal. He therefore begged to move the second reading of this Bill.

Moved, that the Bill be now read 2ª.

The LORD CHANCELLOR said, he fully approved the principle of the Bill: the only point on which he differed with his noble and learned Friend who had moved the second reading was as to what the Bill would accomplish. He thought it would accomplish a great deal, provided that its obligatory character was preserved; but certain alterations had been made in the Bill in its passage through the Commons, which, in his opinion, would very much detract from its efficiency, and might lead to its obligatory character being evaded. He should like to have an alteration made in the language of the second clause, in order to leave no loophole—no mode of evasion; in order to render it certain and sure that the Court of Equity should not send to the other side of Westminster Hall any portion of the justice which it ought itself to administer. He should communicate with his noble and learned Friend as to the way in which he thought the clause might be altered, so as to render it more effectual for carrying out the great object of the Bill.

Lord KINGSDOWN concurred with the noble and learned Lord on the Woolsack in what he had said of one of the alterations; but it had been made in deference to an opinion of great weight—namely, that of the Solicitor General.

Lord CRANWORTH said a few words on the measure, which were inaudible.

The LORD CHANCELLOR said, that although he objected to the modifications which had been introduced into the Bill in the other House, he had no wish whatever to interfere with the discretion now permitted to the Court of Chancery of deciding as to how and when proceedings should be initiated. He only feared that the wording of the clause as amended might defeat the object of the measure.

Motion *agreed to.*

Bill read 2ª, and *committed* to a Committee of the Whole House on *Tuesday*, the 6th of *May* next.

EDUCATION—THE REVISED CODE OF REGULATIONS.

PETITIONS. QUESTION.

Lord LYVEDEN rose to present certain petitions against the Revised Code of the Committee of Privy Council on Education. His Lordship said, that as these petitions had been sent to him for presentation to their Lordships, he had thought it his duty to present them; but, for himself, he believed the Code was a great improvement on the existing system. Her Majesty's Government, in his opinion, deserved great credit for the energy with which they had met the difficulties of the case, and for proposing a system which, though it was not likely to be so popular, placed the education of the country on a sounder footing. He wished to ask his noble Friend the President of the Council whether he would consent, after Easter, to a Select Committee of their Lordships to consider the Minutes of Council on Education as recently altered? Unfortunately, during the present Session the great question of education had never been brought before their Lordships as a whole; but its importance had been frittered away in small discussions of particular points of the Code itself, or of objections to the Minutes of Council. Believing that their Lordships possessed peculiar qualifications for expressing a sound and valuable opinion on the subject, both owing to their personal acquaintance with the administration of schools in their several localities, and because they were unencumbered with the objurgations which reached Members of the other House from constituents opposed to a change in the system from personal interests, he was anxious that an opportunity of expressing their views on the question of education should be afforded to them. If that remark applied to their Lordships' House as a whole, it applied with equal force to a Committee of it. Limited as had been his experience of Committees of their Lordships' House, his personal observation led him to believe that a fairer or more impartial tribunal did not exist. At the outset of the discussions on the Revised Code they had been told that it was not to be made a party question. But disclaimers of party spirit, as they well knew, often ended in the bitterest party strife. He could not say that on the present occasion such had been the case; but at least there had been a very narrow escape. Everybody knew that a number of unfamiliar faces had appeared in Parliament ready to take part in the decision; and if the evils of party had been avoided, his noble Friends on the Treasury bench would hardly deny that the result arrived at was due not so much to conviction of its propriety as to a very reasonable dread of a party defeat. Before a Committee of their Lordships' House, however, there would be no fear of the introduction of party or personal feelings. These latter had, unfortunately, been largely imported into the discussions. At public meetings during the recess, the hostility to the alteration in the educational system had been freely ascribed to the economy of Mr. Gladstone and the philosophy of Mr. Lowe. Nothing could be more unfair than the attacks which had been made on that right hon. Gentleman. Himself an adept in education, perfectly skilled in the right method of stimulating energy and encouraging genius, a fine scholar, and a lover of literature, what on earth could induce him to oppose the existing system, supposing it were best adapted to the requirements of the country? On the contrary, he thought the country was indebted to the right hon. Gentleman and to his noble Friend the President of the Council for having stemmed the tide of extravagance which was overwhelming the Estimates. What was the object which the State proposed to accomplish by the grants for education? He had read with pleasure a letter written by a lady named Sewell to the Royal Commissioners—a more sensible or practical composition he had never seen. This lady stated, that if the education given in schools were confined to such as was fitted for children who had to earn their bread by the sweat of their brow, as their fathers had done before them, the object might be attained; but if they went further and endeavoured to raise the condition of the children themselves, they would certainly and assuredly fail. The question was whether that idea had been kept in view in the State-assisted schools? The education given in these schools was intended to be, in the words of the Royal Commission, "cheap, sound, and elementary." But had it been confined to that? So far from being elementary, the reports of some of the Inspectors defined what they considered a "good," a "fair," and an "excellent" school: but, according to their description of an "excellent" school, the highest class of these schools was such that their Lordships might send their sons to them, or themselves wish they had received their education there. He contended that Parliament had no right to tax the people for anything beyond elementary instruction. To remove barriers which a man himself in after-life would be unable to surmount was a fair and legitimate object; but further than that they ought not to go. It was said that the instruction should be carried so far as to give the people of the humbler classes a love for books: but what was the kind of books that these classes loved? It had been seen in the Report upon Military Schools that the books which they chiefly read were works of fiction and romance. If it were sought to give them a taste for any higher class of literature, they must not only be supplied with books, but with places in which to read them; and if they attempted that, he did not know how far they might have to carry the expense, unless they meant to resort to the system of the ancient Romans, who gave games to the people for the purpose of amusing them and keeping them quiet. He trusted that no one would suppose him to be an enemy to education—on the contrary, he had always been a determined advocate of education; but, at the same time, he held that anything beyond elementary education ought to be supplied by voluntary efforts, and not by public money. When the present system was originally established at a cost of £20,000, it was never contemplated that it would reach £800,000. A right rev. Prelate had asked, considering the vast sums they wasted in unholy wars, what objection there could be to the expenditure even of £2,000,000 on the education of the people, if that outlay might possibly rescue thousands from the cell and the gibbet. But did the education now given so save them? The most unsatisfactory part of the Commissioners' Report, to his mind, was that which treated of the moral results of the educational system. There were under that head only some half-dozen pages, followed with reports only from Inspectors in mining and manufacturing districts, stating that they thought there was an improvement. But where were the criminal statistics to substantiate their case? He thought their Lordships were entitled to ask what value they received for the £800,000 which the country was every year spending on schools; and what was the answer of the Commissioners? Why, that the money did not educate one-fourth of the children of the nation, and that the education which was given was "too ambitious and too superficial." They could hardly have found in the

English language two words more condemnatory of the existing system; for what they wanted was an education which was unambitious, but which was sound. He believed the operations of the Committee which he proposed would be attended with the best results. He did not intend that they should travel over again the ground exhausted by the Royal Commission; but he thought it very important that a statement should be put forward authoritatively of the present position of the question, which was not understood by the country, many persons being carried away by the general cry in favour of education. It might be asked of what use would the inquiry be, seeing that the question was after all one of national expenditure, and their Lordships' House had no constitutional control over the Estimates. He did not think, however, that that argument was tenable for a moment. To say that one of the most vital questions of the day was to be excluded from the consideration of one branch of the Legislature, and that the other, by holding the purse-strings, should have complete dominion over it, seemed to him to be as monstrous a doctrine as it was unconstitutional. He believed that the decision of a Committee of their Lordships on such a subject would be very valuable, and that it would be well received by the community at large, whatever it might be. With these views, and desiring not to obstruct, but rather to forward the measures of the Government, he asked his noble Friend whether he would himself propose, or sanction if proposed by any other noble Lord, the appointment of a Select Committee to consider this subject.

Earl GRANVILLE: My Lords, although I cannot give to the question the answer which my noble Friend would desire, I hope he will allow me to thank him, not only for his courtesy to myself personally, but also for his truthful and just appreciation of the great public services of Mr. Lowe with respect to this question; and still more do I wish to thank my noble Friend for the good sense which he has shown and the excellent principles which he has laid down in the speech which he has just delivered. I can assure my noble Friend that I should be the very last person to undervalue the utility of the discussions of this subject in this House. On the contrary, I feel that I have reason to be most highly satisfied with the character of these debates, and also with the great good sense and judgment which have been exhibited in many of the occasional speeches delivered since the commencement of the Session, to which that of my noble Friend is a valuable addition. I am pleased with the position of the question in this House, where the discussions have been entirely free from party spirit. I entirely agree with what my noble Friend has said in regard to the Revised Code. My noble Friend the noble Marquess behind me (the Marquess of Lansdowne), under whose conciliatory administration the Minutes of Council first found favour with the country, has authorized me to state (which I do with especial gratification) that in his opinion the time had come for a change in the mode of administering the Parliamentary grants; and he has also authorized me to say, that although he has not been able to consider every point of detail, he thinks that the changes embodied in the proposal which we made will have had a very beneficial operation. In answer to the appeal which has been made to me as to whether the recent alterations are not rather concessions made under fear of defeat, I frankly confess that, in my opinion, those last concessions are not improvements on our plan, but, on the contrary, will to a certain extent, tend to diminish its economy, and to weaken the effect of the stimulus which we wished to apply to that elementary instruction, with regard to which my noble Friend has not expressed himself one whit too strongly in describing it as the important part of national education which the State ought to assist. I was, at the same time, glad to find that my noble Friend does not undervalue the advantages of a higher class of education. My own opinion is, that you cannot educate the people too highly if you really educate them soundly in those elementary matters which it is essential that they should know. That, however, is, with the large mass of the labouring classes, impossible; and my objection against the existing system is not that it has taught too much, but that it has not taught—at least not so well, nor so universally as we could have wished—exactly that mos important part of education. In reply to the question of my noble Friend, I must answer it in the negative. I must say that I do not think that the adoption of the course which it suggests would help us with or further the measure which we have in hand. At the beginning of the Session the Government thought it necessary to consider the different proposals which it was probable would be made by the opponents of this measure; and, among other things, we thought it probable that it might be proposed to refer the subject to a Select Committee. Upon a careful review of the advantages and disadvantages of such a course, we came to the conclusion that such a reference would not be desirable. Nothing is more important in regard to questions like this than that you should inquire and consider well before you act; but the time does come when you must act, and the multiplying of different forms of inquiry is a most inconvenient form of action. My noble Friend did ample justice to the labours of the Royal Commission. That Commission sat three years; they had a large staff, a certain sum of money was expended, and a very able Report was the result. My noble Friend proposes that the Committee should not go over the ground which has been already traversed by the Commission; but it would be impossible to avoid doing so, and the result would be that the Committee would be examining the same witnesses and discussing the same questions as the Commission examined, with infinitely less time. If there was any force in these objections to the appointment of a Committee at the beginning of the Session, it is clear that they apply with tenfold force now that we have nearly reached the Easter recess; and such a Committee could not, if appointed, commence its labours until a considerable part of the Parliamentary Session, which does not promise to be a remarkably long one, had elapsed. For these reasons I cannot hold out to my noble Friend any hope that I shall either propose or encourage the proposal of a Select Committee upon the subject.

EARL STANHOPE expressed his entire assent to the conclusion at which the noble Earl the Lord President had arrived. He did not think that any advantage could result from the labours of a Committee, the appointment of which must greatly delay the settlement of this question. Their Lordships had now before them, in the Report of the Commission, the evidence, and the additional papers which had been produced, ample information; and all that was now needed was that that information should be applied and acted upon. There was, indeed, one point upon which he should be glad to receive further information. They had been promised that a substantial portion of the grant should be given independently of the examination. That term "substantial portion" was rather an elastic one, and might be either expanded or contracted. On that point he thought the noble Earl ought to give the House some information.

EARL GRANVILLE said, he intended to-morrow to lay on the table papers showing the mode in which the Government proposed to fulfil the pledge given in the other House, and to take the opportunity of making a short statement on the subject.

THE EARL OF ELLENBOROUGH: My Lords, I cannot but think that the noble Earl opposite is perfectly justified in refusing to accede to the proposal of the noble Lord (Lord Lyveden). There can be no doubt that a Committee, if appointed, would sit a very long time, and, whatever might be the value of its recommendations, they would probably come too late to be of any use. The noble Earl appears to be quite satisfied with the position which the question occupies in the House; and perhaps he has reason for being so. For my own part, however, I regard the situation of the question as being in the last degree unsatisfactory, and I think that people generally, when they begin to examine it, will be of the same opinion. The Government had before them a case of the most monstrous abuse, shown in the Report of the Royal Commission—an extravagant expenditure constantly increasing, very little good being done, and no hope of more good being obtained. They accordingly endeavoured to apply a remedy. If they could not reduce the expenditure, they desired, at least, that it should not be charged to the public without some return; that the benefit should be commensurate with the outlay. That was a most legitimate object; it was their duty to attempt it, and it would have been contrary to their duty had they not attempted it. But the Government were driven—fairly driven—from that position. They would, no doubt, have been beaten had they gone to a division, and they very properly gave way. I am apprehensive of the consequences of their concession. The same coalition which has defeated them in this instance will be ready to resist them again in future years, and the contest will have to be renewed. I see nothing in prospect but increasing expenditure, without any increase of advantage to be afforded to the public in exchange. That is a very deplorable state of things. I know not whether, by proposing the measure in the shape of a Bill, instead of proceeding by revised Minutes of Council, the Government could have avoided the difficulty; but I trust they will place before the country clearly, distinctly, and forcibly, the question of public economy which is involved in this matter. The only interest I take in the matter is on account of the grants of public money. I feel perfectly satisfied, that if Parliament were to refuse all support to the education of the people, it would still go on. Such an impulse has been given to the cause that there is no fear of its falling. Indeed, I believe the public education would be conducted with much greater advantage than at present, because a great portion of it would be derived from the charity and benevolence of individuals, and would be received with gratitude; but when the public marches in with a long purse at one door, we find that charity and gratitude walk out at the other, and generally persuade economy to accompany them. That, I apprehend, will be the case; and I most sincerely wish success to the Government in whatever efforts they may make to stay the progress of this enormous charge, which has already risen to a very great amount, and which threatens —for the most eloquent advocates of the system rather glory in it than lament it— to extend still further, and to absorb a large additional portion of our revenue.

Petitions to lie on the table.

House adjourned at half-past Six o'clock, till To-morrow Twelve o'clock.

HOUSE OF COMMONS,

Thursday, April 10, 1862.

MINUTES.]—PUBLIC BILLS.—1° Fire Insurance; Corrupt Practices at Elections; Small Tenements Rating (Scotland); Trading Companies, &c.; Juries; Education of Pauper Children; Red Sea and India Telegraph Company.

THE TYRONE ASSIZES.

QUESTION.

MAJOR STUART KNOX said, he rose to ask the Chief Secretary for Ireland, whether his attention has been called to circumstances that occurred at the late Assizes for the County Tyrone, which led to the quashing of the Petty Jury Panel and postponement of the trial of prisoners; and whether he has any objection to lay upon the table a Copy of Mr. Justice Christian's ruling when quashing the said Panel as returned by the Sheriff?

CAPTAIN ARCHDALL said, he would also beg to ask the right hon. Gentleman whether the attention of the Government has been called to the fact that Mr. John M'Crossan, brother of the Sub-Sheriff of County Tyrone, an attorney in most extensive practice, employed principally in conducting criminal cases, particularly in the defence of prisoners, was for the first time placed upon the Grand Jury at the late Assizes at Omagh, to the exclusion of gentlemen who were present and who had served on former Grand Juries; that Mr. John M'Crossan was not only engaged for the defence of prisoners then for trial, and whom (although a Grand Juror) he continued to defend in the name of another attorney, but that he was also retained for the prosecution of the prisoner Donnelly, in whose behalf the Petit Jury Panel was challenged and quashed by Judge Christian; and whether the right hon. Baronet is prepared to take any steps to prevent the recurrence of a proceeding so unusual and so dangerous to the purity of the Jury system?

SIR ROBERT PEEL replied, that the circumstances to which the questions related had excited a good deal of feeling in Tyrone, and the attention of the Government had been called to them. As he had been in communication with Justice Christian, with the High Sheriff of Tyrone, and with the other authorities of the county, he might briefly state what the real facts were. It appeared that late on the last day of the Assizes, after all the other cases had been tried, a prisoner was arraigned before Justice Christian on an indictment of manslaughter. The counsel for the prisoner put in a challenge to the array of the Jury Panel, and the principal allegation was that the Sub-Sheriff had put upon the list the names of certain persons who were not on the list of the Clerk of the Peace for the current year, and had omitted the names of certain other persons who were upon that list. Two courses, as stated by Justice Christian, were open to the Counsel for the Crown. One was to traverse the challenge—in other words, to deny the truth of the allegations contained in it; and the other was to demur to the challenge—that was to say, to admit the facts, but to deny their sufficiency in law. The Counsel for the Crown adopted the latter course; but Justice Christian ruled, that assuming the facts to be as stated, the challenge was well-founded, and the Panel was quashed so far as concerned that particular case. The Counsel for the Crown, as well as those for the prisoner, having petitioned for an adjournment of the trial, the Judge assented, but there were no trials of prisoners postponed. There were two challenges—one in the Civil Court, which Justice Ball overruled, and the other to which he had already referred; but all the prisoners were tried. He would have no objection to produce the Paper for which the hon. and gallant Member for Dungannon had moved, but he thought there should be laid on the table along with it a copy of the challenge to the array of the Jury Panel.

Colonel FRENCH said, that the right hon. Baronet the Secretary for Ireland had given no answer to the question put to him by his hon. and gallant Friend the Member for Fermanagh as to whether a person engaged in the prosecution of some prisoners in Ireland had been placed on the Grand Jury.

Sir ROBERT PEEL: With reference to the Question put by the hon. and gallant Member for Fermanagh, I may state that the trial of the person in question has been postponed till the next Assizes, the Counsel for the Crown having agreed to that course, with the approval of the Judge before whom the case went.

AGRICULTURAL STATISTICS.

QUESTION.

Mr. CAIRD said, he would beg to ask the Secretary of State for the Home Department, If he will state to the House, and lay upon the table, the substance of the replies by the Courts of Quarter Sessions to his circular on the subject of Agricultural Statistics.

Sir GEORGE GREY stated in reply, that in some cases the replies were to the effect that the police might be employed in the collection of agricultural statistics, but in the majority of instances the Courts of Quarter Sessions expressed an opinion unfavourable to the employment of the police. That opinion, however, was in some cases accompanied by another, to the effect that it was desirable that agricultural statistics should be collected. The replies would be produced if the hon. Member moved for them.

CAPTAIN COLES'S INVENTIONS.

QUESTION.

Lord ROBERT MONTAGU said, he wished to ask the Secretary to the Admiralty, When Captain Cowper Coles first submitted to the Admiralty his plans, which have lately been adopted for ships of war; if such plans were reported on at the time; and, if so, by whom, and whether that Report was favourable or otherwise; and if there was any objection to lay the Papers on the subject upon the table of the House?

Lord CLARENCE PAGET said, the Admiralty had no objection to make public all the correspondence which had taken place relative to Captain Coles's shields. Perhaps, however, if he stated shortly what had occurred with respect to those shields, the noble Lord would not press for the papers, the production of which would be inconvenient as a precedent. Inventors always desired their inventions to be made public, but it would be impossible to publish the immense mass of papers laid before the Admiralty, not to speak of the inconvenience of producing the confidential reports of officers connected with the department itself. The credit of first taking up the invention of Captain Coles was due to the hon. and gallant Member for Huntingdon (General Peel), who, when he was at the head of the War Department, thought so favourably of it that he ordered a shield to be constructed with the view of placing it in a battery. When the present Government came into power, they also entertained a favourable opinion of the value of Captain Coles's shields, not only with respect to batteries, but likewise as connected with ships; and accordingly the Duke of Somerset communicated with the War Department to ascertain what progress they were making in the matter. It was found, after some time, that the War Department had some difficulty in constructing a shield, and early in 1860 the Admiralty requested the War Office to transfer the business to them. That request was complied with, and a shield constructed for the Admiralty was tried during last autumn on board the *Trusty.* As stated to the House at the time, the experiment was completely satisfactory; and the result was that the Admiralty resolved to ask Parliament to grant a sum of money in order that a ship should be built which would carry a certain number of Captain Coles's shields. He thought the noble

Lord would see that the Admiralty were early impressed with the value of these inventions, and had not lost a moment in bringing them to perfection. But he might be asked, what were the Admiralty doing with that gallant and clever officer, Captain Coles? Captain Coles deserved some testimony of their approval; he was necessarily put to considerable expense, and the House would be glad to hear that when the Admiralty first took up his shield they placed him on the full-pay list, and that he was likewise receiving the usual allowance of £1 a day as an officer engaged in preparing his inventions for the Admiralty. Of course he did not speak of that as a reward, which was a matter for future consideration; but he trusted the House would think that the Admiralty had not been altogether unmindful of the claims of Captain Coles.

SUBMERGING GUNBOATS.

QUESTION.

Lord FERMOY said, he wished to ask the Secretary to the Admiralty, Whether it is true that, so far back as last autumn, Mr. Alexander Samuelson sent in to the Board of Admiralty plans and specifications for a double-skinned self-submerging Gunboat, similar to the *Nangatuck* already built by Mr. Stevens for the Federal Government of America; and if so, whether the Admiralty will take steps to have the plan tested and adopted, as has been the case in America?

Lord CLARENCE PAGET said, that Mr. Samuelson proposed a vessel in 1860 that should during action have the advantage of submerging to a certain extent, so as to offer a very small surface to the enemy's fire. That gentleman brought his plans to the Admiralty, and he, with some other members of the Board, saw them. The plans were very carefully considered by the Admiralty, but they saw that Mr. Samuelson's plans, as proposed, would not be available for Her Majesty's service, and they did not think it proper to make any experiments with them; but Mr. Samuelson was informed, that if he had any modifications to make in his proposal, the Admiralty would consider them. This was on the 22nd September 1860, since which there had been no further proposal received from that gentleman.

THE LARGE BELL IN THE CLOCK TOWER.—QUESTION.

Sir JOHN HAY said, he wished to ask the First Commissioner of Works, Whether the large Bell in the Clock Tower is to be taken down and recast; or whether it is to be used in its present condition?

Lord Clarence Paget

Lord HOTHAM said, he wished to put another question on the same subject to the right hon. Gentleman—Whether, before any further expenditure of public money is incurred on this account, he will give the House the opportunity of pronouncing on its propriety and necessity; and whether he will lay the Estimate on the table?

Mr. COWPER said, the disordered and cracked state of the bell had given him great anxiety. He had called in the most scientific advice he could find. There had been a consultation of learned doctors, and he had already laid on the table four Reports. The last Report, made after very careful investigation, was by Dr. Percy, the metallurgical chemist, of Jermyn-street Museum. He said—

> "It may now be certainly concluded that this part of the bell contains about 2 per cent more tin, and consequently is more brittle, than the alloy prescribed to the founder, which should consist of 76 per cent of copper and 24 per cent. of tin. The bell is yet capable of being sounded, and, according to the opinion which Mr. Turle expressed to me, without any sensible alteration in the quality of the sound which was produced before the cracks were discovered. If considered desirable, it might, I believe, be still used with safety, as simple and not very costly arrangements might be adopted to provide against the possible, though, in my opinion, not probable, contingency of the separation and falling of any portion in consequence of any further extension of the cracks."

By this it appeared that the bell might be used, but at the risk of the cracks increasing and the parts falling on the heads of those who were walking below. Under these circumstances he was unwilling to take on himself the responsibility of having the bell used without further investigation, and a closer calculation of the risk. Besides, when the bell did sound, it had caused interruption to the business of the House, and he apprehended there was no wish on the part of hon. Members for a repetition of the loud and slow sounds of which they complained before. Under these circumstances, he had not come to any conclusion as to what should be done with the great bell. At present the larger quarter bell was used to strike the hours, and though that arrangement was not perfect in regard to musical harmony, he thought it convenient for the present. Although not heard all over

Middlesex, the hour was heard within a sufficient range of that House. Certainly, before any expense was incurred in recasting this bell, or making a new one, he should think it necessary to bring the matter before the House. Nothing under this head had been put into the Estimates for the last two years.

THE "*WARRIOR*" TARGET AT SHOEBURYNESS.—QUESTION.

MR. H. B. SHERIDAN said, he would beg to ask the Secretary to the Admiralty, Whether it is true that at Shoeburyness, on Tuesday, the 8th instant, the *Warrior* target, or section of the *Warrior's* side, was twice pierced through by round shot; whether the shot was a 150 lb. Armstrong shot, fired from a 300-pounder Armstrong Gun; whether the charge of powder was 50 lb.; whether the 150 lb. shot with a 40 lb. charge of powder failed to penetrate the target; and whether the 300-pounder Armstrong Gun can be worked on board ship?

GENERAL PEEL said, he also wished to put a question to his noble Friend with regard to this gun. He wished to know when it was finished, and why the trial had not taken place before?

LORD CLARENCE PAGET in reply said, that the questions of the hon. and Gallant Members referred rather to the War Department than to the Admiralty. He believed, however, that it had been thought necessary to test the gun in various ways before it was brought to the actual business of firing at the target. He was not really able to give a definite reason why the gun had not been tried earlier. With regard to the question of his hon. Friend (Mr. H. B. Sheridan) he thought he had better refer all who took an interest in the important experiment which took place last Tuesday, to an article which had appeared in *The Times*. Nothing could be fairer, or, he might add, more graphic, than the description which *The Times* gave of that experiment. He would only state shortly that there were four shots fired from what was called the 300-pounder Armstrong—that is, as a smooth-bored gun, it fired a shot of 150 lb.; but, if rifled, it would fire an elongated shot of 300 lb. On Tuesday last the first experiment was with a shot of 150 lb., and 40 lb. of powder. It was fired at the *Warrior* target, at the distance of 200 yards; but he was bound to say that the target had had a good deal of shaking by previous experiment. The first shot struck the target on a part which had been, he thought, rather more shaken than the other parts of it. The shot entered, made a hole in the armour plating, and passed through eighteen inches of backing, being stopped by the inner skin of the ship, but it cracked that skin. The next shot, with 40 lb. of powder, hit nearly on the same spot. The fragments of the shot went through plating, backing, skin, and all; and there were proofs that it would have created considerable damage in the interior of a vessel. The third shot Sir William Armstrong requested might be fired with 10 lb. of powder additional; but some doubts were entertained, not whether the gun would stand such a charge, but whether so large a charge would be burnt to give the shot greater velocity. The third shot was fired with 50 lb. of powder, and fired at that particular part of the target which represented the strongest part of the ship. The fragments of the shot went through the plating and backing, and he believed were buried in the supports at the back of the target. It was not very easy to say whether the whole charge of powder had burnt, but evidently a good deal more powder had burnt, because the effect was much greater. The fourth shot took place under the same circumstances. It went through the plating and backing, and buried itself, like the previous shot, in the scaffolding at the back. In reply to the last question of his hon. Friend, whether the 300-pounder gun could be worked on board ship, it was hazardous for him to say decisively, but he believed they could carry a 300-pounder on board ship; but at the same time it was questionable whether a ship could carry plates sufficiently thick to resist it.

SIR JOHN PAKINGTON said, he wished to ask the noble Lord whether that clear and graphic account which appeared in *The Times* of that morning, describing what took place at Shoeburyness on Tuesday, was with the sanction and approbation of the Admiralty; and whether the noble Lord thought it desirable that all the experiments that were now being made from time to time with regard to the power of guns should be made public?

LORD CLARENCE PAGET said, he had no hesitation in saying that the Admiralty had given no sort of sanction to the publication of the report of the experiments on Tuesday last. It was a moot question whether it was desirable that all these costly experiments should be made public. With reference to a question of his hon. and gallant Friend the Member for Chatham (Sir Frederick Smith), whether he was prepared to lay on the table the Report on the iron-plated ships, he might say the Admiralty had no desire to withhold any information which the House thought it desirable to have, but they had a strong opinion that it was not altogether advisable to lay that Report on the table at present.

BRITISH SUBJECTS IN THE EMPLOY OF THE TARTAR GOVERNMENT.

EXPLANATION.

MR. LAYARD said, that he wished to say a word in explanation with reference to the answer which he made to the hon. and gallant Gentleman the Member for Aberdeen (Colonel Sykes) on Tuesday last, when he moved for certain Returns, amongst others for a Return of the names of all British subjects in the employment of the Tartar Government. He understood the hon. and gallant Gentleman to mean those in the military service of the Chinese Government. He had been informed since that those in the civil employment were included. Now, it happened that some English gentlemen, Mr. Lay and others, had been employed by the Chinese as commissioners for the collection of revenue, and he (Mr. Layard) wished it to be distinctly understood, that when he used the term "idle adventurers" on that occasion, he did not mean to include in that the gentlemen who were employed by the Chinese for the purpose he had stated, and who were gentlemen of high character and distinguished abilities.

GREAT GRIMSBY ELECTION.—REPORT.

House informed, that the Committee had determined,—

That John Chapman, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Great Grimsby.

And the said Determination was ordered to be entered in the Journals of this House.

Minutes of Evidence taken before the Committee to be laid before this House.

AUSTRALIAN COLONIES GOVERNMENT ACT AMENDMENT BILL.

THIRD READING.

THE CHANCELLOR OF THE EXCHEQUER said, it would be a great convenience for the public business if this Bill, which stood as the seventh order of the day for its third reading, were passed at once, that it might go up to the House of Lords that night, and be ready for the Commission which was to give the Royal assent to certain Bills to-morrow. He had, therefore, to move that the six previous orders of the day be postponed, to allow the measure to be proceeded with first.

SIR HENRY WILLOUGHBY said, he believed that the Bill was harmless, but it had been read the second time before printed copies of it were delivered to hon. Members; and he must protest against the practice of hurrying through measures before the House had the opportunity of making itself conversant with their provisions.

COLONEL FRENCH said, he also must complain of the irregularity of the proceeding. Such derangements of the business paper deprived hon. Members who might wish to move clauses in particular Bills of the power of doing so.

Ordered,

That the first six Orders of the Day be postponed till after the Order of the Day for the Third Reading of the Australian Colonies Government Act Amendment Bill.

Bill read 3°, and *passed.*

WAYS AND MEANS.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE ENGLISH IN CHINA.

OBSERVATIONS.

COLONEL SYKES stated, that since the promulgation of the Budget he had received a communication from China which would be interesting to the Chancellor of the Exchequer. It was from a gentleman who had been many years in China, and was thoroughly acquainted with the country. The letter said that representations had been made by the Taepings to the authorities at Shanghai, to the effect that if, in contravention of our neutrality, English officials continued to collect Customs duties on the part of the Tartar Government, and hand them over to the Tartars to be employed against the Taepings, the latter would be reduced to extremity, their forbearance, which had hitherto been unexampled, would be worn out, and they would be compelled, in self-defence, to destroy the whole of the mulberry trees in the provinces which they occupied, containing a population of 98,000,000. The result of that would be, that the production of silk in China, which had increased year by year since the insurgents had had possession of the territory, would be entirely lost; and the Chancellor of the Exchequer would be disappointed in his expectation of receiving an augmentation of Customs duties on the importation of that article, and of realizing the balances of the indemnity money from the Customs duties collected at Shanghai by British subjects in the pay of the Tartar Government.

INCOME TAX COLLECTORS.

OBSERVATIONS.

Lord **ROBERT CECIL** said, he was afraid that he was about to descend to a subject of much smaller magnitude than the deeds of the Taepings. He wished to correct a statement made by the Chancellor of the Exchequer the last time they were in Committee of Ways and Means. He had asked the right hon. Gentleman whether the income tax collectors had, by the authority of the Government, informed those persons who were liable to that impost that they were bound to pay on the 20th March, or twelve days before the termination of the quarter. The right hon. Gentleman said, that if the collectors had done that—and he intimated a doubt of the fact—they had done wrong, because they had been told not to press for payment before the end of the quarter; and that, whatever they had done in that respect, the Government were not responsible for their actions. Since that answer was given he had received a letter from one of the leading income-tax collectors; and as the right hon. Gentleman's statement had been made public, it was only fair that this letter should be made public also. The writer denied both of the right hon. Gentleman's propositions, and stated that in the general instructions issued for the collection of the income tax for the whole year—a copy of which he enclosed—the collectors were ordered to collect the quarter's tax within ten days after the same should have become due—that was, to collect the quarter due on the 20th of March before the 1st of April, and not, as he gathered from Mr. Gladstone's reply, after the 1st of April. By the general instructions the collectors were bound not only to collect the quarter's tax within ten days after it became due, but were bound to issue a warrant of distress if it were not paid. That might seem a small matter to hon. Members, but it was of serious consequence to small farmers and tradesmen. His correspondent added—

> "He (the Chancellor of the Exchequer) further states, 'The proceedings of the collectors were not taken by the direction of the Government.' In answer, I can say we are continually feeling the action of the Government in the pressure put on us through the Surveyor and Receiver of Taxes, to hasten and complete the collection, which compels us in turn to press for the tax, which, at present, entails a great hardship upon small farmers and traders, suffering from the effects of two years' scanty harvests."

The writer made one other remark, in which he entirely concurred—

> "There has been a tendency of late to make the collectors the scapegoat for those in high office in connection with the income tax, which I feel to be most unjust."

In that matter he desired that the saddle should be put upon the right horse. If it was true that the fault lay with the collectors, a check ought to be placed upon them, and their duties ought to be properly defined. If the fault did not lie with the collectors, then the Chancellor of the Exchequer must be held answerable for it. There were strong grounds for suspecting that the action really proceeded from the Government. They had had two years of experimental finance, which had ended in large deficiencies. To remedy those deficiencies, the Government had scraped up every farthing it could find at the very first moment it could lay hands on it; and it had exhausted every means within its reach for bringing the wretched condition of the Treasury balances up to something like a presentable state. He was afraid that the hardship to small farmers and traders which he had been describing was but a part, and possibly only a small part, of the same policy which drew five quarters of the income tax into one year. At all events, the subject was one upon which the House ought to have some explanation.

DEFICIT OF THE LAST TWO YEARS.

QUESTION.

Sir **HENRY WILLOUGHBY** said, he wished to repeat a Question which he put the other night. For the last two years he had thought their financial policy so unsatisfactory that he never felt himself in a position to support the repeal of the paper duty, or any other duty. He had always anticipated the serious deficiency of the last two years; and he thought there would be a deficit at the end of 1862-3. The deficit of 1860-1 was £2,550,000, and that of 1861-2 was £1,164,000, making together in round numbers £3,700,000. The question he wished the House to consider was how the deficits should be discharged? It was said that they were to be paid out of the balances; but what was the meaning of that? He believed that there was a serious question at the bottom, and that, in fact, in a covert way, they were running into debt. The balances consisted mainly of monies appropriated for purposes that were likely to be in operation within a short period. For instance, this year, £350,000 was included in the balances, being destined for fortifications, for which purpose it might be drawn out; and there was also a series of items arising from the balance of advances and repayments of loans. For many purposes, under Acts of Parliament, loans were advanced for public purposes. Those loans, which were capital lent, ought surely not to be mixed up with the ordinary finances, but should be kept clear and distinct, otherwise they only deceived themselves as to their true position. Had not the balances, however, been mixed up with monies repaid from various sources under these Acts? And, if so, was it not true that, for two years, the Government had been silently and almost surreptitiously adding to the public debt of the country? That was a point on which a clear answer should be given, because it touched the marrow of our system of finance.

CHINA—VOTE OF CREDIT.

QUESTION.

Sir STAFFORD NORTHCOTE said, he wished to elicit from the right hon. Gentleman a statement upon a point respecting which there appeared to be some misunderstanding. It was understood that a portion of the China Vote of Credit of last year had not been expended, and therefore it would not be necessary to take any further Vote for the present year, because there remained some £500,000 or £600,000 unexpended, and probably there would be about £500,000 more to be expended. He wished to know whether it was intended to surrender the balance of the old Vote, and take a fresh Vote, or to rely simply upon the balance unexpended? If it was not intended to take any new Vote, it was difficult to understand how that £500,000 could be brought into the expenditure of the coming year, and in that case the expenditure would be half a million less than it now appeared to be.

THE SUPPLY BILL.—QUESTION.

Mr. NEWDEGATE said, he wished to remind the House that last Session he had called attention to the mode in which Supply Bills were laid before the House. That measure included the three branches of Excise, Customs, and direct taxes in the form of income tax. On that occasion he ventured to represent to the House, that if all these several branches of taxes were to be enacted in the same Bill, the House would lose the opportunity of discussing them separately, according to the forms theretofore adopted by Parliament. However, that Bill passed, and then the Inland Revenue Bill was introduced, framed on the same model as the other; that is, it embraced all the different branches of taxation in one Bill; and thus, as in the other case, precluded the House from the opportunity of discussing its different parts, according to the practice of Parliament. The House then did him the honour of agreeing with his representation on the subject, and the Bill was divided. He wished therefore to urge upon the Chancellor of the Exchequer, with a view of avoiding the inconvenience of a Motion on the subject, which he might feel it to be his duty to make, to follow this year, with regard to the Supply Bill as well as the Inland Revenue Bill, the precedent adopted last year in relation to the latter Bill, and thus restore to the House the opportunities for separate discussion of the different taxes which they had hitherto enjoyed.

The CHANCELLOR of the EXCHEQUER: It is the intention of the Government to follow the precedent of last year in respect of Supply, which was adopted after full consideration. I do not think the suggestion of the hon. Gentleman is correct that we have departed from precedent in the instance of the Inland Revenue Bill, which was divided into two Bills. The Inland Revenue Bill was not a Supply Bill; and as to such Bills, where it appears to the House that they relate to subjects which naturally divide themselves, and are more convenient to deal with in more than one branch, the Government is always ready to accede to those views when it considers them to be founded upon justice. The question of Supply Bills is different, because in them the question to be considered is not only the administrative effect, but that which it is intended and professes to be—granting Supply to Her Majesty—which forms the ground for these subjects being presented in a united shape.

With respect to what has fallen from the hon. Member for Stamford (Sir S. Northcote), my answer is this:—He says he does not see how we bring the £500,000—the estimated sum to be expended for China—into the accounts of the year, unless a Vote is to be taken from the House. It is true that it sometimes happens that expenditure may be incurred within a given year for which no Vote has been taken from this House in that year. Whether that ought to be so is a meet subject for consideration. As a general principle, with respect to ordinary expenditure, I must say that balances ought to be surrendered at the close of the year for which they were given. But that rule is of necessity subject to restriction, as, for example in the case of the army and navy; and, indeed, it does not prevail in any branch of the public service. But as to the army and navy, it must be subject to restriction, because the balance in those branches cannot be surrendered without inconvenience until after the period for closing the accounts. The same consideration applies *à fortiori* to Votes of Credit, because they cannot be finally disposed of until the army and navy accounts are settled. Therefore it would not be regular—inasmuch as the Vote of Credit has not been disposed of, and as we have authority which we think will cover the whole probable charge—it would not be regular to ask any new Vote.

I must next notice the observations of the hon. Baronet the Member for Evesham (Sir H. Willoughby), who says that for two years past he has confidently expected there would be a deficit. If so, it is rather remarkable that the hon. Baronet in 1860 challenged me with the imputation that the estimates of revenue were greatly and systematically understated; and, if so, I do not see whence the deficit could have proceeded, because the only possible meaning of that remark must have been that the arrangement so made was to insure the existence of a surplus even by withholding due information from the House. The hon. Baronet asks me in what manner the deficit is to be paid? I am surprised at the question, coming from an hon. Member who pays so much attention to financial matters. The deficit is paid like all other charges lawfully made on the Exchequer, and is paid out of the fund provided by the Legislature for such purpose—the Consolidated Fund. The hon. Baronet says truly that the state of the Consolidated Fund ought to be looked to when we are considering the position of our finances, for no doubt the state of the Consolidated Fund is affected by matters other than the revenue and expenditure of the year, particularly in one principal item—the balance of repayments over loans which we make, with great utility, for public works. The hon. Baronet has opened a question of considerable importance; and although I may not be inclined to agree in his conclusions, yet it is a question that may be legitimately raised. He thinks the loan account should be kept separate from the Consolidated Fund. That is a fair question to consider: but the Government have at present no power to act upon any such view. The Consolidated Fund knows no distinction between the sources from which various monies may proceed. When the monies reach the reservoir, they lose all trace of their particular origin, and the legitimate demands upon the Exchequer are paid in due order out of that fund, and all that remains for the Government to do is to take care that the true state of the balance between loans and repayments shall be made known to this House.

I now come to the noble Lord (Lord R. Cecil), who has undertaken to show that special proceedings have been adopted to scrape into the current financial year, in order to lessen the deficit, money belonging to the next year. I presume that must be the meaning of his observations, or otherwise I should have nothing to say concerning them. The noble Lord has read a letter from a collector of income tax as to the mode and times at which that tax is to be collected. Will the noble Lord permit me to say that it would be convenient if, when he receives letters of this description, instead of suddenly challenging the Minister upon the floor of the House, who can have no personal knowledge upon the subject, he were to conform to the ordinary practice followed by nearly all Members, irrespective of where they sit, and more for the convenience of the House than for that of the Minister, and would give me notice, that I might refer to the Board of Inland Revenue, which alone can know anything about this subject? I gave to the noble Lord the other evening the best general explanation I could upon the subject. But he must know that the Chancellor of the Exchequer is not the collector of the revenue, and that his sole mode of gaining particular and minute information on this point is by reference to the heads of those departments through which the collection is made. If, therefore, the noble Lord will place the letter in my hands, or any definite statement upon which I can found inquiries, I will make those inquiries, and the result of them will be entirely at his service to produce to this House if he thinks fit. Of course, I admit that ultimate publicity, upon the smallest as well as the most important matters, is of the utmost value. But, not being the person to issue circulars to every collector to inform him how he shall collect the taxes, it would be a waste of time if I were now to enter into this question. I adhere to the general purport of the statement I made before—namely, that the Government to my knowledge have never taken any measures for the purpose of causing the collection of income tax, which becomes due on the 20th of March, before the 1st of April; and if any such demand has been made, it must be from misapprehension or upon some old instruction which has not come under our notice. However, if the noble Lord will place the letter in my hands, I can then bring the matter to a definite issue, and he will have plenty of opportunities to bring the subject under the notice of the House.

BREWERS' LICENCES.

Mr. BASS said, he had given notice of his intention to move in Committee the following Amendment on the proposed additions to brewers' licences:—

> "That, in the event of the Committee adopting the Chancellor of the Exchequer's proposition, all other manufacturers, ironmasters, and coal-owners shall, on the 1st day of next October, be subject to the payment of an annual licence, to be calculated, as nearly as practicable, on the same principle, or similar principles, to that on which the brewers' licences are to be imposed."

As, however, he had found the Resolution would be irregular in that form, and as his object was to invite discussion and give the House and the country an opportunity of understanding the subject, he should conclude with moving that the Committee be deferred till the next day. The taxation on individuals or on individual firms in the manner proposed by the Chancellor of the Exchequer was entirely new to their system of finance, and he wished the House to express its opinion upon the fairness of imposing an impost of £5,000 upon a single individual or a single firm before they were licensed to proceed with their business. If the principle were one upon which it was expedient to act, he thought they had a right to ask the Chancellor of the Exchequer for some reason why it should not be extended to others as well as to brewers. He believed that the course which the right hon. Gentleman proposed to take in that respect was totally opposed to all precedent. When, for example, the duty was taken off cotton, it was not proposed to reimburse the revenue by imposing upon the cotton-spinner a licence duty; nor when the duty was taken off printed calicoes—a business under the regulation of the excise—did the Chancellor of the Exchequer require the printers to pay compensation in the shape of a personal tax. He had no objection to such an impost, provided it was a general one—he thought even that it might be made a very productive source of revenue; but he could not conceive why, because a certain class of tradesmen paid very heavy duties already, and who were, therefore, really the best friends of the Chancellor of the Exchequer, they should be selected for this new form of taxation. That was not the first addition to the malt tax that the right hon. Gentleman had proposed. Last year he deprived the maltsters of their credit for three months, which was equal to a charge of 3*d.* a quarter upon malt; and that, coupled with what was now proposed to be charged, would be equal to an addition of 1*s.* 6*d.* a quarter to the duty. Some hon. Gentlemen on the other side of the House were particularly anxious for some reduction in the malt tax. But that was going in a precisely opposite direction. The right hon. Gentleman had complained that the right. hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), who was Chancellor of the Exchequer in 1852, unwisely, in the scheme of finance that he then submitted to the House, proposed by a reduction of the malt tax to throw away some £2,000,000, or £3,000,000 of revenue. He believed the right hon. Gentleman was labouring under some mistake when he made that complaint; for he was satisfied that if they reduced the malt tax to one-half, not one quarter of the revenue would be sacrificed, and he was inclined to think that in the course of a very few years the revenue would regain the whole. He thought he should be able to show that on the present occasion the right. hon. Gentleman was creating a very dangerous precedent. The proposed change would not only inflict a most onerous tax on individual brewers, but would do it in a manner most prejudicial to the best customers of the Chancellor of the Exchequer. He calculated that four barrels of beer were produced from every quarter of malt, and had fixed his charge accordingly. Now, he (Mr. Bass) had brewed since the 1st of October last, from 100,000 quarters of malt, but had only produced 300,000 barrels of beer. He would thus be charged with 400,000 barrels, though he produced only 300,000, and would pay £108,000 for his 300,000 barrels, whereas those who brewed four barrels from a quarter would pay for the same quantity only £82,000. Did that inequitable mode of charging a tax furnish any reason why the Chancellor of the Exchequer should make him pay £5,000 in addition? He was afraid that it was his misfortune to belong to a class of persons who did not meet with much sympathy from the House of Commons. Everybody said "put it on the brewers;" and if, instead of making him pay £5,000 a year, it was proposed to mulct him in £20,000, and in addition give him a fortnight on the treadmill, the House would probably offer very little objection. He hoped that for once the right hon. Gentleman would treat the brewers upon a principle of justice. Although he had already paid the tax, had used the hops, and paid the duty, the right hon. Gentleman proposed to make him pay it over again on the 1st of October, on the plea that all these taxes were imposed before a man was allowed to carry on his business. But the right hon. Gentleman would surely not apply to a tax of £5,000 a year the same principle which was applied in the case of a tax of £10 or £20. A tax so enormous ought not to be imposed until some business had been done commensurate with it. He should leave the matter in the hands of the House, and move with a view of eliciting discussion that the Committee be deferred till to-morrow.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, To-morrow, resolve itself into the said Committee,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. LOCKE said, he rose for the purpose of seconding the Motion, though he did not take the same view of the question as his hon. Friend. The brewers, although an ill-used body, had, upon the whole, been able to take pretty good care of themselves. He should second the Motion, in the interest of a class of men who had hitherto met with no consideration at all from the Chancellor of the Exchequer—the hop factors, hop merchants, and holders of hops in this country. Nothing whatever had been said about them. When the paper duty was repealed, a drawback was granted on the stocks of paper on which the duty had been paid. On every principle of justice the same boon should be granted to the holders of hops. The mere mention of the word "drawback" caused an unpleasant sensation to every Chancellor of the Exchequer; but it was perfectly clear, if the duty on hops were repealed and no drawback granted, or granted in such a way as to do an injury to the holders of that property, a great injustice would be done, which he was sure the House would not willingly sanction. In 1857 the hon. Member for Derby (Mr. Bass) was very anxious to support the hon. Member for East Sussex (Mr. Dodson) in attempting to get rid of the hop duty. A Committee to inquire into the hop duties was appointed, on which he (Mr. Locke) had the honour of sitting; and it was somewhat worthy of remark, that the Chancellor of the Exchequer should have selected from the evidence given before the Committee only the statement of the hon. Member for Derby, that if the hop duty were repealed, the consumers would derive the benefit of that repeal. [MR. BASS: In the long run.] In a very long run indeed. If the Chancellor of the Exchequer would look through the evidence again, he would find that the answer of almost every other witness was, that the consumer would derive no benefit whatever from the repeal. It was proved by the evidence given before that Committee, that if the duty were taken off, a man who drank a pot of porter every day throughout the year would only be the gainer of 11*d.* by its removal. With such testimony as this, the evidence of the hon. Member for Derby ought not to have been conclusive. It was not a consumers' question—it was a brewer's question; and the brewers, not the consumers, would get the benefit of the repeal.

But it was in reference to the position of the holders of hops that he called the attention of the House to the subject. In 1857, he believed, there was a differential duty of 27*s.* per cwt. on foreign hops; that was reduced, in the first place, to a duty of 20*s.* on foreign, and 14*s.* on English hops. That duty was to last for one year, at the end of which the duty was to be, as it was at present, 14*s.* on English, and 15*s.* on foreign hops. A complaint was then made, and very justly, that the foreign grower was more considered than the English producer, because the English grower was compelled to pay the duty in the early part of the year after that in which the hops were grown; whereas the foreigner could bond his hops, and not pay the duty till they were taken out of the warehouse and sold. The consequence was, that the amount of the duty of 14*s.* per cwt. had at once to be found by the English grower, or by somebody for him. The Government now proposed to take off all duty on the 15th of September. What, therefore, was the position of the English growers who had already paid the duty? The 14*s.* per cwt. they had already paid was most unfairly taken from them, while it was put into the pocket of the foreigner. All they asked for was the same consideration that had been shown to the papermakers, the cotton manufacturers, and the wine trade; and the case of the holders of British hops was stronger than any of these. Wine, when imported, could be bonded, and the duty was not paid till the wine was sold; but the hop growers and hop factors were not allowed the advantage of bonding. They had submitted to all this, and yet their cup of bitterness was not completely full. They were told by the Chancellor of the Exchequer that he was carrying out the great principle of free trade, and though it might affect them in an unpleasant manner, they must sacrifice themselves, like all good and patriotic men, on the altar of their country; it was a good thing for the country that taxes should be taken off, and they ought to submit with a cheerful countenance. Now, that he could not get his constituents to do; they would not be cheerful under the circumstances. They had requested him to put their case before the House; and if it was made out that great injustice would be done them, he hoped the Chancellor of the Exchequer would give way. If the drawback were not given, all these hops must be exported; for when exported, the holders had a right to claim the drawback. But to export them, say to Jersey, and bring them back again, involved an additional charge, in freight and expenses, of 6*s.* per cwt. If there was nothing to prevent the hops coming back again, why not allow the drawback at once? He hoped the Chancellor of the Exchequer would take the subject into his consideration, and would treat the persons interested in the hop trade with the justice which had been extended to other trades under similar circumstances.

SIR JOHN SHELLEY said, it seemed to him that his hon. and learned Friend (Mr. Locke) had taken for granted what was certainly not the general impression, namely, that the hop factor was the person who paid the duty. He held that the hop grower paid the duty before the stock went into the hands of the hop factor. In point of fact the hop factor had never paid the duty. He maintained it was so, and he believed the proposition of the Government would prove most beneficial to the growe. No doubt, a considerable quantity of hops held by factors were unsaleable, and they would be glad to get the drawback on them.

SIR JOHN TROLLOPE said, he objected strongly to the proposal to bring farmers, tradesmen, and country gentlemen, and others who brewed their own beer, under the cognizance of the Excise. The Chancellor of the Exchequer told the House the other night that all that such persons would have to do would be to take out a licence, just like taking out a licence to shoot; but of course there would be provisions for recovering penalties for evasion of the duty, and that could never be carried out except by establishing a system of espionage over every private family who brewed their own beer, which was a complete novelty in this country. The hon. Member for Derby (Mr. Bass) had not gone into the question contained in the Amendment which he had put on the paper; but certainly if one class of persons were to pay for licence to carry on a trade, there was no reason why all classes should not pay in the same way. Why should cotton manufacturers or coalowners or the learned professions be exempt? The Chancellor of the Exchequer would find that he had opened a very large question in proposing to tax people for permission to carry on their own affairs. Speaking on behalf of a constituency that were highly sensitive upon this subject, he should support the Motion for adjournment made by the hon. Member for Derby.

Lord HARRY VANE said, he hoped the House would not assent to the Motion of the hon. Member for Derby (Mr. Bass), for he thought his hon. Friend would gain nothing by his proposal. With regard to the question of the justice of drawbacks, he would not say one word; but he wished to take that opportunity of thanking the Chancellor of the Exchequer for having boldly met this question, and relieved the hop-growing interest from an impost which had long pressed heavily on them. He had always maintained that the hop growers would derive benefit from such a measure, but he also believed that in the long run the consumer would likewise derive benefit from the removal of the tax. He would, however, throw out the suggestion that, to do away with the visits of the exciseman, it might be advisable in all cases where it was possible to make the licence duty payable with the assessed taxes.

Mr. BUXTON said, that since he had last addressed the House on the subject of the Government proposal with respect to brewers' licences, he had ascertained the feeling of six leading firms with respect to it, and had found that, while they agreed with him in thinking it would on the whole be, perhaps, better they should have been allowed to remain as they were, they, on the other hand, thought they had not much reason to complain of the manner in which they had been dealt with by the Chancellor of the Exchequer. The effect of the removal of the duty on hops would be to induce a very much larger growth, and hops becoming thereby more plentiful, would, of course, become cheaper, which alone would be a source of considerable benefit to the brewing interest. At the same time he was of opinion that there was some injustice in the mode in which the proposal was to be carried into effect, inasmuch as it was hardly fair that the brewers should be called upon to pay in the same year the tax on hops and also the new licence duty. If the right hon. Gentleman wished that duty to be paid in the present year, he ought to allow a drawback on hops, or, not choosing the latter course, ought to defer the payment of the licence tax.

Mr. PULLER said, that as the interests of the hop-growers, hop-factors, brewers, and other private interests had been brought before the House with a view to their protection, he wished to say a word on behalf of the farmers. Hitherto they had had a grievance in regard to the malt tax, but their complaint on that head had always been met, and not without some justice, by the argument that no exception could be made in their case, because exceptional legislation was an evil. But now the Chancellor of the Exchequer proposed to put a special tax upon the farmers, and it was not sufficient to say that it was of small amount, and would not press so heavily as the malt tax. Farmers brewed generally three classes of beer. With regard to two out of those three—namely, that consumed by the farmer's family and that consumed by his dependants—it would be reasonable he should pay the same licence as other private brewers. But there was a third quality of beer—the harvest beer—which generally formed the greater part of the beer he brewed. It was an expense occasioned by the harvest, and it was an expense without which the farmer could not get that extra amount of labour performed which was necessary to get in the harvest. The House would recollect that steam was every day being more and more applied to the aid of agricultural operations, and they already had steam machines of all descriptions in use upon farms. Well, supposing the right hon. Gentleman the Chancellor of the Exchequer had included in his budget a proposition to lay a tax upon the coals by which such machines were worked, would not the House have considered such a proposition perfectly unjustified by any principle of political economy? And yet that was just what the right hon. Gentleman was doing in imposing a tax, for such would be the effect of his Resolution upon the harvest beer. The harvest beer was the same as the coals—it kept the machines going, and in brewing it the farmer was simply giving practical effect to the injunction frequently heard as to the necessity of "getting up the steam." He hoped the right hon. Gentleman would consider whether some modification of that portion of his scheme could not be adopted.

Mr. HODGKINSON observed, that when the Chancellor of the Exchequer had propounded his financial scheme, he had stated that the existing scale of brewers' licences was in favour of the large brewers; but he found that while, in accordance with the new scale, the licence duty to be paid by a person who did not brew more than 1,000 barrels of beer was at the rate of 15*s.* for every fifty barrels, the hon. Member for Derby and the leviathans of the trade were to be let off on payment of a duty of 12*s.* 6*d.* per fifty barrels—a distinction which, after what had previously fallen from the right hon. Gentleman, he was at a loss to understand. He might add that the Resolution with respect to private brewing seemed to him to require further consideration. In that part of the kingdom in which he resided, private brewing was carried on to a greater extent, he believed, than in almost any other quarter, and he should like to know how the Chancellor of the Exchequer proposed to meet the case of a gentleman who, having a house in London and one in the country, supplied the former with beer brewed at the latter. The Resolution did not, he thought, meet that case. There was another case also—that in which a gentleman, supplying his own malt and hops, hired somebody to brew for him—an old servant, perhaps, who had been in the habit of brewing for him—paying him a fixed sum. How, he would ask, was the Resolution to operate in that instance? But, even if the right hon. Gentleman were to improve his Resolution in these respects, he (Mr. Hodgkinson) thought it would still work unevenly; and he thought it would be better if the Chancellor of the Exchequer removed the private brewing altogether from the supervision of the exciseman, and placed the duty payable for it upon the same footing as the assessed taxes.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I think we have anticipated in this discussion many points which might with greater convenience have been dealt with in Committee; but, since they have been raised, I may be permitted to dispose of them as briefly as I can, noticing only what appears to me material. Let me allude, first of all, to what has been said with respect to private brewing. The proposal of the Government with regard to a licence in respect of private brewing was not announced to the House as one of great financial importance. What I said to the House was, we are going to require from brewers for sale a payment in hard cash for every pound of hops they are estimated to use, and we cannot fairly make that demand upon them if we give to persons who choose to brew in private a positive premium by telling them that they shall have their hops free of duty without any payment at all. It may be true that brewers for sale brew more cheaply than private brewers. With that we have nothing to do. Our business is simply not to interfere. We ought not, without grave reasons, to give a premium to private brewers; but we should, as far as we can, leave both parties in the position in which we find them, asking them to bear the same burden of taxation. My hon. Friend who spoke last has raised a question which may be more properly discussed when we come to the Bill. The practice in the preliminary stage on Resolutions is to impose the charge, but limitations, exceptions, and qualifications, such as are necessary in a variety of cases, are reserved for the clauses of a Bill. My hon. Friend, or example, asks how we are going to deal with the case of a man who has several houses or farms? I have already stated that a person who receives a licence will receive it for all his houses or all his farms, as the case may be. We do not inquire whether he has one house or more than one. We assume that he will brew to supply the wants of his own family; but, of course, he will be liable to pay upon the highest rating or rental of his houses or farms, whatever their number may be. The case of hired brewers is a proper one for consideration. I am not sure that I understand all the bearings of it; but it is not a matter to be dealt with in preliminary Resolutions. Something has been said about espionage. It is a mistake to suppose that our proposed system of licensing involves any espionage whatever. If, indeed, taking the advice of the hon. Gentleman who spoke last, I were to require every one to make a return of how many barrels of beer he had brewed in the course of a given year, there would then be something like a system of espionage; but my proposal is one of a very different character. A brewing licence is analogous to a game certificate, but the case is much less embarrassing, because the test is of the simplest possible description. There can be no espionage in ascertaining the rating or rental of a house or a farm. I have been asked what is to happen if a man takes out a licence on a rental lower than the actual rental of his house. We will not allow him to do so. We have got a sure external test in the value of a farm, or a house. Of course, if a man deliberately chooses to take out too low a licence, he will be liable to penalties, in the same way as a man who shoots without a certificate; but the standard is of the simplest character, and there is no necessity for any espionage whatever. I will now refer to the two main questions—the question of licence and the question of drawback, and I trust that the House will not entertain the Amendment proposed and seconded by my two hon. Friends. The hon. and learned Seconder of the Amendment said he did not agree with the Proposer's speech; but I differ with both of them; I differ both with the speeches in which they differ, and with the proposition in which they agree. My hon. Friend the Member for Derby (Mr. Bass) says that he uses more malt in his beer than certain other people.

Mr. BASS: Than you have estimated.

The CHANCELLOR of the EXCHEQUER: He uses more malt than the ratio of two bushels to the barrel, on which we founded our Estimate, but my hon. Friend is too acute not to perceive that the malt is used as a criterion of the consumption of hops. It is not the malt which he uses that is to determine the duty which he has to pay, but the hops which he consumes. We are not giving up the malt duty. If we could sacrifice it upon the altar of agriculture, the argument of my hon. Friend would, no doubt, be a fair one to urge; but unless he can show that he uses a smaller proportion of hops, he has no case whatever. I should be sorry if anything could be said by me or others to induce my hon. Friend in the slightest degree to alter the component parts of his beer, a beverage from which we all derive the greatest satisfaction; but so the matter stands. My hon. Friend has pointed out that there would be some hardship in calling upon brewers to pay in advance in respect to the hop duty. I do not admit that we shall call upon them so to pay in advance. A brewer supplies himself with his hops usually within a short period after the hops are in a condition to be sold. The great bulk of the crop passes almost immediately from the hands of the growers to those of the brewers. Now, my proposal is that the first portion of the licence duty shall be paid on the 1st of October, and the second on the 1st of March; and with reference to the crop of the year, I do not think it can be alleged that in that way the money will be paid materially earlier than it would be paid in the ordinary course of the brewing trade.

The other question—that of drawback—is one of considerable importance. We cannot, in fairness to the various interests of a very susceptible trade, postpone for some weeks the settlement of this matter. At the time I made my financial statement I did not say dogmatically that under all circumstances we should go on on the following Thursday, but the period which has since elapsed has convinced me that on the part of those who are to pay the licence there is a general disposition to admit that the system is in substance and intention a fair one, and a general desire that there should not be any uncertainty. It is, therefore, my duty with respect to the interests concerned, and the prevailing state of opinion, not to accede to the delay which has been asked for; but, at the same time, I do not wish to preclude from the further consideration of the House or the Government any proposal which may be urged on the question of drawback. We intend to insert a clause in the Bill by which the re-importation of British hops without payment of duty will be prevented for a certain time after the 15th of September. I admit, however, that the holders of hops are entitled to export them, and are at liberty to turn that right to whatever account they please. The hon. and learned Member for Southwark (Mr. Locke) has pointed out that there would be a great waste in thus turning that right to account. I admit that the holders of hops are entitled to draw from the British Government 14*s* per cwt. upon hops exported to a foreign market, but I do not admit that they should be at liberty for a certain time after the 15th of September to bring those same hops back again free of duty, to compete with the new hops. But the Government are ready to listen to whatever may be said on that subject. I will only say one or two words upon the subject of drawbacks. I am convinced that generally the money given in drawback is so much pure gift to those who receive it at the charge of the State, and without any benefit to the consumer. I do not say that this should preclude the consideration of anything which can be urged in this case; but I do say that that is the general result. Nor can I admit that a product like that of hops, which is annually produced, and the bulk of the crop of which is consumed within the year, stands in fair comparison with products like those of paper and soap, which have no relation whatever to the seasons. Upon that ground I confess that I view with jealousy the question of drawback; and if in ordinary cases that is so, it is incumbent on us to act with great caution at the present moment, for two reasons. In the first place, we have just had a severe lesson in the article of paper. The officers of the Government, doing their best to ascertain what stock of paper there was upon which drawback would be claimed, framed a computation, and that computation was somewhat less than one-half the real quantity on which drawback was claimed. The same thing may happen in the case of hops. Another reason is, that we do not present more than a balance of income and expenditure, because from the £150,000 surplus must be deducted £40,000 for the mere transition of licenees. In certain cases a settlement may be made by a sort of composition by which the ends of justice may be attained, and it is open to the Government to entertain a proposition of that sort. At the same time the position of the public revenue is such that we ought not to incur any great risk in such a manner. The hon. and learned Member for Southwark said he would have lost the power if he permitted this stage to pass. I think the hon. and learned Gentleman is in error. If I rightly understand it, the opinion of the House is that the question of the hop duty ought to be settled in the main upon the terms of the Government proposal; but, at the same time, the hon. and learned Gentleman may either confer with the Government, or, if dissatisfied, may bring before the House any claims to which he thinks he is fairly entitled on a future occasion, without obstructing a plan which has been favourably received by the House. My hon. Friend behind me, with respect to the farmer, suggests that we may deal with him upon the value of his house; but the simple answer is that there are no means of ascertaining the value of farmhouses separate from the land, and therefore it would be eminently inconvenient to the farmer to introduce a new system of charge, entailing a great deal of trouble, for a very insignificant purpose. With these explanations, I trust the House will go into Committee.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Ways and Means *considered* in Committee.

WAYS AND MEANS.

House in Committee. Mr. MASSEY in the Chair.

THE CHANCELLOR OF THE EXCHEQUER said, he had already offered explanations upon the proposed alteration of brewers' licences, but that if there were

any other points on which hon. Members desired information, he would give it. Other parts of the proposal would be better understood from an inspection of the Bill. He would, therefore, move the following Resolution:—

"11. That, towards raising the Supply granted to Her Majesty, there shall be charged and paid for the use of Her Majesty, Her heirs and successors, the following Duties of Excise on Licences to brew Beer (that is to say):—For and upon every Licence to be taken out by any Brewer of Beer for sale,—

	£	s.	d.
If the quantity of Beer brewed by such Brewer within the year ending the 10th day of October next preceding the taking out of such Licence shall not exceed 20 barrels, the duty of	0	12	6

MR. HODGKINSON said, he had to draw the attention of the right hon. Gentleman to a matter which he had already brought under the notice of the House before they went into Committee—namely, the difference in the duty payable by large and small brewers. He trusted that the right hon. Gentleman would consent to raise the 12*s.* 6*d.* duty to 15*s.*, so as to make brewers' licences all equal.

THE CHANCELLOR OF THE EXCHEQUER said, he must admit that the scale was not perfectly identical, and that compassion had been shown at both ends. The very small and the very large brewers had been favoured. These two anomalies were intelligible upon different principles. The principle applicable to the small brewer was that he should not be charged a sensible tax on his trade when upon the large brewer the licence was little more than nominal. The principle upon which uniformity had been departed from at the other end of the scale was that the large brewer, who had the responsibility of paying an equivalent for the hop-duty in ready money, should not pay more than he now paid in the double charge for licence duty and hop duty.

MR. BASS said, that the brewers who used two bushels of malt per barrel of beer paid 5*s.* 5*d.*, and those who used three bushels of malt per barrel of beer paid 7*s.* 3*d.* to the revenue. Surely the Chancellor of the Exchequer should encourage the latter? With regard to the question of drawback, he wished to know whether the right hon. Gentleman had made any calculation as to the amount of hops which would be unconsumed on the 15th of September next?

MR. MOFFATT said, he could but complain of the manner in which the Chancellor of the Exchequer applied his brewers' licences, always taking care that they should be paid in advance. The real principle on which taxation ought to be based was this—that the brewer should pay, not some supposed sum in advance, but when he had brewed the beer he should be called on to pay the 3*d.* per barrel imposed by the Chancellor of the Exchequer. The revenue would be got quarterly according to the extent of the brewing. He hoped the right hon. Gentleman would reconsider that part of his somewhat harsh and crude plan.

Mr. BASS said, he wished to put another question to the Chancellor of the Exchequer—whether, when all duty was removed from the article, he would allow any substitute for hops to be used.

The CHANCELLOR OF THE EXCHEQUER said, he had intended to dispose of the question put to him by the hon. Member for Derby, but, amid the multitude of details, it had escaped him. The question related to a technical point, though of considerable interest to the trade. The hon. Gentleman wished to know whether it was intended to retain in force the prohibition which now existed by law to use any other bitter instead of hops. The prohibition was certainly founded on fiscal grounds, and, that being so, he did not see upon what principle that prohibition could be maintained after the trade in hops was set free, and after the Legislature took no cognizance of the quantity of hops that was or was not used. It seemed, therefore, to follow that, at any rate, that prohibition should not be maintained in force. As to drugs of a deleterious character, he was informed the law was sufficient to repress the use of unwholesome ingredients. It was extremely difficult to estimate the quantity of hops that would remain unconsumed in the country on the 15th of September. He was not in a position to give any information on that subject to the Committee. When he stated that there would be a loss of £40,000 or £50,000 a year by the repeal of the duty, he said there would also be a further charge in respect of hops exported. His hon. Friend behind him (Mr. Moffatt) seemed to think that the duty ought to be paid on the number of barrels brewed within the foregoing year; but if that were adopted as the basis, it would be impossible for him to propose the plan at all in the present state of the Exchequer without creating a deficit. He should, therefore, be under the necessity of imposing some new tax. He could not commute the duty on hops without proposing the substitution of a licence.

MR. MOFFATT explained that what he meant to say was, that the 3*d.* duty on each barrel of beer brewed by each brewer should be payable at the end of each quarter of the year.

THE CHANCELLOR OF THE EXCHEQUER said, he thought that that proposition would be still open to the same objection, as it would withdraw three-fourths of the whole £300,000 from the current year, and entail the necessity of a new tax. Whenever the tax amounted to more than £10, it would be optional to the party to pay it in two payments, on the 1st of October and the 31st of March; and if the brewer thought fit to claim on any difference beyond the *maximum* brewing in his classification, an allowance would be made.

Resolved,

That, towards raising the Supply granted to Her Majesty, there shall be charged and paid for the use of Her Majesty, Her heirs and successors, the following Duties of Excise on Licences to brew Beer (that is to say);

For and upon every Licence to be taken out by any Brewer of Beer for Sale,—

	£	s.	d.
If the quantity of Beer brewed by such Brewer within the year ending the 10th day of October next preceding the taking out of such Licence shall not exceed 20 barrels, the Duty of...	0	12	6
And if the same shall exceed 20 barrels and not exceed 50 barrels, the Duty of...	1	7	6
And if the same shall exceed 50 barrels, the Duty of	2	0	0
And if the same shall exceed 100 barrels and shall not exceed 1,000 barrels, then for every 50 barrels, and for any fractional part or number of an entire quantity of 50 barrels over and above the first 100 barrels, the additional Duty of	0	15	0
And if the same shall exceed 1,000 barrels and shall not exceed 50,000 barrels, then, in addition to the Duty chargeable in respect of 1,000 barrels, there shall be charged, for every 50 barrels, and for any fractional part or number of an entire quantity of 50 barrels over and above 1,000 barrels, the further Duty of ...	0	14	0
And if the same shall exceed 50,000 barrels, then, in addition to the Duty chargeable in respect of 50,000 barrels, there shall be charged, for every 50 barrels, and for any fractional part or			

number of an entire quantity of 50 barrels over and above 50,000 barrels, the further Duty of .. 0 12 6

And for and upon every such Licence to be taken out by any person who shall first become a Brewer of Beer for sale, the Duty of 0 12 6

And there shall be paid by such last-mentioned person, within ten days after the 10th day of October next after taking out such Licence, such further additional sum as, with the said Duty of Twelve Shillings and Six Pence, shall amount to the Duty hereinbefore mentioned, according to the number of barrels of Beer brewed by him within the preceding year.

The Duties aforesaid to be in lieu of the Duties now chargeable on Licences to be taken out by Brewers of Beer for sale.

THE CHANCELLOR OF THE EXCHEQUER said, that since he had addressed the Committee on a former occasion, he had ascertained that there were means of finding the rental of farmhouses when they were over £20 in value; and, that being so, he did not think there was any sufficient ground for creating a distinction between persons occupying farmhouses and other persons. He proposed, therefore, to strike out of the next Resolution all the words having special reference to farmhouses, so that there would be no distinction between farmers and other persons. That would simplify matters very much, and prove so far favourable to the farmer, who not only brewed for the consumption of his own family, but with some reference to the conduct of his trade.

MR. BALL said, he did not consider that the concession which had been made by the Chancellor of the Exchequer did away with the objectionable nature of the proposed tax. He did not intend to oppose the proposal at that stage; but on a more fitting occasion he should not only oppose it, but divide the House upon it. He protested against anything tending to increase the burdens of the farmer, who had not participated proportionately in the relief of burdens which had been extended to other classes of the population.

MR. MALINS said, there seemed to be a general impression that the Chancellor of the Exchequer had already not steered clear of error in imposing petty vexatious duties, and he wished to know how much the right hon. Gentleman expected to get from this tax on beer brewed not for sale. With regard to the hop duty, he congratulated the right hon. Gentleman on having got rid of an obnoxious impost on a most equitable principle; but he trusted the right hon. Gentleman would pause before he levied a tax like that under discussion, unless it was likely to produce such an amount of revenue as would compensate for the vexations it would entail.

SIR JOHN TROLLOPE said, that many farmhouses had been too highly assessed to the house tax, though many persons had submitted to the injustice rather than put themselves to the expense, the trouble, and the annoyance of making an appeal; but he protested against the adoption of the house tax as a criterion, for it was no longer a fair or just criterion; and if it were to be continued, an attempt would be very generally made by persons to bring the rating of their houses below the sums mentioned in the Resolutions. He hoped that the imposition of the tax would not be converted into such an instrument of oppression as the income tax had in many cases been made, for he must say that he had never known the latter to be collected with so much harshness as within the last few months.

MR. BENTINCK said, it appeared to him that by making this concession the Chancellor of the Exchequer had cut the ground from under his own feet, because he admitted that he did not attach any great financial importance to the imposition of his new tax, but that he desired to place the public and the private brewer on the same footing. If that was the ground for adopting the proposed legislation, they ought to proceed to enter at once to the consideration of the incidence of taxation of every kind; and if the Chancellor of the Exchequer proposed to deal with the question in that spirit, he ought to have listened to the hon. Member for Derby when he asked on what ground a tax was to be imposed on one class of industry and not on another. If a tax were to be imposed on the brewer, why should the calico printer, carpet weaver, or other manufacturer, escape? The objectionable character of the tax had not been removed by its limitation, for it still intruded the excise officer into the private dwelling-house. It had been attempted to draw an analogy between the brewing licence and the shooting licence, but no fair comparison between the two could be made. The proposal would prove vexatious in its details, and opened up a question which would involve the consideration of others. He was glad to hear that the hon Member for Cambridgeshire (Mr. Ball) intended, at the proper time, to meet it with a direct negative.

MR. DODSON said, he would remind

the hon. Gentleman opposite (Mr. Ball) that when he complained, on the part of the agricultural interest, of the present proposals of the Chancellor of the Exchequer, he forgot that the hop growers, who were interested in being relieved from their present burden, were an agricultural interest. Besides, the farmer who paid a tax of 5*s.* for a brewing licence would get his compensation in the reduced price of hops, from which the duty would be removed. The proposition was not made from any animosity or desire to tax the private brewer, but simply as matter of equity to the public. The hon. Member for West Norfolk asked why a licence should not be imposed on every trade; but it should be recollected that licences were generally imposed for police purposes, or where it was thought necessary for the security of the revenue to keep the premises under some kind of inspection. The collection of the tax on private brewing would be exempt from the inquisitorial espionage of the exciseman, and would take place like that of other assessed taxes.

MR. BALL said, the hon. Member for Sussex, no doubt, was filled with sentiments of gratitude for the great boon he had received from the Chancellor of the Exchequer, and thus induced to become the advocate of that right hon. Gentleman. It would, however, be an additional misfortune to the agricultural interest if, in consequence of that boon, the hon. Member for Sussex should decline to lend that interest his support. The relief given by the Chancellor of the Exchequer to the hop growers would not benefit the agriculturists generally.

MR. VANSITTART said, he had received a communication from one of his constituents complaining bitterly of the paltry, vexatious, and useless tax on domestic brewing. His correspondent said that they might just as well tax his wife for making a cup of tea or baking a loaf of bread as tax him for brewing a little beer for the consumption of his family. He regretted that the hon. Member for Cambridgeshire was not prepared to divide the Committee against that trivial and obnoxious impost; and certainly if he saw any chance of obtaining support, he would himself take a division against it.

MR. MOFFATT said, he hoped that the Chancellor of the Exchequer would reconsider the matter before he introduced the Bill, and would see the propriety of withdrawing the proposition, which was not only novel in its character, but would operate very unequally and unjustly, and would combine the largest amount of inconvenience to the taxpayer with the smallest possible benefit to the revenue. No estimate of the sum that would be derived from the impost had been given; but taking it at £5,000, surely the right hon. Gentleman could hardly contemplate putting 20,000 homes to the annoyance incident to the collection of so insignificant an amount? Even the inconvenience of having to go to a country town to obtain a licence would be serious in the case of persons living in remote country districts.

COLONEL W. STUART said, he should be glad to learn how lunatic asylums hospitals, and similar institutions would be affected by the impost.

THE CHANCELLOR OF THE EXCHEQUER said, that such establishments would be treated as if they were private houses. In answer to the hon. and learned Gentleman, the Member for Wallingford (Mr. Malins), as to what would be the amount of the proceeds of this tax, he might state that the fiscal importance of the tax was not such as to admit of the Government making it an essential point of the plan which they had proposed. The proceeds would be valuable so far as they went, but the amount would not be such as to make the tax a vital part of the plan. The discussion, however, which had taken place convinced him more and more that it would be but an act of justice towards the brewers that a charge of the kind should be imposed. If it were wholly impossible to collect such a duty, that might be an argument against its imposition; but in the form proposed by the Government there could be no very serious inconvenience in that respect. As to the amount to be derived from the tax, he could not give the hon. and learned Gentleman any further information than some figures from the very roughest computation. The proceeds might be guessed at £5,000, and even as high as £15,000; but the best and fairest criterion, upon the whole, might be formed from the quantity of malt used by private brewers. The paper which he held in his hand showed that the quantity used was 2,729,000 bushels, or between 6 and 7 per cent of the whole amount charged with duty; and the amount of the hop duty was £225,000. Therefore, if they took the proceeds at 6 per cent, that would give about £13,000 from this duty. Now, that might be too high or too low; but every Member of the

Committee would be just as well able to form an opinion upon the subject as the Government.

SIR MINTO FARQUHAR said, that as the proceeds from the tax, even upon the showing of the Chancellor of the Exchequer, would be so small, public brewers would not complain if the Government came to the conclusion that it would not be worth while, for the sake of so very trifling an amount of revenue, to produce the great amount of vexation which attended these small taxes. In all the rural districts the impost, if persevered in, was sure to excite a strong feeling of irritation.

MR. MALINS said, he was of opinion that no new tax ought to be imposed unless it was shown that it would produce a satisfactory result. As the proposed impost would only produce a small sum, and would create a great deal of dissatisfaction, he thought the Chancellor of the Exchequer would be acting very unwisely in persevering with his Resolutions. He trusted that during the coming recess the right hon. Gentleman would reconsider the question, and ask himself whether it was worth his while to embody the Resolution in his Bill. under all the circumstances stated.

MR. BALL said, he wished to ask whether the right hon. Gentleman meant, by creating the duty, to induce persons who had brewed, or might be inclined to brew, their own beer, to buy brewers' beer, instead of brewing it for themselves. If that were the view of the right hon. Gentleman, he (Mr. Ball) would tell him that such a practice would not conduce to morality.

THE CHANCELLOR OF THE EXCHEQUER said, he did not propose to impose the tax for the purpose of inducing persons to do anything of the kind. He, however, thought it would not be fair or just towards the public brewer, if there were an inducement held out to private parties to brew at home as against the public brewer.

MR. VANSITTART said, as the amount expected from the tax was so small, the right hon. Gentleman ought not to impose such a burden upon his fellow-creatures, many thousands of whom would be affected by it. He was certainly disposed to divide the Committee upon the Resolution.

MR. MALINS said, he rose to express a hope that his hon. Friend would not persevere in his intention to divide the Committee. He (Mr. Malins) should prefer leaving the matter to the good sense of the Chancellor of the Exchequer, particularly as he understood the right hon. Gentleman to imply that he was not indisposed to reconsider the subject.

THE CHANCELLOR OF THE EXCHEQUER: I consider myself pledged to this part of the Resolution as an act of justice. Let not the hon. Gentleman withdraw from a division under the notion that I shall reconsider the matter.

Resolved,

That, towards raising the Supply granted to Her Majesty, there shall be charged and paid for the use of Her Majesty, Her heirs and successors, for and upon every Licence to brew Beer not for sale, to be taken out by any person who shall intend to brew Beer:—

	£	*s.*	*d.*
Where the dwelling house and premises of such person shall be of the annual rent or value of £20 or upwards, and less than £50, the Duty of	0	5	0
And where such house and premises shall be of the annual rent or value of £50 or upwards, and less than £100, the Duty of ...	0	10	0
And where such house and premises shall be of the annual rent or value of £100 or upwards, and less than £300, the Duty of ...	1	0	0
And where such house and premises shall be of the annual rent or value of £300 or upwards, the Duty of	2	0	0

House *resumed.*

Resolutions to be reported *To-morrow.*

Committee to sit again *To-morrow.*

COURTS OF JUSTICE (MONEY) BILL.

SECOND READING.

Order for Second Reading read.

MR. COWPER moved the second reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR WILLIAM HEATHCOTE said, he should have thought that the right hon. Gentleman would have given some explanation in moving the second reading of so important a measure. It came before the House under very peculiar circumstances, and required very strong justification, because any hon. gentleman who had read the Treasury minute upon the subject would know that it was not only open to considerable observation on the part of independent Members, but that the magnitude of the transaction had attracted the notice of Her Majesty's Treasury, and the conclusion to which they came was eminently unfavourable to the Bill. He should have expected, therefore, that when a Bill came before the House creating a heavy charge, and with the incubus upon it of an adverse report from the Treasury, it was desirable that the Minister of the Crown should explain why he had thought fit to override that report.

Mr. COWPER said, he was quite ready, of course, to explain the nature of the Bill at the moment; but he imagined, that as he had done so upon the introduction of the measure, he might have been allowed to wait until he had heard some of the objections which were to be offered to it, before making his own statement. It would not be necessary again to go over the ground, which he had traversed on the introduction of the Bill, as to the necessity which existed for a measure such as that before the House. The matter had been long under consideration, and had received much discussion, not only in the last Session of Parliament, but on previous occasions. A Royal Commission sat in 1860, consisting of Sir John Coleridge, Sir William Page Wood, Sir George Lewis, Dr. Phillimore, and Mr. Young; they heard evidence, and drew up a very full Report, which had been laid upon the table, recommending that measures should be taken for concentrating in one neighbourhood all the courts of law and equity. Now, the purpose which they had in view was one which had met with the general support and approbation of the legal profession. It was felt that the accommodation provided for the courts of law and equity and the offices connected with them was exceedingly unsatisfactory, and such as ought not to be tolerated any longer in such a country as England. The existing arrangements had not been deliberately made, but had arisen from various, almost accidental, circumstances. The Courts of Westminster Hall originally included both equity and common law; but in consequence of inadequate accommodation the Equity Courts were removed to Lincoln's Inn. Even in Lincoln's Inn the Equity Courts were only lodged in temporary places. So badly were they in want of room that the old hall of Lincoln's Inn was divided by a partition, and one portion devoted to the Lord Chancellor's Court, and the other to the Court of the Lords' Justices. Two of the Vice Chancellor's Courts were in a condition that every one acknowledged could not be long continued. With respect to Westminster Hall, those who had occasion to attend the courts must be perfectly acquainted with the inconveniences of the arrangements, especially in the cases of the Bail Court and the Exchequer Chamber. They were too small for the decorous administration of justice. In addition, very great inconvenience was felt by all parties, owing to the separation of the courts from the offices connected with them. A common-law Judge had frequently to leave his court at Westminster Hall to proceed to sit in chambers at Serjeant's Inn, thus entailing an unnecessary waste of time and trouble. Barristers were also exposed to needless inconvenience by the courts being so far removed from the localities in which their chambers were situate, and thus were prevented from devoting much valuable time to the study and preparation of their cases. Many persons of great authority attached importance to the ultimate fusion of law and equity, and the arrangement proposed by his Bill would greatly tend to render such fusion practicable. The inconveniences at present borne by the suitors was pointed out by competent witnesses before the Commission, and it was proved that the propinquity of courts and offices would save more money than even a reduction of fees. Great delays now occurred after a decision in court had been arrived at, in consequence of the separation of the offices from the courts interposing difficulties in the way of parties meeting together to draw up the details necessary to carry out the decision. Considering the subject in all those aspects, it had been felt that the Bill under consideration, and that which accompanied it, constituted a most important legal reform, and in that light they were pressed upon the notice of the House. The reason for dividing the subject into two Bills was, that as one part of the measure affected private property, it was necessary that it should be submitted to a Committee upstairs, where parties might be heard; but the other part, not affecting private interests, was introduced as a public Bill. There were reasons, however, why the latter Bill should be referred to a Select Committee, as there were many details which could not be adequately considered in a Committee of the whole House, and he should, therefore, propose to refer that Bill to a Committee, so that the real charge which it would entail upon the public might be fully ascertained.

An erroneous impression upon that point had gone abroad, arising from a hasty examination of the Treasury Minute of last year. That Minute did not profess to give a final decision upon the subject, but was more in the character of a warning as to what might ultimately and possibly be the expense that would be caused by the plan proposed. It did not go, however, into the important point of the savings that would have to be set off against the charges. As it was proposed to provide new premises for certain courts and offices, the action of the Bill would be to set free the buildings now occupied for those purposes, and what was saved in that direction at least ought to be set off against the expense for the new buildings. The Bill would empower the expenditure of a sum in stock of a million and a half, which, when sold, would probably realize about £1,400,000; but the Bill went on to provide that whatever money was expended should be voted by that House, so that the actual expenditure would always be under the control of Parliament. It was proposed that when a vote in Supply had been taken, a sum not amounting to more than a million and a half in stock should be sold out by order of the Lord Chancellor from the Surplus Interest Fund and the surplus Fee Fund, to replace the money voted by Parliament. In the first instance the loss arising from the sale of these funds would be at the *maximum* rate of £45,000 a year, which would represent the charge upon the public; but that amount would not always be required for the Suitors' Fee Fund. At present there was an amount payable out of that fund in the shape of certain terminable annuities as compensation allowances for abolished offices; but as they fell in no corresponding charges would be placed upon the fund. Those charges now amounted to £69,000 a year. The Bill provided that as those charges fell in up to the amount of £45,000 a year the charge upon the Consolidated Fund should be reduced; and when the reduction in the charges upon the Fee Fund became equal to £45,000 a year, no charge would remain upon the Consolidated Fund. Assuming that the charges upon the fund diminished at the rate of £2,000 a year—and of late they had diminished at a greater rate—the sum capitalized would amount to about £350,000, which would be the sum that might have to be made good out of the public revenue. Against that must be set the value of the buildings which would no longer be required when the new courts were erected. The buildings in Chancery Lane, in Southampton Buildings, and Serjeant's Inn, might be estimated at £118,000. Then, the Probate Registry would no longer be required; and when the Common Law Courts were removed from Westminster Hall, that site would be disposable for the public buildings which Sir Charles Barry originally proposed to erect there. The site of the Probate Registry and the site of the present Common Law Courts might be set down at £75,000. Rents to the amount of £5,000 a year were at present paid partly out of the Suitors' Fee Fund, and partly by Parliament, which, if capitalized, would give a sum of £145,000. Again, the Government would be saved from the necessity of building new Common Law Courts, which must be provided for elsewhere, as the present site could not be enlarged. Those courts cost £98,000, and proper accommodation could not be given elsewhere for less than twice that sum, or probably £200,000. It would also be necessary to provide permanently for the Probate Registry, which would cost a considerable sum. Altogether, he calculated that the ultimate saving by the adoption of the Bill would be £600,000, against £350,000, which he assumed as the capital sum representing the annual dividends now paid. What the public were called upon to do in return was to guarantee that, in the event of these funds being required, the whole amount would be forthcoming out of the Consolidated Fund. But that was not a very formdiable contingency. The Surplus Interest Fund, amounting to £1,291,000, was liable to be called upon to replace any deficiency which might arise in the cash balances paid in by suitors. But that contingency could only arise if the Court of Chancery were to shut up shop, and all the suitors were to call for the money they had deposited; and even then the fund would be sufficient to meet all claims, provided that Consols were above 87. In the case of the Suitors' Fee Fund, which amounted to £201,000, the guarantee could only be required if there was a deficiency in the fund from which this surplus arose. That was also a very improbable contingency; and as long as the business of the Court of Chancery increased, the fund would, no doubt, increase. Practically, these guarantees were not likely to be called for, and the *maximum* limit to which the payments upon the Consolidated Fund could extend were £45,000 a year. But if even a burden were thrown on the general taxation of the country, it must be, remembered that the Consolidated Fund was receiving considerable sums in the shape of fees from the Common Law and Probate Courts, which would be provided for in the measure.

Then came the question whether it was right to use these funds, which were now lying idle, for the object now contemplated. Now, at different times Parliament had been of opinion that the profits made by the courts upon the funds deposited with them could not be better spent than in providing better accommodation for the suitors, and various offices attached to the courts had therefore been erected out of similar funds. The buildings known as Southampton Buildings, used as the Masters' offices, were purchased and acquired in a similar manner. Another precedent was supplied by the Insolvent Court, in regard to which an Act, the 11 & 12 *Vict.*, c. 72, was passed, which employed the unclaimed fund of the Insolvent Court in enlarging that Court. The Irish Four Courts were also built out of the Suitors' Fund. There being, then, sufficient precedent, was there any injustice to any one in the proposed appropriation of the funds in question? He thought not, and felt himself justified in assuming that no one could hereafter set up any claim to the enjoyment of the money. It had been created by about ten Acts of the Legislature, authorizing the Lord Chancellor and the Accountant General of the Court of Chancery to invest the funds. If the money had not been invested, there would have been no profit; and it rested, therefore, with the Legislature to say how the money thus created should be spent. The money was in the same position as the reserved profit made by a banker on the employment of deposits. The Court of Chancery had received certain cash payments which it was bound to repay, but it had entered into no engagement to pay interest. He had been informed that nineteen out of every twenty of the pending suits of the Court of Chancery had been instituted since 1852. No suitor could say how much of the interest accumulated had arisen from his particular account. He maintained, therefore, that the property belonged to no individual owner, but to the public at large.

The only opposition he anticipated to this measure was indicated in a petition from the Hon. Society of Lincoln's Inn, which body had a project in 1859 for doing the same thing. They proposed that they should be empowered to erect a building in Lincoln's Inn which should cost £100,000, and for which they stipulated to receive £4,000 a year from the Surplus Interest Fund. The only difference between the two plans was that the Society of Lincoln's Inn proposd to take the interest of the fund and not to touch the principal, while he proposed to take the principal and to guarantee the interest. The difference between them was not, therefore, one of principle. Another petition raised the question of the schedule of the Bill. Upon that point he would only say, that if the Society of Lincoln's Inn had a claim upon the property in the schedule, they would have an opportunity of making out their claim before the Committee. He understood the Society of Lincoln's Inn argued in favour of keeping all the Courts of Equity within their limits. That claim was not, however, viewed with favour by the rest of the profession, nor did it seem desirable that the great courts of justice should be held in the premises of a private body. No doubt, such a scheme would be of great advantage to those who had chambers in Lincoln's Inn; but against that must be placed the advantage of bringing all the courts and offices into close contiguity, and placing them under one roof. The best site for such a building would be between Lincoln's Inn and the Temple, so that those who resided in all the Inns of Court should have equal facilities for attending the courts of law. It was impossible to concentrate all the courts in Lincoln's Inn Fields, and the only appropriate site was that recommended by the Commission, and which it was proposed by the present Bill to purchase. He trusted that the House would sympathize with the desire he felt that the country should possess an ample, commodious, and stately building as a Palace of Justice, in which all the legal proceedings of the country could be carried on. If the principle of the Bill were adopted, the right course would be that a Commission should be appointed to consider what extent of accommodation should be made for the different courts and offices. Supposing that a satisfactory decision was come to as to the number and size of rooms and halls to be provided, then the ordinary course taken in the erection of public buildings would be pursued, and all the more eminent architects of the country would be invited to send in plans and designs for the proposed building. In that way, he trusted, they would see before long a building worthy of the purposes to which it would be devoted and satisfactory to the country. The estimates of the cost could not be made in minute detail, but it was calculated the site would cost £730,000, and all the courts and offices would be constructed for a further sum of £720,000, making a total of £1,500,000. The present Bill would only give £1,400,000; but when the matter came to be minutely examined, it might be found that £1,400,000 would suffice for the site and the cost of the buildings. The savings obtained by the operation of the Bill would be much greater than the annual payments called for, and would certainly be sufficient to cover the £100,000 if it should be required. He believed, that if the Bill were read a second time and referred to a Select Committee, the statements he had made might be substantiated in detail, and that nothing need prevent the measure from passing and becoming law during the present Session.

Mr. SELWYN said, he had hoped that the hon. Member for Lewes (Mr. Brand), whose name was on the back of the Treasury Minute to which reference had been made, would have risen to answer the right hon. Gentleman's (Mr. Cowper's) observations in respect to it; but as that hon. Member was temporarily absent from his place, it devolved on him to show that the First Commissioner of Works was not justified in treating that Minute as a hasty one.

Mr. COWPER: I beg pardon. I used the word "hasty" in reference to the perusal of the Minute.

Mr. SELWYN said, he had misunderstood the right hon. Gentleman; but, passing from that point, he must observe that, so far from the proposed guarantee being merely nominal, the Bill would involve the country in a very large expenditure. Before dealing with the statements in the Treasury Minute, he would ask the House to consider how different was the position in which they then stood from that which they had occupied at the date of that document. The Minute was dated the 17th of July, 1861. At that time they were indulging, if not in the belief, at least in the hope, that there was something like a surplus of income over expenditure on the national balance-sheet. The Chanceller of the Exchequer, however, had recently put them in possession of the disagreeable information that there was no such surplus. Under these circumstances he thought the House would agree with him that the nature and extent of the guarantee into which they were now asked to enter were matters of the deepest importance. The right hon. Gentleman had told them that his two estimates for the purchase of ground and the erection of the buildings were loose ones. The House had had some experience of estimates, and they knew that even in the case of carefully-framed estimates they might safely add one-third for contingencies. They would, therefore, be disposed to agree with the Treasury in thinking it highly probable that the cost of pulling down these hundreds of houses, compensating the occupiers, and erecting the courts, would be at least £2,000,000. The question was, then, what income had the right hon. Gentleman on which he could depend to meet the interest on that sum? He would not enter into all the various funds in the Court of Chancery in detail, but take them as a whole. That was the way they were dealt with in the Treasury Minute. The aggregate income arising from the entire of the funds was taken on the one side, and the whole of the charges on the other. Dealing with the sums in that way, it was found, that for the year ending in November, 1859, the surplus of income over expenditure amounted to a little over £3,000. But in that result the case against the Bill was understated, because the evidence of Mr. Johnson, the solicitor to the Fund, given before the Committee in 1861, p. 32, showed, that calculating on the same bases, but for a year later—namely, the year ending in November, 1860—the aggregate income was £158,213 7*s.* 10*d.*, and the total payments £156,991 14*s.*, giving an excess of income over expenditure to the amount of only £1,221 13*s.* 10*d.* It was quite true that the annual charges on that income were liable to diminution, arising from the death of annuitants; but, as the Treasury Minute pointed out, there were probable expenses, such as repairs, to be taken into account on the other side also. A large portion of the income was derived from funds paid by suitors in the Court of Chancery, who were taxed in every way, on bills, answers, evidence, and decrees. Funds raised in that way might be diminished to a very serious extent by any falling-off of the business of the court, or by legislative alterations in respect to the jurisdiction of that court; so that the time might arrive when what was now recommended as being merely a nominal guarantee would become a substantial payment of the interest on a very large expenditure. No doubt, very strong evidence had been given in favour of the new scheme by members of the Committee of the Association of Solicitors. Unquestionably, it would be very agreeable to that body to have their club-house in front of a stately Palace of Justice instead of abutting on a narrow lane; and, as had been stated by the Master of the Rolls in his evidence, solicitors might experience some advantage from having what was now the business of two or three clerks done by one under the new system; but, as to the Bar, he took the liberty of differing from the right hon. Gentleman. Neither the opinion of the Judges nor that of the Bar was in any degree favourable to the right hon. Gentleman's scheme. The First Commissioner of Works described the principal fund on which it was proposed to draw as one which at present was really lying idle, and that seemed to have been the view taken by the Commission; but the effect of the Commissioners' proclamation on the subject had been to raise numerous claimants to the fund in question. He had in his possession a letter from one of the most experienced officers of the Court of Chancery, which stated that since the publication of the Commissioners' Report, some solicitors had made a business of bringing forward claims against the fund, and the result was that the amount of the claims had reached £320,000. Many of these claimants had succeeded in recovering the principal stock and dividends; but they had been, by a decision of the court, deprived of the benefit of the accumulations which had actually taken place; for it was proved in evidence before the Committee of last year, that even when an order of the court had been made for the investment and accumulation of the dividends, unless the person entitled or his solicitor could go every half-year to the Accountant General's office and direct the investment of the dividends, he would not obtain the benefit of the accumulation, although actually made. That appeared so strange to the Committee, that it was not satisfied till the orders of the court in two cases were read to it. The Master of the Rolls was asked this question, "Was not the result that a person who had been out of the jurisdiction, and who, therefore, had no opportunity of going every year or half-year to the Accountant General's office, but who might have relied on the order which had been obtained for the investment and the accumulation of the dividends, was deprived of that benefit, except for the period of six years?" The Master of the Rolls replied, "That was it exactly." How could the right hon. Gentleman say the Suitors' Fund belonged to nobody? The Court of Chancery might be considered either as the banker or custodian of a sum of money, or as a trustee. Suppose a person going abroad told his bankers he had transferred a sum of money to their name, to receive the dividends and invest them; suppose he remained abroad twenty years, and was then told by the bank that they had invested the dividends under a different name, and that they claimed the accumulations for themselves—what would be the opinion of their honesty? How would the Court of Chancery itself deal with a trustee, who, under an order to invest and accumulate dividends, said he had invested them, but in his own name and for his own benefit? If the decision to which he had alluded should be reversed by the present or any future Lord Chancellor, or by the House of Lords, the supposed surplus of these funds would be greatly diminished, and, at all events, these claims ought to be satisfied before appropriating the fund to other purposes.

It was true, as the right hon. Gentleman had said, that Parliament had dealt with the fund, but in every instance he could find it had been applied for the benefit of the suitors, from whom it had been raised. He could not conceive how the precedent had been strained so as to include the appropriation of the fund to the purposes of the Bill. That appropriation would really prevent any improvement in the practice and administration of the Court of Chancery. There was a stamp required on almost every proceeding of the court; and if this Bill passed, it would be impossible to make any change in procedure involving a reduction of those stamps without the sanction of the Commissioners of the Treasury. The Master of the Rolls, in his evidence before the Committee, said, in reference to this part of the Bill—

> "I think that is a very cruel provision. I think it is scarcely possible, if the House really understands the effect of that clause, that they will pass it. The whole course of legislation of late years has been to avoid law taxes, and, as much as possible, to put an end to them."

And in answer to a question whether the proceedings in the court were not heavily taxed, he said—

> "Yes; and if the Committee ill remember the very celebrated pamphlet of Mr. Jeremy Benthem on law taxes, which produced so great a sensation, and in fact put an end to making the courts of law a source of revenue to the public, they will see that that applies precisely the same to the taxes which are now levied, though essential for the maintenance of the courts as at present established."

The Master of the Rolls was perfectly justified in the observation; and if this Bill passed, no improvement in the practice of the Court of Chancery would be possible, and the Lord Chancellor or the Master of the Rolls would not be able to remit a fee, even if paid by error, without the consent of the Commissioners. The surplus of the Suitors' Fund ought to be applied to a gradual reduction of the expense of the proceedings in the Court of Chancery, as had been emphatically declared by the present Lord Chancellor only two years ago in this House. He said—

> "It was a great mistake to suppose that the Court of Chancery was indebted to the Consolidated Fund. If the balance were struck, and if the Suitors' Fund were emancipated from the burden thrown upon it, the Consolidated Fund would have £200,000 additional to bear. The accumulations of the Suitors' Fee Fund ought to be dedicated to the purpose of relieving the suitors from the fees of the Court of Chancery." [3 *Hansard*, clviii., 1574.]

He would not object to anything that could be done for the benefit of the Courts of Common Law. He believed that there were considerable funds belonging to those courts which might be applied for their benefit. It was, however, proposed to take the money of the Court of Chancery for the benefit of those courts, and not only for the benefit of those courts, but for the benefit of the Probate and Divorce Courts. If a new Probate Court were required, surely those who established their title to property by means of that court ought to provide the necessary funds; and as to the Divorce Court, rather than do what was proposed by the Bill, he would tax the prurient crowd who waited outside that court to hear the cases tried there, or tax the newspapers that published their filthy details.

Again, in the reference which the right hon. Gentleman made to the existing courts, he seemed to have forgotten that the Commissioners had reported the Court of the Lord Chancellor to be perfectly sufficient, not only for the convenience, but for the proper dignity of the Chancellor's office. The same was stated with regard to the courts occupied by the Lords Justices; and the Master of the Rolls, in his evidence, declared that it would not only be very expensive, but positively detrimental to the public service to remove him from his present court and offices, for which no rent was paid, and which lay close to the new buildings, erected at a cost of £884,000, to hold the public records, of which the Master of the Rolls, in virtue of his office, was custodian. In an epoch of retrenchment, was it not surprising to hear a proposition deliberately made that the functions of the Master of the Rolls should be divided—that he should cease to discharge a portion of the duties which he now most satisfactorily performed, without additional expense to the public, and that a new office should be created, requiring great ability, legal knowledge, and historical acquirements on the part of the holder, and therefore entitling him to very large remuneration? The Senior Vice Chancellor's Court was also amply sufficient for its purpose; and therefore upon four of the six principal Courts of Chancery no expenditure whatever was required. The description which the right hon. Gentleman had given of the two others was perfectly correct; they were merely temporary courts, built by the Society of Lincoln's Inn upon ground of its own. But the society had always been perfectly willing to give ground for the erection of new courts, and courts would long since have been built if it were not for the agitation of this gigantic scheme for spending £2,000,000. The right hon. Gentleman referred to the Society of Lincoln's Inn, and stated that, of course, it was their interest to keep possession of the courts. As a bencher of that society, and one whose family had been connected with it for many generations, he might be allowed to say that the right hon. Gentleman was scarcely justified in attributing interested motives to that society. Wherever the courts might be built, the managers of that society could not derive pecuniary advantage to the extent of a single sixpence. The society no doubt considered it a great honour to have had the courts located for so many years within their precincts; they had given their hall and ground freely for the public service, and therefore they hardly deserved the terms in which they had been spoken of by the Minister of the Crown. In 1859 a Bill was introduced, by which it was proposed that provision should be made for the two Vice Chancellors by erecting a building at a *maximum* cost of £100,000, to be paid by the Society of Lincoln's Inn.

The right hon. Gentleman said that proposal was substantially the same as the present, but he need not point out that there was a considerable difference between £100,000 and £2,000,000, especially when with respect to the smaller sum no guarantee was asked from the public. It was impossible to imagine a more liberal proposal than that which had been made by the Society of Lincoln's Inn. They offered to give the ground on which courts might be built out of the funds of the Court of Chancery, or to build courts themselves, if they received a moderate rate of interest for the money which they should expend.

With respect to the 7th clause of the Bill, the right hon. Gentleman, feeling it impossible to answer the petition presented on behalf of the Society of Lincoln's Inn, treated their statements as matter of detail to be dealt with in Committee ; but the Bill actually proposed that the Six Clerks' Office, and that of the Accountant General, standing on part of the ground and garden of Lincoln's Inn, should be vested in the First Commissioner of Works, with a view to their being sold discharged of all subsisting trusts declared with respect thereto ; those trusts being trusts declared by former Acts of Parliament for the benefit of the Society of Lincoln's Inn and of the Court of Chancery. As well might it be proposed to take and sell a school which some nobleman or gentleman had built upon his demesne, and to apply the proceeds of the sale, together with the accumulation of the weekly payments by the scholars, towards the expenses of the erection of a gaol, compelling all the children, no matter what their religious opinions might be, to attend some British and Foreign School in the neighbourhood. That was not pushing by any means too far an illustration of the course of confiscation that was about to be resorted to in the case of a society which had behaved so liberally to the public as that of Lincoln's Inn. If the Bill were thrown out, as he trusted it would be, the amalgamation of the Common Law Courts, instead of being retarded, would be positively facilitated ; for it would be easy to obtain a site capacious enough merely for them, whereas it would be next to impossible to procure a site sufficiently spacious for the courts and offices both of law and equity, with the extensions and enlargements that would in time become necessary. By subtracting the six Courts of Chancery, with their different offices, from the scheme, they rendered that a practical design which otherwise would be gigantic and visionary. He should therefore conclude by moving that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months"

MR. PEEL said, he did not rise to answer the objections of the hon. and learned Member to a measure for concentrating the courts of law and equity on one spot, nor to say anything with regard to the applicability of funds belonging to the Chancery Courts to the general purposes of the courts of law, though he might say, in passing, that there were no funds belonging to the courts of law which were applicable to building purposes; since by law all the surplus which might arise was payable into the Consolidated Fund. His only object was to make a few remarks on the financial bearings of the measure in connection with the Treasury Minute to which the hon. and learned Gentleman had referred. The first question for the House to consider was, what would be the probable expense of the plan of his right hon. Friend? The first estimate was £1,500,000, but the Treasury, acting under the very natural apprehension founded on their past experience that on several important occasions the actual cost of buildings had exceeded the estimate, added £500,000 to the estimate. He was bound to add, however, that his right hon. Friend the First Commissioner of Works had since carefully gone over the estimate, and he adhered to the original calculation. The Bill declared that the cost was to be paid out of money to be voted by Parliament, so that the House would retain the control of the expenditure in its own hands. The money which was available arose from the surplus funds of the Court of Chancery, and would, it was estimated, amount to £1,400,000. But of course it was not open to the public to appropriate a sum of that kind without undertaking a corresponding responsibility ; and the question was, what was that responsibility, and what was the actual amount of the liability incurred. It would simplify matters if he stated that there were two funds belonging to that court, one called the Suitors' Fund, and the other the Suitors' Fee Fund. The Suitors' Fund was the general cash balance of the Court of

Chancery, and consisted of money deposited in that court by suitors, in regard to which they had omitted or declined to make any recommendation that it should be invested for their benefit, and which had consequently been invested by the court on its own responsibility for the benefit of the public. According to a return which had been presented to the House, the amount which the Court of Chancery was, on the 1st of October, 1861, liable to make good in cash was £2,702,542. The amount then in hand, in cash, was £437,798, and the difference, £2,264,744, had been invested in stock for the benefit of the public. The stock purchased amounted to £2,606,225; and unless the funds should fall below 87, that amount would be sufficient to realize the whole sum for which the Court of Chancery was responsible to the suitors. There was also a reserve or security fund, which on the 1st of October, 1861, amounted to £1,291,629, and which was liable to make good any deficiency which might arise on the realization of the stock. That fund it was proposed to appropriate to these buildings, the public undertaking the responsibility towards the suitors' cash, which was now charged against the reserve. It was most unlikely that there would be any deficiency, and therefore the responsibility of the public in that respect would be little or nothing. The Suitors' Fee Fund was, in reality, an income and expenditure account. For the year ending the 1st of October, 1861, the income of the Court of Chancery amounted to about £225,000. That was made up partly of fees, and partly of the interest upon the two capital funds which he had mentioned. It consisted to the extent of £100,000 a year of fees, to the extent of £119,000 of interest and dividends upon these funds, and to the extent of £5,792 of dividends upon a stock which had been created by the investment of the surplus income of the Suitors' Fee Fund since the year 1842. The expenditure of the Court for the year ending the 1st of October, 1861, amounted to £217,348, showing a balance in favour of income of £7,000. The return showed a balance of only £5,500; but in it credit had been given for only one half-year's dividend upon the last-mentioned stock. By the Bill it was proposed to appropriate the reserve fund, amounting to £1,291,000, and also the £201,000 stock which had been created by the investment of the surplus of the Suitors' Fee Fund. That would reduce the income by £45,000, and cause an excess of expenditure over income of £37,000 per annum. That was the *maximum* liability which would be thrown upon the Consolidated Fund by this measure; but there were two reasons which led him to think that the actual charge would be considerably under that *maximum.* In the first place, as a great plan like that proposed could not be carried out at once, the deficiency of income would not arise at once; and, in the second, the Bill provided that the public should have the benefit of all reductions of expenditure arising from the falling-in of compensations and pensions granted upon the abolition of offices, which it was calculated would amount to about £2,000 per annum. They had, therefore, a right to expect that the charge to the public would not in any one year exceed £30,000, and that sum would be gradually decreasing by £2,000 per annum. In order to prevent the charge becoming more onerous, it would be necessary that care should be taken that the income of the Court of Chancery was not reduced by the diminution of fees, and, accordingly, provision was made by the Bill that no such reduction should be made except with the consent of the Commissioners of the Treasury. The hon. and learned Gentleman seemed to think that that provision would operate to the disadvantage of the suitors; but it ought to be borne in mind that a scale of fees had been maintained without inconvenience which had produced so large a surplus that the fund had now a balance of upwards of £90,000 to its credit.

Mr. SELWYN said, that the fees had lately been greatly reduced, and it had been the object of every Lord Chancellor to reduce them as much as was safe.

Mr. PEEL: It would also be necessary to take care that the expenditure of the court was not unnecessarily increased. From time to time Bills were brought into that House, placing fresh charges for salaries, &c., upon the Suitors' Fee Fund. There was one before them at that moment —the Lunacy Regulation Bill. If the House was vigilant with regard to measures of that character they need not apprehend that the liability of the public would be greater than he had stated. He by no means meant to imply that the plan could be carried out without considerable cost to the public; but he believed that in no other mode could so great and beneficial an improvement be carried out with so little pressure on the resources of the nation.

Sir HENRY WILLOUGHBY said, he hoped the House would pay the closest attention to the proposition before them. It had been said that the House was to provide the money from year to year, and therefore they would have a check upon the expenditure; but past experience showed that such checks were fallacious, and he hoped that they would never fall into such a trap again. The Houses of Parliament were, as they all knew, originally estimated to cost £770,000, but eventually upwards of £2,000,000 was expended upon them; and although hon. Members did their best from time to time to close the transaction, they were unable to do so until they determined to vote no more money, and Sir William Molesworth was requested to bring in a final estimate, which was accordingly done. The only explanation they had ever succeeded in getting from Sir Charles Barry as to the cause of the increase from the original estimate, was that it had "gradually clothed itself with £2,000,000." He considered the system of finance contained in the measure was one of the most fishy and rotten ever submitted to a deliberative assembly. The whole Bill smelt from first to last of the Consolidated Fund. It began with the Consolidated Fund, and he felt certain it would end with the Consolidated Fund. The right hon. Gentleman the Secretary for the Treasury (Mr. Peel) had opened a different view to that taken by the hon. and learned Member (Mr. Selwyn). The main fund of the Court of Chancery was known by the letter A. It was a very large fund, consisting of stock and cash, but principally of the former. The Suitors' Fund was called B, and B was said to be a guarantee for A. Why? Because Stocks might fall. Supposing, then, there was a war, and Stocks fell to 80, there would be a heavy deficit. So much for the guarantee. Then, with regard to the fund itself, he could not conceive how the House could propose to take the capital of a fund the revenue of which was absolutely or nearly disposed of. It appeared to him to be an absurdity. His right hon. Friend admitted that there was a charge upon it of £30,000 or £40,000, which, taking interest into account, was equivalent to a capital of £1,000,000. The accounts of 1859 showed that there was a difference only of £3,000, the total revenue carried to account C being £226,000, and the total expenses being £223,000. Of the £226,000 no less a sum than £97,000 arose from fees, clearly showing that that fund was liable to great fluctuation, depending upon the popularity or unpopularity of the Court of Chancery. He therefore contended that the scheme of the Government was all moonshine. They might seize the capital, as they might seize any capital, but they must prepare to meet the burdens upon it. Therefore the scheme was a sort of mock mode of meeting the expense, because very heavy burdens would have to be paid. These remarks, he thought, disposed of the financial part of the question. But it was a very remarkable fact that there was really no necessity for dealing with the Courts of Equity. The principal witnesses—for instance, the Lords Justices, the Master of the Rolls, and Sir William Page Wood—all united in the opinion that they were better where they were; and that all they wanted were two courts for two extra Judges, and which might be erected at Lincoln's Inn at an expense of a few thousand pounds without any further consideration. One change, he observed, had been made in the Bill since it was last submitted to the House, for he found that account E had vanished. He thought the right hon. Gentleman the Chief Commissioner of Works had shown a wise discretion in leaving that account out of consideration, because it was public revenue. But E having gone, they were in a worse condition than before, inasmuch as he (Sir Henry Willoughby) contended that B was worth nothing. Consequently, really and truly, the taxpayers of the country would have to pay an enormous expense at a moment when they were threatened with every species of difficulty. He therefore hoped the House would prove itself a vigilant guardian of the public purse, and would refuse to sanction an expenditure the responsibility of which had, on the part of the Government, been declined by the right hon. Gentleman the Chancellor of the Exchequer.

The CHANCELLOR of the EXCHEQUER said, his hon. Friend the Secretary to the Treasury had stated with precision the pecuniary part of the question. If, as the hon. Baronet seemed to suppose, he (Mr. Gladstone) had declined, on the part of the Government, all responsibility for the financial scheme of the Bill, he must have expressed himself very unfortunately, as, on the contrary, he believed that it was at its *maximum* in regard to this subject. What he meant was, that while the responsibility of the Government remained in full force, it was one of that class of questions on which the House of Commons also had a peculiar and large responsibility. In the case of the Army and Navy Estimates, it was natural for the House to accept the figures as in a great degree relating to matters of which the Government could alone judge, and to pass them very much as votes of confidence. In the present instance, however, the House was bound to sift and probe the estimates for themselves, as the Government had already done. In speaking of the responsibility of the House of Commons, he did not regard it other than as cumulative and not derogating from that of the Government. In point of fact, he thought the public had had fair reason to be dissatisfied in some notable instances in recent experience with the enormous excess of costs beyond the estimates of public undertakings. It was the sincere desire of the Government to prevent the possibility of the recurrence of such grounds of complaint. With respect to the financial part of the question, there was no doubt a prospect of a considerable public charge, against which, however, the sets-off had been mentioned by his right hon. Friend the Chief Commissioner of Works. He thought it extremely desirable that the House should have the opportunity of examining the nature and value of those sets-off, as well as the amount of the charge itself. The Government had proceeded in the belief that this measure was one of the greatest possible value and importance with respect to the administration of the law, and they had therefore felt willing, and advised the House to exhibit the same willingness, to encounter some considerable risk with regard to the outside charge which might be entailed. At the same time the Government had taken in view any fair and reasonable sources from which compensation might be derived. One of these sources was the Fee Fund. Another was the sets-off to which his right hon. Friend the First Commissioner referred, in the shape of property liberated and made available to other uses. The Commission appointed to inquire into the state of the funds of the Court of Chancery was not appointed under any notion that they would discover anything of a gross or flagrant character, but under the belief that the arrangements connected with those funds would admit of considerable improvement and economy; and the view of the Government certainly was, that in future a fair claim might be put in on behalf of the public for the savings, in consideration of the charges entailed by the scheme. It was pretty plain that some considerable savings might be expected from the nature of the case and the contents of documents before the House, although the Commission had not reported. He thought that he had said sufficient upon the financial bearings of the question, and that further details could be more satisfactorily discussed in Committee.

Mr. E. P. BOUVERIE said, it was admitted, and, indeed, was evident that a heavy public charge would result from the measure. [The CHANCELLOR of the EXCHEQUER: Subject to sets-off.] Those sets-off were of a very illusory character. It was also plain that the House of Commons was to be saddled with the responsibility of sanctioning that expenditure. They all knew what would follow if they passed this Bill. If they did so, a considerable item would appear some two or three years hence in the Estimates; and if any dissatisfaction were expressed at its amount, they would be told, "You voted for this Bill, and you cannot now shirk the responsibility of paying the account." They had already experienced something similar in the various law reforms which had been promulgated of late years. Law reform was a very good thing, and he had always been a law reformer; but law reform, he thought, might be bought too dear. There was the case of the Ecclesiastical Courts, which they had thoroughly reformed, and the result was an annual charge of £120,000 for compensation. A new annual item of £25,000 appeared in the Estimates for this year, and they found it was for a reform of the Bankruptcy Court. This was the time above all others when they ought not to embark in this great expenditure. The revenue was very large, but the expenditure was so enormous that it was with the greatest possible difficulty they could make both ends meet. They seemed to proceed upon the spendthrift's idea—that when their finances were in a very unsatisfactory condition it was immaterial whether they spent more or less, and therefore they might scatter their money in every direction, regardless of future consequences. The public would soon begin to think that they were not discharging their duty when they held the purse-strings so loosely. Besides, the scheme itself was one of novelty, and had never been thoroughly thrashed out by debate in the House or discussion in the country. It seemed to be taken for granted that the concentration of all the courts would be of enormous value; but there was no definite plan, and they had made no careful estimate. The Houses of Parliament were supposed to cost £750,000; they had cost nearly £3,000,000; and if the rule of three applied, as these courts were computed to cost £1,500,000, the expenditure would be £5,000,000 or £6,000,000. They were building new ships, erecting batteries, re-organizing and re-arming the army, and this expenditure could well be deferred until they had an overflowing Exchequer.

The ATTORNEY GENERAL said, that his hon. and learned Friend (Mr. Selwyn) had omitted to make any allusion to that which had formed an important part of the statement of his right hon. Friend in moving the second reading of the Bill—namely, the credits which, as he had proved, he was entitled to take as against the expenditure, and which amounted to a sum of nearly £700,000. His hon. and learned Friend, having thus unduly swollen the expenditure, had then sought to diminish the income, for he had told the House that the probable effect of the changes which were being introduced into the law would be to diminish litigation. He (Sir William Atherton) could not concur in that anticipation. On the contrary, he thought that the growth which was daily taking place in the population, the wealth, and the commerce of the country, would necessarily compel more persons to resort, however unwillingly, to the Court of Chancery. His hon. and learned Friend had referred in a tone of disparagement to the very valuable Report of the Commissioners; but that report was confirmed by the evidence of a large number of witnesses connected with the law. His hon. and learned Friend said that there had been but one eqiuty Judge, Sir W. Page Wood, upon the Commission. That was true, but there was likewise only one common law Judge, Sir John Coleridge, upon it. The other Commissioners were the right hon. Baronet the Secretary for War, who was not engaged in the legal profession; Dr. Phillimore, who was a civilian; and Mr. Young, an eminent solicitor, whose practice lay more in the Chancery than in any other courts, so that it was impossible to argue that the Commission had not been constituted with perfect fairness, or that any undue Chancery complexion had been given to its Report. With regard to the probable claims which might be made upon this fund, he did not think his hon. and learned Friend had been very fortunate in the selection of his examples, because he had given the House the example of a claimant who had no ground of claim. He had put the case as if the Court of Chancery, with reference to this fund, stood in the position to the suitor of trustee or banker. Now the fund of which they were speaking was the creation of the court itself—the result, in fact, of investments made by the court at its own discretion, and on its own responsibility, in cases where suitors had declined to exercise the right the law gave them of requesting that the money should be invested. The matter had been exhaustively disposed of by the Commissioners, as the hon. and learned Gentleman well knew. When suitors requested that their money should be invested, they were entitled to the gain, as they must bear the loss of the transaction; but when they did not, they simply received the money at the close of the suit without addition or diminution. The position of the court was, in fact, simply that of stakeholder between the litigants. The only difference between the proposal of his hon. and learned Friend and that of the Government was one of degree, and not principle; for his hon. and learned Friend proposed that they should take a certain portion—a less portion no doubt—of the fund, and apply it to the erection of courts for the use of the courts of equity only. The origin of the fund was entirely Parliamentary, which was clearly stated in the Report of the Commission. Previous to the year 1705 the practice was, when money was ordered to be paid into court, it was paid into the hands of the masters or the ushers, who used it for their own profit; and certain malversations having taken place, an Act of Parliament was passed, which directed the investment of the money in Government stock. Such being the origin of the fund, and it being quite independent of any option on the part of the suitors, how, he would ask, had it been applied? To the accomplishment of various objects; among others to the erection of an Accountant General's office and other buildings, as well as to the payment of pensions to incapacitated and retired officers. It was said that Lincoln's Inn was entitled to some consideration. He had no desire to speak in disparagement of that honourable society, nor did he suggest that its members were influenced by selfish motives, but it was impossible to forget that the barristers practising in the courts of equity had an interest which was likely to bias their minds upon this subject. He had no hesitation in saying that the opinion of the profession of the law generally was in favour of the present measure. The profession desired better courts, believing that if the courts were concentrated the administration of justice would be greatly advanced and improved. On those grounds they supported the Bill, and so strong was his own opinion in its favour that he was persuaded any outlay which it might entail would prove highly beneficial to the country.

Mr. MALINS said, he agreed with the hon. and learned Attorney General that there was a general concurrence of opinion in the profession of the law that something ought to be done. The question was what that something should be. It was admitted on all hands that the courts of common law were both badly situated and inconvenient in themselves, and that they should be put in a central situation. There was also a general agreement that the best site which could be selected was the site bounded on the north by Carey Street, on the east by Bell Yard, on the west by Clement's Inn, and on the south by the Strand. With respect to the courts of equity, it was quite unnecessary to spend a single sixpence on the courts occupied by the Lord Chancellor, the Lords Justices, the Master of the Rolls, and the senior Vice Chancellor, but the two junior Vice Chancellors sat in courts which were little better than covered sheds. He had spent his life in one of them, and he could say that in summer they were very hot, while in winter they were very cold. Another evil was that the administrative business of the Court of Chancery was transacted in chambers altogether inadequate in point of size and accommodation. Now, the business of the Court of Chancery could not be computed at less than one-third of the whole judicial business of England, and the adoption of the plan proposed by Lincoln's Inn would at once provide for the transaction of that vast mass of business without making any demand upon the public purse at all. But for the proposal of this gigantic scheme, the whole evil would have been remedied years ago. Undoubtedly the country should provide the courts necessary for the proper administration of justice; but the House ought not to suffer themselves to be deceived. Let them not imagine that the Suitors' Fund could supply the means. That fund was already occupied; there was a tenant for life in possession. If the plan was worthy of the support of the country, why did the right hon. Gentleman not meet the difficulty in the face? Why did he not propose that the Consolidated Fund should provide the means? The Suitors' Fund ought to be applied in lowering the fees of the suitors. Again, the cost was estimated by the First Commissioner of Works at £1,500,000; but he at the same time admitted, that he had only "rough estimates;" and there was no doubt that the expenditure would not be less than £2,000,000; in addition to which there must be some thousands a year spent in keeping the building up; though of that charge no account at all was taken. He repeated that so far as the Chancery courts were concerned only two courts were wanted, in addition to chambers for the chief clerks; but with regard to the common law courts he certainly thought that something should be done. He objected, however, to the Bill, as an attempt to hoodwink the House, by concealing the fact that the public funds must pay for the courts.

The SOLICITOR GENERAL said, he wished to make a very few observations. The question naturally divided itself into two obvious branches — one relating to the object in view, and the other to the pecuniary means by which that object was to be accomplished. The object was to accommodate the administration of justice in suitable and convenient courts near the chambers of both barristers and solicitors. If they were left to the exercise of their common sense, no two opinions could be formed on that part of the subject. It would be a disgrace to any country, but to such a country as this more than any other, that justice should be scattered over forty or fifty different places in so many holes and corners, here and there, in different parts of town, the offices separated by miles, the practitioners being driven up and down; there being a total impossibility of conducting business with any economy of time or system at all. Was there any great town in the counties in which justice was not better accommodated than in London? Apart from the conclusive and convincing evidence of all the witnesses examined before the Commission, and of the Commissioners themselves, there was no difference of opinion on that subject. There was a plain and most important object to be provided for. The want of it was a great and serious evil; and even if a serious expenditure was to be incurred, it might be very well worth considering whether that expenditure would not be well bestowed. Long before he ever could aspire to fill the position he now humbly occupied he thought upon this subject as he did at present, and at all times he considered such a Bill as this a most important and necessary measure, and the delay which had taken place was always to him a matter of surprise and astonishment. The separation of the courts of law and equity had tended to divorce more and more in practice these two branches of the administration of justice, while the tendency of opinion was to bring them more closely together. When it was endeavoured to give to the courts of equity some share of the jurisdiction now exercised by the common law courts, and to give to the latter some share of the jurisdiction of the equity courts, there had to be encountered the difficulty arising from their divided position. The changes recently made in the practice of the courts rendered it in the highest degree important that the courts should be in some locality where those conversant with the practice of one court might occasionally give their assistance in another, and where the judges might conveniently communicate together. With respect to the common law courts, it was quite clear that, as they were separated from the chambers of the legal profession, many persons were now compelled to waste valuable time in waiting for the coming-on of causes, and in the mean while the business in chambers was delayed. That was manifestly a matter which concerned the interest of the public, because time was money; and there could be no doubt that all that enormous waste of time, arising from the courts and offices of justice being scattered about, must in the end be paid for by the suitors; and if the benefit of a measure like that before the House were set against the amount of fees payable in the courts, which the Commissioners stated were by no means high now, and which had of late years been largely reduced, forming a very small proportion—only 8 per cent—of the whole cost of litigation, he was quite disposed to believe that the public would be great gainers by the concentration of the administration of justice, supposing the whole amount of the present fees should remain unreduced. His hon. and learned Friend who last spoke admitted that one-half of the scheme must be executed, and that new courts of common law must be provided, but observed that the Chancery Courts had at present considerable accommodation. That was an admission quite sufficient to justify the second reading of the Bill, especially as it was proposed to refer the measure afterwards to a Select Committee, and as great expenditure must be occasioned by repairs and rebuilding if the present scheme were not adopted.

With regard to the ways and means, he would first of all advert to the question of the propriety of using the proposed funds in the Court of Chancery. He took the liberty of saying, with great respect to others who held a contrary opinion, that those funds were as much public property as the Consolidated Fund, and were at the absolute disposal of Parliament. There was no ground for asserting that the suitors in the Court of Chancery had more right to them than the suitors in the common law courts, and they had been used to pay the salaries of registrars, judges' clerks, and all the staff establishment of Chancery, and for building courts in Ireland and other purposes. They had arisen from profits derived by the court from the investment of monies paid in by former suitors. If those who paid in the monies had no claim to these profits (and they certainly had not), it was impossible seriously to contend, that other and subsequent generations of suitors had a claim to them. There might be some propriety in employing them for purposes conducive to the better administration of justice; but they had always been treated as public funds absolutely available for any purpose to which Parliament might think fit to apply them. Then, as far as the funds were concerned, the question was narrowed to this issue—whether it would be more beneficial to diminish the court fees in favour of the suitors, or to provide suitable and convenient accommodation for the administration of justice. On that subject opinions might differ. The Master of the Rolls—and there was no man for whose opinion he felt greater respect—thought it of more importance to reduce the fees; but, respectfully differing from that learned individual, he took the liberty of thinking that it was an object of far greater general and permanent interest to save all the present disgraceful waste of time incident upon the scattered position of the courts, and to provide suitable accommodation for the administration of justice. Then there remained the question of the burden to be imposed upon the public revenue. There was no reason to assume that the original estimate of the Government was too low, and it had been stated by his right hon. Friend the Secretary to the Treasury that £30,000 a year was the present *maximum* of charge to be borne by the public, and this would diminish every year, and in a few years would wholly cease. The question was, whether the value of the object was not sufficient to justify such a charge. Several of the views that had been presented to the House might, however, be best considered before a Select Committee; by that means all necessary information might be laid before the House, and he thought the House could not do wrong in allowing the question to go before such a tribunal.

MR. WALPOLE said, he approached the question with a strong impression on his mind as to the present state of the finances, and with a still stronger impression of the admonition so forcibly urged upon them by the Chancellor of the Exchequer, as to its being their duty to ponder well their financial position before assenting to the proposal. The hon. and learned Solicitor-General had put that, as he always put every question, in the fairest possible point of view, and had said that they had two things to consider—namely, the object of the Bill, and also the ways and means by which that object was to be accomplished. As to the first, his hon. and learned Friend had stated very candidly that the object was to collect together within the same precincts all the courts of law and equity, so as to prevent waste of time and labour in the administration of justice. Now, he would not argue it as an abstract question. Possibly, if they had no courts, and were in a new country, the proper mode of dealing with the subject would be to place all the courts together, so that those engaged in them should not be driven from one end of the town to the other. But surely, as prudent men, if their finances were not now in that flourishing state which would enable them to incur a great outlay, nothing could be more injudicious than that, while four out of the six courts of Chancery were admirably situated for the conduct of business, and there were other courts equally well adapted for the administration of justice, they should get rid of all their existing courts, pull down a vast number of houses at great expense, and then cover an area of some acres with new buildings, when they had literally no money for such a purpose. Admitting, therefore, that the object might be good, he took exception to the time and mode in which it was sought to carry it out. Next, as to the ways and means for accomplishing that object, his hon. and learned Friend the Solicitor-General said that the Suitors' Fund could be properly devoted to that purpose, and would be better applied in that manner than in any other. But the House should bear in mind what took place on that very subject some fifteen years ago, when he first entered Parliament. To reform the law and improve its administration a vast number of offices paid by fees were then abolished, at an immense cost to the country, in order that the suitor might no longer be oppressed by those fees. Among others he now alluded to the six clerks in Chancery, to provide compensation for whom the Suitors' Fund was saddled with the payment of between £40,000 and £50,000 a year. The only justification for that was that there was no other mode of getting rid of the system of fees, and that as those gentlemen's lives dropped the suitors would *pro tanto* be relieved from the burden of compensation which the fund had now to bear. But the House was now asked to anticipate the very fund out of which that relief was to be afforded the suitor, contrary to the Parliamentary pledge given fifteen years since. The hon. and learned Solicitor-General reminded them, indeed, that they had an assurance from the right hon. Gentleman the Secretary of the Treasury that the estimate, instead of amounting to £2,000,000 as the Government had once computed it, would be covered by £1,500,000. That brought vividly to his mind the language used by the Chancellor of the Exchequer, which the House ought not now to forget. That right hon. Gentleman told them, and told them truly, that a broad distinction was to be made between the ordinary financial proposals of the Government for the expenditure of the year and the sanctioning of any such outlay as that recommended in the measure. With respect to the former, the Government undertake a very great responsibility, and, as the hon. Gentleman justly said, to question their financial propositions amounted in fact to a vote of want of confidence in them. But in a case like that before the House, although the Government, no doubt, incurred a considerable responsibility, an immensely greater responsibility would rest upon the House; and it therefore behoved them to take care not to create a heavy prospective liability unless they saw their way tolerably clear for discharging it. Did anybody believe that the project would be completed for the sum named by the Chief Commissioner of Works? Recollecting how former estimates for building operations had been falsified, he felt convinced that, instead of £1,500,000, or even £2,000,000, defraying the cost of the scheme, it would require more than £3,000,000. Knowing perfectly well, then, that at that moment we had not a penny of surplus revenue for such a purpose, he could not concur in the propriety of such an enormous expenditure. His hon. and learned Friend the Member for Cambridge University had shown them that the income arising from the Suitors' Fund did not yield a surplus of more than £2,000 a year. If that were so, the public Exchequer would immediately have to guarantee the proposed outlay of £1,500,000 or £2,000,000, and the burden must necessarily be borne by the Estimates for the year. Considering, then, the state of the finances, that prudence and economy were essentially necessary at that moment, that the duty in that respect had ever been urged upon them by the Chancellor of the Exchequer; and believing, as he did believe, that the sum asked for would be wholly insufficient for the purposes proposed, he could not take a step which involved the country in an expenditure which he felt they were not justified in incurring.

Question put, "That the word 'now' stand part of the Question."

The House *divided.*

The numbers having been announced by the Tellers; Ayes 81, Noes 81:—It was stated by Mr. Brand, one of the Tellers for the Ayes, that Mr. Wykeham Martin, Member for the City of Rochester, had been in the Right Division Lobby, but had not been counted by the Tellers:—Whereupon Mr. Speaker having desired the honourable Member to come to the Table, Mr. Wykeham Martin came to the Table accordingly, and stated that he had heard the Question put, but having retired into the Lobby had not passed the Tellers; he now declared himself with the Ayes:—

Whereupon Mr. Speaker declared the numbers; Ayes 82, Noes 81: Majority 1.

Main Question put. The House *divided:* Ayes 81; Noes 83: Majority 2.

SUPPLY—EXCHEQUER BONDS.

Order for Committee read.

House in Committee.

Mr. MASSEY in the Chair.

SIR HENRY WILLOUGHBY said, he wished to ask how many Exchequer Bonds were outstanding?

MR. PEEL said, there were £2,600,000.

THE CHANCELLOR OF THE EXCHEQUER explained, that after the present £1,000,000, there was £1,000,000 due in April, 1863; another £1,000,000 in October, 1864; and 600,000 in November, 1864; total, 3,600,000. The rate of interest for the new bonds was not yet fixed, as they would not be issued until the end of May.

Resolved, That a sum, not exceeding £1,000,000, be granted to Her Majesty, to pay off and discharge Exchequer Bonds payable on the 8th day of May, 1862.

House *resumed.*

Resolution to be reported *To-morrow.*

Committee to sit again *To-morrow.*

CORRUPT PRACTICES AT ELECTIONS BILL.—LEAVE.—FIRST READING.

SIR GEORGE GREY said, he rose to move for leave to bring in a Bill to amend the law relating to corrupt practices at elections of Members of Parliament. The Bill was founded mainly on the Resolutions of the Committee which sat in 1860, to inquire into the operation of the Corrupt Practices Prevention Act, and it provided for the continuance of that Act, with some material alterations, for a period of five years. It was proposed to comprise in the present Bill the enactments in the present Act, as well as some enactments which would be introduced for the first time. The Bill would re-enact the clauses relating to bribing and treating, and reduce the penalties attaching to those offences, in accordance with the recommendation of the Committee. The Committee recommended that in boroughs no provision should be made for the conveyance of voters; but the House having already pronounced its opinion on that subject when a Bill having reference to it was before them, he did not intend to introduce any provisions into the Bill in reference to that point. By the eighth Resolution the Committee expressed the opinion that the appointment of election auditors had failed to prevent corrupt practices; the clause, therefore, relating to election auditors would be omitted, and a provision substituted calculated to ensure the publication of all the expenses of candidates and the inspection of all the accounts relating to the election. The Bill would extend to Election Committees the power of compelling witnesses to give evidence, though they might criminate themselves, subject to indemnity, as was given now by the Royal Commissioners where Commissions were issued. In that way witnesses would be protected from the consequences of their evidence so far as related to all civil and criminal proceedings. There was power also given to suspend the writs for a certain time where it was proved that systematic bribery existed. There was also a provision that persons employed as agents at elections should be disqualified from voting.

Leave given.

Bill to amend the Law relating to Corrupt Practices at Elections of Members of Parliament, *ordered* to be brought in by Sir GEORGE GREY and Mr. ATTORNEY GENERAL.

Bill *presented*, and read 1°; to be read 2° on *Monday* 12th May, and to be *printed* [Bill 83].

TRADING COMPANIES, &c. BILL.

LEAVE. FIRST READING.

Order for Committee read.

House in Committee.

THE SOLICITOR GENERAL said, he rose to move for leave to bring in a Bill for the incorporation, regulation, and winding up of trading companies and other associations. From the year 1844 down to that time a number of Acts had been passed bearing more or less upon the subject. They were seventeen in number, amongst which there were six relating to joint-stock companies generally, four to banking companies in particular, and five to the winding-up of companies. It was intended to repeal the whole of these Acts, except a small number of sections, which would be inserted in a schedule, so that for the future, if the Bill passed, all trading companies would be brought under a simple statute as to their construction, regulation, and winding-up. Instead of the limit of £100 formerly imposed, it was intended that there should be no limit to the amount of the shares of banking companies trading under limited liability. It was proposed also to limit the retrospective liability of past shareholders to one year from the date of the transfer of their shares; to limit it also in the case of contracts made before the transfer; and to make their liability a secondary one, not to be enforced until after that of the existing shareholders. It was further proposed that in all cases, except that of mining companies subject to Stannary jurisdiction, the winding-up should take place in the Court of Bankruptcy, and the Vice Warden of the Stannary Courts would be empowered to refer cases to the same Court. Another useful provision would be one by which every limited company would be bound to keep a register, accessible to shareholders and creditors, of all mortgages effected by the company.

Resolved,

That the Chairman be directed to move the House, That leave be given to bring in a Bill for the incorporation, regulation, and winding-up of Trading Companies and other Associations.

House *resumed.* Resolution *reported.*

Bill *ordered* to be brought in by Mr. MASSEY, Mr. SOLICITOR GENERAL, and Mr. MILNER GIBSON.

Bill *presented*, and read 1°; to be read 2° on *Monday* 5th May, and to be *printed* [Bill 85].

PROSECUTION EXPENSES.

SELECT COMMITTEE MOVED FOR.

MR. HUNT said, he rose to move for a Select Committee to inquire into the operation of the present system of payment of the expenses of prosecutions, with reference to the due administration of justice, and to report to the House whether it was desirable that any alteration should be made in that system, either as to rates of payment, or as to the fund out of which such payment should be made. Various authorities showed that the inadequacy of the present scale was the cause of prosecutions being abandoned; amongst others, he might refer to an opinion which he understood had been delivered by the Lord Chief Justice of England from the bench on the circuit which had just expired. From that reason the ends of justice were frequently defeated.

SIR GEORGE GREY said, he should not resist the Motion. He might remark, however, that the expenses of prosecutions had become so heavy a charge on the Consolidated Fund that some check was necessary to prevent further increase in the amount. Accordingly, in 1857, when he was Home Secretary, a new scale of allowances for witnesses, &c., was adopted, which he was bound to admit had caused a great deal of dissatisfaction in many parts of the country. No evidence had been laid before the Government, however, to show that there had been a failure of justice arising from the present scale; and he must observe that all witnesses had a right to expect was a fair compensation for their expenses and loss of time. No profit ought to be made by any person on account of his evidence in a court of justice. In support of his opinion he would refer to the following extracts from the Report of the Commission on the subject:—

"We find that the greatest differences prevail in the different parts of the country as to the charges usually allowed—differences for which we cannot account by any such satisfactory reason as might be afforded by the contrast between urban and rural districts, or between districts thinly inhabited and without roads, and districts traversed by roads and railways. Nor, while it is alleged that failure of justice will be the necessary consequence of reduced allowances, do we find that in jurisdictions like those of Surrey, Kent, Hants, Somerset, and others in which the scale is low, crime escapes punishment from a reluctance either to prosecute or to give evidence."

"It will probably be objected that some of these allowances are too low by the counties in which larger allowances have heretofore prevailed; but we find that they exceed the allowance in the counties on the Oxford and Norfolk circuits, in some on the Western and Home circuits, and several other places where no failure of justice has ever been alleged to exist. In point of fact, the scale of the Home Office was based on evidence derived from the counties."

In conclusion he would say, that if the hon. Gentleman should succeed in establishing such a state of things as he represented, the Government would only be too glad to act upon such information.

Mr. DEEDES said, he was bound to say, so far as regarded the county which he represented, that the scale of allowance to witnesses was not an impediment to justice. At the same time, as there had been complaints, he thought it well that a Committee should be appointed.

Motion *agreed to.*

Select Committee *appointed,*

"To inquire into the operation of the present system of payment of the Expenses of Prosecutions, with reference to the due Administration of Justice, and to report to the House whether it is desirable that any alteration should be made in that system, either as to rates of payment, or as to the Fund out of which such payment should be made."

THAMES EMBANKMENT BILL.

NOMINATION OF COMMITTEE.

Mr. COWPER said, he had to move that the following Members be nominated on the Select Committee of the Thames Embankment Bill:—

Mr. Cowper, Sir John Pakington, Sir Morton Peto, Sir John Shelley, Lord Robert Montagu, Sir Joseph Paxton, and five Members to be added by the Committee of Selection.

Motion made, and Question proposed,

"That Mr. Cowper be one of the Members of the Select Committee on the Thames Embankment Bill."

Mr. CRAWFORD said, that on the part of the City of London he objected to the composition of the Committee. Part of the object of the Committee was to make a street from Blackfriars to the Mansion-house, but there was not a single Member connected with the City who was on the Committee.

Mr. AYRTON said, that as the Committee could not meet before Easter, he thought the best plan would be to postpone the nomination of the Committee until after Easter. Not only were the City Members excluded, but other Members who had objected to the proposed expenditure. He should endeavour to prevent that expenditure by moving an instruction to the Committee that they be directed to inquire into the expenditure of the proposed works and report to the House, and that the corporate bodies belonging to the Metropolis be at liberty to appear before the Committee.

Mr. DEEDES said, he thought, as they were so near Easter, it would be better to postpone the appointment of the Committee till the House met after the recess.

Mr. COWPER said, he did not see why they should postpone the Motion. If the Motion were agreed to, the Committee of Selection, which did not meet often, would be enabled to make the selection when they next met. With regard to the observations of his hon. Friend behind him (Mr. Crawford) he had no objection, if anyone chose to move that a Member of the City be added, to agree to it.

Lord FERMOY said, he would move that the debate be adjourned.

Motion made, and Question proposed, "That the debate be now adjourned."

Viscount PALMERSTON said, he thought the House might affirm the names now proposed. By so doing, hon. Members, who might be desirous of moving that others be added, would not be precluded from doing so.

Lord FERMOY said, upon that understanding he would withdraw his Motion.

Motion, by leave, *withdrawn.*

Question. "That Mr. Cowper be one of the Members of the Select Committee on the Thames Embankment Bill," put, and *agreed to.*

Sir JOHN PAKINGTON, Sir MORTON PETO, Sir JOHN SHELLEY, Lord ROBERT MONTAGU, and Sir JOSEPH PAXTON nominated other Members of the said Committee, and five Members to be added by the Committee of Selection.

Power to send for persons, papers, and records; Eight to be the quorum.

TRAMWAYS.—LEAVE.

MR. AYRTON said, he wished to move for leave to bring in a Bill to authorize the construction of tramways on turnpike roads and other roads in England.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to authorize the construction of Tramways on Turnpike Roads and other Roads in England."

MR. DEEDES said, the question was a very important one; and unless it were postponed till after Easter, he should oppose the introduction of the Bill.

SIR GEORGE GREY said, he should not oppose the introduction of the Bill, but he thought the hon. Member would experience considerable difficulty in obtaining the assent of the House to the measure.

MR. AYRTON said, he would withdraw his Motion for the time.

Motion, by leave, *withdrawn.*

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Friday, April 11, 1862.

MINUTES.]—PUBLIC BILLS.—1ª Queenstown Improvement.

Royal Assent.—Officers' Commissions; Mutiny; Marine Mutiny; India Stocks Transfer; Bleachfields (Women and Children Employment); Industrial Schools Acts, 1861, Amendment; Australian Colonies Government Act Amendment; Sir John Soane's Museum; Great Northern Railway (No. 1).

EDUCATION—THE REVISED CODE OF REGULATIONS.

REVISED CODE WITH CHANGES PRESENTED.

EARL GRANVILLE rose for the purpose of fulfilling the pledge he made to the House the other night, to lay on the table the alterations proposed to be made in the Revised Code. (The noble Earl then *presented*, by command, the changes proposed to be introduced into the Revised Code of the Committee of Council on Education, as last printed.) He would very briefly state their substance, without entering into any arguments upon them. First of all, with respect to the grant. What was now proposed was that 4*s.* a year should be given to the schools in virtue of the average attendance of the scholars at the school, and that the rest of the grant should depend on individual examination, the school being entitled to 8*s.* for every child who should have attended 200 times, and on examination in reading, writing, and arithmetic, not fail in any one. On failure in any one of these elementary branches a third of the 8*s.* would be deducted. With regard to the mode of examination, the grouping by age was given up; and what was now proposed was that, instead of four standard examinations, two should be added, making six standard examinations altogether, and the children were to be examined according to those standards in the manner in which the managers or masters should present them. But the school was not to receive any grant—and he was sure their Lordships would not think this condition reasonable—in virtue of children only passing the standard examination which they had succeeded in passing in the previous year. With regard to the obligations of the managers towards existing pupil-teachers the question would be arranged thus—in case, under the operation of the Revised Code, the grants received by the managers should not suffice to meet the existing payments to the pupil-teachers, the central office would undertake that their full salaries should be provided for them during their period of service, so that no burden on that account would be thrown upon the managers. These were the changes to which the Government were prepared to agree. His own individual opinion of the modifications which had been assented to was that they were not improvements, because their tendency would be to diminish the economical working of the system, and in some measure to weaken the stimulus by which they wished to correct the defects pointed out by the Royal Commission. The Government had endeavoured fully and fairly to meet the general feeling exhibited in another place. For, thank God, we did not live under an absolute Government, and therefore the general feelings and opinions of all parties could be consulted. At the same time he was bound to say, that if any further relaxations were made, the scheme itself would not, in his opinion, be worth continuing; but he hoped and believed, that even with the present concessions, enormous advantages would be derived from the plan now to be carried out, because it would enable them to get rid of all the complications so much complained of, and in favour of which no one had said a single word. It would simplify the arrangements between the Privy Council Office and the managers, and would give a great stimulus to the education of the labouring population. There was one other point on which he was desirous of saying a word. He had been appealed to by a good many of Her Majesty's Inspectors of Schools to defend them from aspersions which had been cast upon them. Some of those gentlemen he did not know, beyond that he had the pleasure of corresponding with them; others were old and valued friends. Now, he thought their Lordships would bear him out in saying that, in anything that he had said in that House he did not remember one word otherwise than in just praise of the meritorious exertions of that valuable body of men in carrying out the existing minutes of the Privy Council. He had also read very carefully the speeches of the Vice President in another place, and he could not find in them any aspersions whatever upon the Inspectors; nor did the Report of the Royal Commission contain remarks which could be construed into anything of the kind. Some individual charges had been made in another place by a right hon. Gentleman (Mr. Adderley), who had addressed that House with very great ability with regard to the Roman Catholic Inspectors; but a correspondence had taken place between that right hon. Gentleman and the senior Roman Catholic Inspector, and he was sure that that correspondence would be perfectly satisfactory to the parties concerned. The noble Lord on the back bench (Lord Belper) had, indeed, the other night stated that if the Report of the Commissioners was correct, the Inspectors must have deceived the public. But his noble Friend, he apprehended, had used that expression only argumentatively, and did not intend to draw from the Report any inference of that kind. He did not speak after the noble Lord, or he should have alluded to that remark at the time; but his noble Friend the Lord Privy Seal pointed out the very different duty imposed upon the Inspectors and the Assistant Commissioners. The inference, indeed, could not possibly be correct, because the Royal Commissioners founded the greater part of their charges with regard to deficiency in reading upon the reports of the Inspectors, there being no less than seven Inspectors whose reports had a bearing upon that point. Her Majesty's Inspectors were a most faithful body of very able men, who had acted most efficiently under the existing system, and under the instructions which they had received. Those instructions applied to the examination of pupil-teachers, but not with the same strictness to the examination of individual scholars. He therefore begged to bear his testimony that the Inspectors had discharged their duty in the honourable manner which might have been expected.

LORD BELPER begged to say, that nothing could have been further from his intention than to cast any imputation on the Inspectors; so far from that, his argument was intended to have quite a contrary bearing. When the Inspectors reported that in the case of 80 or 90 per cent of the scholars reading and writing had been well taught, and the Commissioners reported so very differently, he expressed his regret that the Inspectors themselves were not called upon to explain what they meant, instead of having the explanation put into their mouth. Had they been asked, they would probably have been able to give an explanation which might have reconciled this apparent contradiction.

EARL STANHOPE said, he was glad that the modifications had been laid in a tangible form before the House; but any comments upon them would be better postponed until the papers were printed. There was one point, however, to which he wished to call attention, and that was with reference to a pledge which had been given in another place—which was indeed embodied in Mr. Walpole's 12th Resolution—that in future years no changes should be made in the system of public education without being first brought by the Government of the day under the cognizance of Parliament. He should be glad to learn from the noble Earl, that if any changes in future should be made, they would be laid before Parliament in the beginning of the Session.

EARL GRANVILLE was understood to say that the whole matter would come on for discussion on an early day after the Easter recess.

FORTIFICATIONS AT SPITHEAD.

QUESTION.

LORD VIVIAN, in rising, according to notice, to ask Her Majesty's Government what are their Intentions with respect to the Fortifications at Spithead, said, that after the very important debate which had just occurred in another place, nothing short of the extreme anxiety created by recent events would have induced him to bring the question under the notice of their Lordships. Now he understood that the result of that discussion amounted to no more than this—that it was the intention of the Government to re-open the whole question of the consideration of the Report of the Defence Commission. He for one wished that the Government had gone a step further, and had pledged themselves to have withheld their hands from proceeding with those fortifications until the result of experiments which were now being made was accurately known. On a matter of such vast importance he conceived that that was the only course which they could adopt. We were now in a transition state. So rapid were the changes now being made in artillery that it was impossible to form a judgment as to how far science could be carried in that direction. Ships and forts might be constructed to-day which might be supposed to be impregnable and invulnerable, and which to-morrow might be proved to be worth nothing. Within the last few days an experiment had been made on a target similar in all respects to the side of the *Warrior* at a distance of 200 yards, which proved that such iron plates could not resist the enormous projectile force of some descriptions of cannon. He was told that the constructor of the gun which pierced the target said that when rifled it might be made to penetrate a similar target at a distance of 800 or 1,000 yards. Until that was proved, however, this question of the Spithead forts was of little moment. The anchorage which a hostile fleet might take up before those forts for the attack of the dockyard could be at a distance not short of 1,000 yards, and therefore until the experiment of the efficiency of guns at that range had been tested the question of forts was nothing worth. Now that the minds of scientific men were occupied with the question of attack and defence, it was impossible to say what aspect it might ultimately assume. He thought it not improbable that after a considerable expenditure of labour and of money we should return to the point from which we had started, and that we should find that the power of attack was, as it had heretofore been, somewhat greater than the power of defence. But be that as it might, he ventured to think that guns of any calibre could not be used so successfully on board a ship as in batteries. Not, however, for for the reason assigned by the noble Earl (the Earl of Hardwicke) who had the other night pointed out so lucidly the difference in warfare which must prevail hereafter, and suggested a doubt whether storage could be found for the increased charges of powder and the larger shot which must be used for fighting the largest classes of guns. But the noble Earl probably forgot that while the quantity of powder for each gun would be greatly increased, the number of guns on board any particular ship would be greatly diminished, so that storage for the powder and shot might be as easily found as at present. But apart from the question of floating batteries and forts, it was desirable to ascertain what would be the condition of a dockyard when the fleet was all converted into iron ships. It should be remembered, that if such a change were effected, the requirement for timber, and masts, and cordage, would be greatly decreased; and he believed that a sum far less than that which it was proposed should be incurred in fortifications and forts would then be sufficient to secure such stores against any attack from a hostile fleet. He wished, however, to confine himself simply upon that occasion to the question of which he had given notice; and he therefore begged to ask the Government, Whether or not they were about to proceed with the forts at Spithead; or whether it was to be understood that they had abandoned for the moment all intention of proceeding with those forts; and whether they were directing their attention exclusively to the construction of an iron fleet, which, in his opinion, was at present a question of far greater importance than the question even of the construction of forts at Spithead?

EARL DE GREY AND RIPON said, he was glad that this subject had been brought under the notice of their Lordships, in the special aspect in which his noble Friend had introduced it. The point to which his noble Friend had directed their attention, and which had hardly been touched upon in the course of the very interesting discussion raised by a noble Earl (the Earl of Hardwicke) the other evening, was one of very considerable importance, and he could assure their Lordships that Her Majesty's Government were very glad to find that it had been made the subject of so much inquiry and consideration, both in Parliament and among the public out of doors. He was not surprised at the effect which had been produced in the public mind by the intelligence which had recently arrived in this country of the naval action in the Hampton Roads. It might be true that those who had given their attention to this subject, and who possessed a scientific and professional acquaintance with its details, had not learned much that was new from the accounts of that engagement. It had, however, brought before the eyes of the unscientific public in a striking and practical shape the great changes which had taken place in naval warfare, and the altered conditions under which in future it must be conducted. It was no wonder that the public mind should have been startled by the intelligence. Their Lordships would, however, agree with him that it was not desirable Her Majesty's Government should take any hasty action founded upon a single event, however important and striking it might be. It was their duty, on the contrary, to endeavour, by careful consideration and inquiry, to ascertain what was the real bearing and importance of that event, to weigh it in connection with the experiments recently instituted, and not to abandon too hastily a course adopted by the Government and approved by Parliament after full discussion. He would explain to their Lordships as briefly as he could what was the present position of the matter. Their Lordships were aware that the Government, in submitting the plan which they had adopted, in pursuance of the recommendation of the Defence Commissioners, included in their works the erection of three forts at Spithead. Parliament sanctioned the proposal, and the Government subsequently entered into a contract for the building of the foundations of these forts. The contract was by measurement, founded on a fixed scale of prices, and the cost of the works to be erected under it was to be £230,000. The contractors had commenced their operations. At the Horse Sand a staging had been erected, and an iron cylinder had been sunk in the bottom of the sea to a considerable depth. At the second fort a similar staging had been made, and a cylinder also sunk. At the third point, No Man's Land, although a stage had been erected, it had not been completed. But little had been actually done, but the contractor, with the view of executing his contract, had got together a considerable plant, together with stone for the foundation and other materials. He had possessed himself of steamers for carrying workmen and materials from the shore, and a pier had been built in Stokes Bay to facilitate the work. Considerable expense had, therefore, been incurred in carrying out the contracts, when the news arrived from America. The intelligence of course immediately attracted the attention of the Government, as it had done that of both Houses of Parliament. Finding that there was an evident wish on the part of the Legislature and the public that the question of the construction of these forts should be very carefully reconsidered by the light of recent events in America, and having no desire to adhere obstinately to the course previously determined upon, Her Majesty's Government had determined, as had been already announced, to refer the question of the construction and erection of these forts back to the Defence Commissioners. The fact was, however, that the question had attracted the notice of the Government at an earlier period, and the question had been referred back to the Commissioners last year by the late Secretary of State for War, and they had then made a special and very able Report on this particular branch of the subject. The matter would now be reconsidered, and, in order to obtain the best scientific and professional advice, Her Majesty's Government had determined to add to the Commission one or two naval and military officers, whose attainments would give additional weight to their recommendations. It would be the duty of that Commission to examine the question anew from a scientific point of view, and to report their opinion to the Government. When that Report was made, it would be for the Government, on their responsibility, to weigh the facts of the case and the opinion of those officers, and to determine for themselves what course they thought it their duty to recommend to Parliament. Meanwhile, and pending the reconsideration of the question, the Government had determined to suspend the works that were going on at these three forts. Of course some expense would be incurred in the shape of compensation to the contractors; but the Government thought it better, in order to leave themselves freedom of action, to suspend the works. The cost of these forts had been estimated at £840,000, the sum of £230,000 being the cost of the foundations. Their Lordships must not, however, imagine, that if these works were suspended, there would be left out of the sums voted by Parliament any considerable surplus which could be applied to any other purpose—such, for instance as the building of iron ships. Their Lordships would remember that the sum proposed by the Commissioners in their Report to be expended for fortifications, exclusive of floating defences and armaments, was between £10,000,000 and £11,000,000. Of this sum an outlay of £5,000,000, in round numbers, for new works received the sanction of Parliament two years ago. In order to put themselves in a position to at once carry out a portion of the works which had been sanctioned, the Government, two years ago, obtained from Parliament powers to raise on loan a sum of £2,000,000. This was the only sum at the present moment in the hands of the Government available for that purpose. Of the £2,000,000 a sum of £900,000 had already been expended for land and works; a further sum of £700,000 would be required immediately for the purchase of land, and the balance of the £2,000,000 would be expended before the end of July next, on works actually in progress. Under these circumstances, their Lordships would see that the suspension which had taken place of the works at Spithead would not give any important or appreciable sum to the Government for any other purpose than that for which the £2,000,000 had been voted. It would be for the Government when the Commission had reported, and when they came to Parliament—as they would have to do in the present Session—to ask for means to continue works already sanctioned, but for the continuation of which money had not yet been voted—it would be for the Government to say then what course they would take.

That was the present state of the question as regarded those forts at Spithead; but, as the whole subject of our national defences was one of very great importance, he would ask permission of their Lordships to refer to one or two of the wider topics touched on in the speech of his noble Friend. In the first place he would observe—because there seemed to be considerable misapprehension in the minds of many persons on this point—that the only question really raised by the recent events in the American waters was one which related to the forts at Spithead—that was, to isolated forts in the sea. They heard some persons say that the question was one involving the consideration of an expenditure of £11,000,000—that it was a question of stopping all fortifications as land and sea defences, and substituting for them vessels of the description of the *Monitor*. But he was sure that none of their Lordships took this view of the matter. He knew that such was not the opinion of his noble Friend who had introduced the subject that evening, and he was happy to say that he could quote, in support of his own view of the question, the opinion of a distinguished and able naval officer, who was one of the most determined opponents of the forts at Spithead—namely, Captain Coles. He was sure that the other opponents of the Spithead forts would accept that gallant officer as an authority; and, in his second pamphlet, it would be found that his objection was limited to the forts in the sea. Now, as regarded those forts, their Lordships would recollect that in their Report the Commissioners recommended that forts and floating defences should be combined together. The Commissioners did not say, "You ought to have nothing but those forts." They said, "You should have them to aid and assist floating defences;" and although Her Majesty's Government had not included floating defences in the works for which they had obtained powers to raise the loan, yet there could be no doubt, after the speech of his noble Friend at the head of the Admiralty the other night, that the question of the efficiency of these defences had for a very considerable time engaged, and was still engaging, the attention of the Government. The view of the Government, when coming to Parliament for authority to raise the loan, was that when money was to be borrowed it was better to confine the application of the borrowed money to the building of permanent works. Some persons might be disposed to question the soundness of that opinion; but he mentioned it for the purpose of assuring their Lordships that it was only in consequence of that view that no sum for the building of floating defences had been included in the amount originally asked for by the Government. We were now told that forts were of no use, and that we ought to have nothing but floating defences for our dockyards and arsenals. But if we adopted this advice we should, he believed, be liable to incur those very dangers which the fortifications were intended to guard against, and which formed the main foundation of the Commissioners, recommendations, and of the sanction which their Lordships' House, he believed unanimously, and the other House of Parliament almost unanimously, had given to the proposal of the Government. The argument then used was based on the fact of the facilities possessed by steam vessels for running into any particular harbour on which it might be proposed to make an attack, at a time when our Channel fleet was not present; but if we had only a limited number of these *Monitors*—say twenty or thirty as proposed by Capt. Coles —round our coast, and there was not time to concentrate them at the point of attack, we should be open to the same danger as that to which under the old system of naval warfare the absence of our Channel fleet from the point that was immediately threatened would expose us; so that if we wanted security by means of floating defences alone, we should have to provide at each of our ports and arsenals a great permanent fleet of those floating defences. That would be a proceeding involving an immense cost; and, in addition, it would have the effect of tying up at those particular points a large naval force that might otherwise, to a great extent, be available for various important operations. It would, in fact, reduce us very much to the condition described in the discussion two years ago by his noble Friend the late Lord Herbert, of whom he would say in passing that not the least of his claims to the grateful remembrance of his countrymen was the aid he had given in carrying through Parliament to a successful issue the system of defences which had met with such general approbation. Lord Herbert had observed, that if we defended our dockyards because they contained our fleet, and kept our fleet there for the purpose of defending our dockyards, we might as well abolish both dockyards and fleet altogether. That was a *reductio ad absurdum;* but it served to illustrate the difficulty in which those who would trust to floating defences alone were placed by their own argument. It appeared to him that what was required for our defence was a combination of floating and fixed defences. They had been told only a few days before that vessels of the description of the *Monitor* were invulnerable—that they could not be injured by anything which might be brought against them, and that they would pass harmless by our forts. That notion of their invulnerability had been put an end to by the recent experiments. His noble Friend (Lord Vivian) had asked him to give some description or account of what had taken place at Shoeburyness within the last few days on an occasion when he was present; but it would be superfluous of him to occupy their Lordships' time at any length on this point after the very able and graphic description which had appeared in *The Times* newspaper, for the accuracy of which description he was prepared to vouch. He did not wish to press the results of those experiments a step further than they really went; but thought they at least showed this—that whereas it had hitherto been supposed that at 200 yards it was not possible to pierce a target made on the model of the *Warrior's* side, it was now clear that at such distance a shot from a smooth-bore gun would perforate that target as if you had drilled a hole through it. This showed what artillery we already possessed, and he believed that we had not yet reached the limit of the power of artillery. If what had been done at Shoeburyness had been effected at only 200 yards, it did not follow that the same result might not be obtained at 400 yards. He might say that he had every reason to believe that such a result could be had at a greater distance than 200 yards. The gun from which the shot had been fired was made for a 300 lb. shot; and there was every likelihood that a shot of that weight would have at 400 yards a momentum sufficient to produce the same result as the lighter shot had produced at 200. But, more than this, scientific men, gunmakers, and others, were of opinion that a much more powerful gun than the 300-pounder could be made. Sir William Armstrong—a cautious man in speaking of anything which had not had the test of experience—had assured him that day, that although he would not speak with certainty on the point, he had no doubt in his own mind that a gun could be made which would be effective at the mean range between the two forts at Spithead. One day it was believed that the plate would beat the gun; the next day a gun was made which pierced the plate. They had been told that a 180lb. shot had failed to go through the side of the *Monitor:* when it came to the test, it was ascertained that it had not done so because too low a charge of powder had been used. The same experiment had been tried the other day, a 200 lb. shot being fired with 10 lb. of powder without any effect; and even the 300 lb. gun, with a charge of 40 lb. of powder failed to pierce the target; but when the charge was increased to 50 lb. the shot went through. In the opinion of the most competent scientific men the result of the experiments had shown, upon the whole, a steady average superiority of the gun over the plates. At all events there was a limit, which, in the opinion of the best scientific authorities, must be nearly attained, to the thickness of armour plating that could be put upon a seagoing vessel, while the power of artillery was capable of development to a point which was much more distant. Great difficulties and great expenditure necessarily attended a period of transition like the present, and it was, of course, desirable to take no steps which further experience might force them to reverse. But in the mean time it was absolutely impossible to stand still. The country must be defended, and they should take care, while in this state of transition, that the security of the country was not endangered. He believed it would be a most unwise proceeding hastily to suspend or abandon the erection of these forts. Care had been taken to render the foundations of those in process of construction sufficiently strong to bear any weight of iron with which the superstructure might be defended. Upon a fort plates of such thickness could be laid as to make it absolutely invulnerable, and guns could be mounted of any size that science might produce. These would have the advantage of resting on a solid platform, instead of the moving platform of a ship's deck—a consideration which ought not to be overlooked in discussing the question. It was also proposed that floating defences should be combined with forts; and if these could only detain the enemy for a short time under the fire of guns such as they had seen the other day, or the still more powerful artillery which might yet be produced, he ventured to say that a very good account would be given of any iron fleet in the world. Forts, also, were of great value to the floating defences, as points upon which to advance or retire. Many of those who paid great attention to the details of the recent naval engagement in America seemed to have overlooked the fact, that when the *Merrimac* retired under the guns of a fort, the *Monitor*, although she was stated to have been uninjured in the contest, did not venture to pursue her. He did not wish to lay undue stress on this circumstance, but it ought not to be lost sight of. Having consulted persons whose opinions were of the very highest importance, he was led to believe that the final result of the experiments would leave the relative position of ships and forts very much where it was previously. The question was one of importance not only to this country, but to Europe generally, and he knew that the proceedings of the British Government were watched with great interest by foreign nations. Their Lordships, therefore, might like to hear an extract from the letter of a distinguished foreign officer, Captain Brialmont, the author of an excellent life of the Duke of Wellington—

> "I have just read in the papers that, by order of the Government, the works at Spithead have been suspended, and that you are returning to Dundas's old idea of substituting iron-plated ships for iron-plated towers. I think this very absurd; for the famous battle of the *Monitor* and the *Merrimac* has proved nothing that you did not know already; and your experiments at Shoeburyness are in my eyes much more conclusive. I can hardly believe that your engineers will consent to have fixed iron-plated batteries replaced by movable iron-plated batteries, which are twice as expensive, and twice as uncertain in their fire."

Under these circumstances their Lordships, he hoped, would not hesitate to approve the course which Her Majesty's Government had taken. This was not a question on which they ought to act hastily. The Government desired to consider it in the fairest possible spirit, and with that object they had now referred the matter to a Commission of scientific and practical men. The Government were not wedded obstinately to any particular scheme, but when the Report of that Commission was issued, they would feel it their bounden duty, after mature deliberation, to recommend those measures which they conceived to be necessary for the defence of our ports and arsenals, and in that course they hoped to receive the same support from Parliament which had been given for the same object two years ago.

THE DUKE OF CAMBRIDGE: My Lords, I feel some hesitation in prolonging the discussion which was raised by the question of the noble Lord, and which, I think, has been fully and effectually answered by my noble Friend. But, perhaps, it may be right that I should make some few observations on this important military and naval question, which occupies the attention not only of your Lordships' House and the other House of Parliament, but, I may say, the country at large. In my recollection there has been no military or naval question which of late years has so entirely engrossed the public attention as, on the one hand, the power of resistance by iron plates, whether for ships or forts, and, on the other, the power of attack by the artillery of the present day. It appears to me that in considering this question circumstances have been introduced which lead to some confusion; and among others the valuable opinion of my late friend, Sir Richard Dundas, has given to the discussion an appearance different from what it really ought to present. I must explain to your Lordships that there are two distinct bodies in existence. One, the Defence Commission, was established with a view of giving to the country their advice and opinion upon the national defences. The other, the Defence Committee, was a Committee formed, I may say, within the Government, and from my position as Commander-in-Chief I happen to be its President. The details contained in the Report of the Defence Commission having been submitted to the Defence Committee, in order that they might communicate their opinion to the Government, I was, of course, aware of the opinion entertained by the late Sir Richard Dundas. Indeed, I may state, that when this question of the forts of Spithead was first brought under the notice of the Defence Committee, I very much agreed with the late Sir Richard Dundas in thinking that we should be acting unwisely if we only looked at the forts and did not at the same time pay attention to floating defences. I believe the noble Duke the First Lord of the Admiralty can corroborate my statement that when Sir Richard Dundas wrote that strong letter on the subject of iron-plated ships he in no respect wished to convey that his opinion was unfavourable to forts; he only wished to assert that forts would not be ready in sufficient time, and therefore that ships ought to be prepared *pari passu* with forts. In that opinion I fully coincided; and it was after considering the question and agreeing with reference to it, that my gallant Friend the late Admiral wrote that letter. With regard to what has happened in America, I think it bears out the opinion expressed by my gallant Friend, that it is only by combined defences of forts and ships that an important roadstead, such as Spithead, can be and ought to be defended. Indeed, I cannot help feeling a strong conviction, particularly after what has happened at Shoeburyness, that, so far from retrograding, we ought to continue the course which was originally contemplated—that of combining ships with forts for this special purpose. Look at what happened at Shoeburyness. I believe that we have not nearly arrived at the limit of the power of the artillery which can be produced. I, like my noble Friend, have communicated with that distinguished and able man Sir William Armstrong to-day; and although he never likes to express an opinion unless he knows by experiment that he can produce what he says he will, still he has the strongest conviction that he can make a gun of a calibre of 600 lb., which, if rifled, will throw a shot which at 2,200 yards will produce an effect equal to, if not greater than that produced at 200 yards on Tuesday. This meets one objection which is brought against the result of the experiment at Shoeburyness. It is said, "Oh, look at the range; it was only 200 yards, and no ship would come within that distance of a fort." If the range could not be extended, that argument would be worth a great deal; but I am convinced that the range can be greatly enlarged; and if we got only half of what Sir William Armstrong promises, or 1,100 yards, these Spithead forts would at once become invaluable. The forts would also be of the greatest importance in supporting a fleet, which I apprehend will be composed of ships very different from sea-going vessels. I take it that the floating defences of Spithead will be vessels somewhat analagous to the *Monitor*, and which, although very powerful, must require a certain amount of support. That support they will find in the forts; and I suppose that if an attack is ever expected, they will be concentrated round the forts, ready to rush out, in the manner of a sortie on land, against any naval force which may be attacking the entrance to Spithead. There is also another consideration. We can all foresee that artillery may be greatly improved and its power extended; but I have great doubts—of course, not being a naval man, I speak with all diffidence—but I have great doubts whether you can much increase the thickness of the plates to be placed upon your ships. We have got to 4½ inches, and I think that the noble Duke the other night said something about trying 5½ inches, but I doubt whether he will go much beyond that. We know that that thickness of plate has already been pierced with facility, and therefore it seems to be unlikely that you will be able to make your ships invulnerable. But that does not apply to forts. Upon them you may, if you please, place a foot of iron; and therefore the increased power of artillery, although it may prove fatal to ships, will by no means so entirely dispose of forts. Another very important question is as to the possibility of carrying these heavy guns on board ships. I questioned many naval men upon the subject the other day, and the general opinion seemed to be that it would be possible to carry this 300 lb. gun, which weighs twelve tons, on board ship; but we had a proof of the difficulty which might be experienced in working it in the fact that it required 200 artillerymen to move it over a portion of the ground at Shoeburyness which was rather soft. In a battery Sir William Armstrong says that he could, by means of machinery, work one of these heavy guns with only five men; but on board ship, although, no doubt, some machinery might be employed, yet the very motion of the vessel would render its application more difficult than in a stationary fort. Therefore I think it is very questionable whether a ship can carry much heavier guns than those with which they are now armed. I have no doubt that within twelve months we shall have a gun of twice the calibre of the 300-pounder which has done such feats at Shoeburyness. Nor do I expect that we shall stop there, if it is thought necessary to have still heavier ordnance. These great guns, it must he remembered, require very large charges; and as a ship is required to carry ammunition for a long voyage, it becomes a question how you can find storage for the large supplies required for her large guns. On Tuesday we tried charges of 40 lb. and 50 lb. for the 300-pounder gun, and for the 600-pounder we hear talk of charges of 80 lb. and 100 lb. How are you in a small ship to stow away the enormous amount of ammunition which would be required for the service of such guns as these? In the case of forts no such difficulty would arise. In them you can make any arrangements you like, and store up as much ammunition as you please. Therefore, although I would on no account overlook the importance of the experiments which we have witnessed, and of the actual occurences which have taken place in America, yet all these circumstances lead me, and I think ought to lead the country, to the conclusion that the Government have been right in taking the course which they have hitherto adopted, and that it would have been very wrong for them to have suddenly altered their whole arrangements on account of what has occurred. In making so great a change as is by some persons desired we ought not to be carried away by the impulse of the moment. A week ago everybody was saying, "There is an end of forts—the thing is absurd; you have now arrived at invulnerable ships." A week has elapsed, further experiments have taken place at Shoeburyness, and every one now says, "Every ship is vulnerable; there is no question upon that point." Thus within a fortnight at least a portion of the public have entirely changed their opinions. I will not say which of those opinions is the right one. I have always been of one opinion, and that is that the original plan, although it might be open to modifications, was the right one and ought to be adhered to. I think that Her Majesty's Government is wise not to give up that plan, but to pause, and to give to the country another opportunity of expressing an opinion upon it. Still I do hope that that pause is not to be a prolonged one, but that before long we may come to some decision. I will tell you why. Because, while we are pausing we shall be defenceless, and that of all arrangements would be the most unfortunate one that could be adopted. Let us proceed steadily, consistently, and without hesitation in one uniform course of action—that course of action, of course, which is most advantageous to the best interests of the country—and let us not be biassed by any accident which may give to the gun or the ship the preponderance for the hour. That is not the way in which to decide so important a question, and I hope that it will not be the course which Her Majesty's Government will adopt; indeed, I feel sure that it will not. I believe, that if ever it was proved to the satisfaction of military and naval men that a combination of defences was essential in such a position as that of Spithead, such has been fully and fairly demonstrated by the last experiments at Shoeburyness, and I venture to think even by what happened the other day in America. Because what my noble Friend said is fully borne out by the newspaper report, namely, that when the *Merrimac* was to a certain extent injured by the *Monitor* she retired under the cover of the forts, and the *Monitor* did not pursue her or venture to expose herself at close quarters to the guns of those fortifications. After the experiments at Shoeburyness people have been much surprised that in America the ships were so little injured: but I should be inclined to suppose that this arose from the American guns being all shell guns, and throwing nothing but hollow shot; while the shot with which such great effects were produced at Shoeburyness on Tuesday were solid shot. Nor ought we to overlook the charges of powder that were used in the two cases. When we used charges of 40 lb. of powder, the target resisted the shot; but when we used a charge of 50 lb. of powder with a shot of 150 lb., the effect was, as we know, very remarkable. The Americans, on the other hand, used only 12 lb. or 14 lb. of powder to a shot of 180 lb. The result was, that the American guns were comparatively useless. It is clear, therefore, that the amount of powder for the charge is a very important element in the question. I have thought it right, my Lords, to go into some detail on this subject, because I think that such an important question as this should be thoroughly sifted, and that the country should clearly understand it. This is no mere party question, but a question of vital importance to the security of the country, and it cannot be too much discussed. We ought to give it the most careful and deliberate consideration, and having once made up our minds, we ought to act with energy and steadily adhere to our course. In conclusion, I trust the Government will come as soon as they can to a decision as to the steps they are prepared to take in regard to the fortifications.

The Earl of ELLENBOROUGH: My Lords, the speeches of the illustrious Duke and of the noble Earl the Under Secretary for War have left hardly a word for any one to say on this subject, so fully have they entered on every point of importance. I owe an apology, therefore, to your Lordships for the few observations which I wish to make, because I take a very strong interest in the question. It appears to me, that if the Ministers were right last year when, with the general acquiescence, they determined to build the three forts, there is nothing whatever in the events which have recently taken place in America, or in the experiments which have been made here, which should induce them to change their opinion. They may be very right in not proceeding hurriedly in the matter, but I do trust they will not proceed tardily. Somehow or other it was managed that all the fine weather of last year was lost to this work. I hope another summer will not be thrown away, but that during the fine weather, whenever it comes, the Government will proceed with these forts. And what is to be the cost of these works? Why, my Lords, they will not cost more than three iron ships. You have to decide whether you will have three forts carrying some 300 guns—a permanent and lasting defence—or three ships carrying 30 or 36 guns, of which the duration cannot be exactly calculated, but would not probably exceed ten or fifteen years. The state of the question in regard to the iron ships seems to me to be this:—I think it is ascertained that a ship can be made invulnerable against large shot thrown with a small charge, or against ordinary shot with a large charge; but if a large shot be thrown with a very large charge, it can penetrate the side of any ship which has yet been constructed. It appears to be consistent with reason that whatever advance may be made in strengthening the sides of ships, equal or greater advances can be made in augmenting the power of the attacking force. So that we may consider it a proved and almost admitted fact that no side of a ship can be built which is not to be perforated by shot. But, observe, there is a necessary limit to the strength which can be given to the side of the ship, and, further, that there is a necessary limit to the weight of the guns which a ship can carry, and which can be worked on board. But there is no assignable limit whatever to the strength which can be given to an iron fort or to the power which can be given to the guns with which the fort may be mounted. It is by means of these forts that we desire to resist the inferior and unequal attacks of iron ships. Your Lordships must bear in mind that this is more a naval than a military question. I hold that the Government have done extremely well in placing a naval officer on the Committee which is to consider the subject. For my own part, if I were in the situation of the noble Duke, I should go to Sir William Parker or Sir George Seymour, as the two best seamen we have; and also, perhaps, to the efficient officers who have successively commanded the *Excellent* in Portsmouth harbour, because I think we could not obtain sounder information or more intelligent opinions anywhere else, and it is always well to go direct to the best source. The advice which the wise have given is that before proceeding to action on any matter we ought to consider all the difficulties and objections connected with it, and to balance them carefully; but that when once we have come to a decision, we ought not to allow any event which shall occur, unless of the gravest importance, and one which could not before have been at all contemplated, to divert us from our purpose. I trust the Government will follow that rule in the course which they adopt on this subject. If we could always be sure we should possess a superior fleet, no doubt we could dispense with the forts at Spithead. A superior fleet lying there would not be attacked in all probability, or, if attacked, would be able to defeat the enemy. But the advantage of possessing forts is that it is no longer necessary to keep so large a fleet at hand. Your ships become available for other purposes, and the forts afford at all times a refuge and protection to an inferior or crippled force. I cannot understand how any one, looking at the comparative smallness of the cost and the immense value of the forts, can hesitate for a moment as to the course which should be pursued. As to Portsmouth I will say nothing, because it is not necessarily connected with the question of these forts; but I will say a few words upon another point which is strongly impressed upon my mind, and to which a noble and gallant Friend of mine has already drawn attention. It is not only the application of steam to navigation, but yet more the invention of these iron men-of-war, which has entirely altered our position relatively to other States. In former wars we derived vast advantages from the possession of a great maritime commerce, which furnished us with a supply of skilful seamen. But these iron ships can be navigated by landsmen, who, in the course of two or three weeks, can acquire their "sea legs" as well as the best seaman who ever trod the quarter-deck of a man-of-war. There is, consequently, no country on the Continent which is not capable of putting forth a navy, and they all appear desirous of at once doing so. The engineer is not a seaman, the gunner is not a seaman. We stand, therefore, on equal terms with all the nations of the Continent, who are each striving, in a spirit of rivalry, to obtain a fleet. It is only by instant action, by using our superior financial means and the advantages which our manufactures and the possession of iron give us—it is only by doing this at once and with a will, that we can possibly maintain that position of pre-eminence which we have hitherto enjoyed. I heard with great interest the noble Duke at the head of the Admiralty speak the other night of the iron ships which the Government are disposed to build. I confess, however, I did not infer from his speech that he and the Government were fully alive to the circumstances of difficulty and danger in which we stand. This is not a time when we can be satisfied with mere ordinary measures, or with doing only that to which no one can very strongly object. We are in a position in which it is absolutely necessary for us to make a great effort, be the cost what it may, and place ourselves at once in a position of maritime superiority. It was justly said by Lord Palmerston some years ago that the application of steam to navigation had made a bridge between this country and the Continent. This, no doubt, materially altered our position in relation to the Continent; but the invention of iron ships is much worse; and unless we apply all our energies to uphold our predominance at sea, our position is reversed, and our commerce is at the mercy of those who may become our enemies, and may deprive us of the little security which remains to us, and of that which now enables us to keep our shores from invasion. For years it has been my conviction that, ultimately, we shall be compelled to fight for our homes upon the soil of England, and all the events which are taking place only strengthen that belief in my mind. I will not ask the illustrious Duke what his opinion may be as to our present state of preparation; but as an individual Member of this House I may express my opinion that our means of defence are utterly inadequate, and that we ought at once to turn our attention to the provision not merely of maritime means of defence, but of those means of defence which we must use in the event of an invasion of our shores having been effected.

THE DUKE OF SOMERSET: My Lords, there are one or two observations which I wish to make. I wish to confirm the statement made by the illustrious Duke in reference to the opinion of my late Friend Sir Richard Dundas, because his opinion was quoted as being very adverse to the forts at Spithead, and as desiring to do away with them, and to substitute floating defences. In the early part of 1861 I had naturally several conversations with him upon this question of defence, as well as with other officers; and he then stated to me that he thought it very desirable to press more on the Defence Committee the importance of floating defences, and that he was very desirous to put that forward if, by so doing, he would not embarrass the Government. I told him at once that my wish was—and I was sure it was the wish of the Government—before we entered into such a large expenditure, to have the matter fully discussed on every side, and that I thought he was quite right, as a naval officer in a high position, to state his views as strongly as possible, in order to bring them before the attention of the Defence Committee, and to have them thoroughly sifted. It was with that intention that he wrote the letter of the 8th of February, 1861, which, when it was received at the Horse Guards, was referred to the Defence and Fortifications Committee for their report. They went into an investigation at some length, although upon some points I regret that the matter was not gone into at greater length. I should have liked some officers to have been called who were not called, and to have had the evidence of Captain Cowper Coles on that occasion; because I think the Report would have been more satisfactory to the public than it has been since considered. With regard to the general question of these forts and defences, the House will allow me to say that there are two great objects to be attained by these defences—one is to defend the country against the attack of an enemy, and the other is to defend it against panics at home. We have really had so many panics within the last few years that some means of thorough defence are absolutely necessary. Some years ago these defences were commenced, not merely to prevent an invasion, but to prevent the alarm of an invasion. A few weeks ago, as soon as the news arrived from America of the engagement between these two iron vessels, another panic spread through the country, and great alarm arose, and the opinion was expressed, that as our naval means of defence were entirely gone, we should have to look to some other means of defence for our shores. I think it most desirable, whether by floating defences or by forts, or by both combined—which I believe to be best—we should guard not only against foreign invasion, but against such continual panics at home. With regard to what the noble Earl (the Earl of Ellenborough) has said—that he does not think the Government is going quite fast enough in getting these means of defence—I will just observe that in 1859 we were told the same thing. We were not going fast enough then in having more wooden line-of-battle ships, line-of-battle ships and fast frigates being then considered the best means of defence. We pressed on the wooden ships, and we began iron ships; and I would have gone faster if I had had confidence in our mode of constructing them. But it was very properly said, "It is a new plan. First try what you have built. See how you can improve them. Do not involve the country in immense expenditure for more costly ships until you know whether they will answer." I did not quite take that advice. Seeing what was going on abroad, we did not wait to that extent. We had fifteen iron ships in course of preparation before one had been tried. I think that was quite as fast as I could justify. I think, now that we have had further experience, we can advance faster; and accordingly last year we commenced plating five wooden ships, with a view to giving those additional means of defence. We are also now providing a vessel upon another plan, for the purpose of defending our ports and harbours Of course, that is experimental. Nothing has yet been done very satisfactory in that way. But I believe we can make a vessel which will be a most formidable opponent to anything which can be brought against us, although I do not believe that it will be a vessel which can proceed conveniently far beyond the Channel. I believe we can make vessels for service in the Channel far more effective than anything which has yet been made. There are two ways of building—one in our own dockyards, the other by employing contractors. We find that the contractors are more inexperienced in building these iron ships than the naval men in our dockyards. When we try to build by contract, the contractors undertake to furnish the ships in ten, twelve, or eighteen months. They try hard to do it, and in some cases they may have lost money in their efforts to complete their contract. But they are unable to do it. The novel construction and the enormous pieces of iron required interfere with the progress of the work. There are very few contractors capable of constructing these iron-plated ships, and they are not able rapidly to meet the wants of the Admiralty. With regard to our dockyards, I have ordered in each one ship at least to be built, and one at least to be plated, in the year. I did not think that if we tried to do more we should advance much further, because the men whom we want to overlook this novel work cannot give attention to more than one ship building at a time; and if we had attempted to do more, we should have failed, and brought discredit, perhaps, upon this class of vessels. I will not trouble your Lordships any longer, but I think I have explained why we have not gone so fast as is wished.

THE EARL OF ELLENBOROUGH: What I think is, that the Government makes these ships a great deal too large. We hear that the *Warrior* can hardly enter Portsmouth harbour. These enormous vessels are unnecessary for the purpose for which they are intended, and their expense is enormous.

THE DUKE OF SOMERSET: One day we are told the ships must carry larger guns. Another day we are told they must go very fast. If they are to carry great weight and to go very fast, they must be enormous vessels. The only way to carry heavy armaments is to give up somewhat of the speed we have endeavoured to obtain.

House adjourned at Seven o'clock,
to Tuesday, the 29th instant,
Four o'clock.

HOUSE OF COMMONS,

Friday, April 11, 1862.

MINUTES.]—PUBLIC BILLS.—1° Customs and Inland Revenue; Assurances Registration (Ireland); Weights and Measures (Ireland) Act (1860) Amendment; Lunacy (Scotland); Grand Jury Secretaries (Ireland); Metropolitan Building Act Amendment.

3° Exchequer Bonds (£1,000,000); Protection of Inventions and Designs, 1862.

MEDICAL OFFICERS IN INDIA.

QUESTION.

MR. BLAKE said, he would beg to ask the Secretary of State for India, What arrangements have been made with regard to the position of the Medical Officers of the late East India Company's Army on amalgamation with the Queen's Forces; whether it is still intended that the term "Service in India," used throughout the warrant of the 13th day of January, 1860, should be restricted to actual residence in India, exclusive of leave; and whether the Senior Medical Officers of Her Majesty's Indian Army will be considered entitled to promotion to the rank of Principal and Deputy Inspector General and Inspector General of Hospitals, as heretofore, or were these appointments in future to be filled by the Medical Officers of Her Majesty's Royal Army?

SIR CHARLES WOOD replied, that the revision of the medical establishment for India awaited the Report of the Government of India, which was expected very shortly. The Royal Warrant required a service in India of twenty years, in any rank, to qualify a staff or Regimental Surgeon for the rank of Surgeon Major. The rule having been found productive of hardship in individual cases, it was determined by Her Majesty's Government that a period of two years (the period allowed under the furlough rules to count as service for pension) should be allowed to reckon as part of the period qualifying for promotion to the rank of Surgeon Major, in addition to all leave taken in India. The grades of Principal and Deputy Inspector General, and Inspector General of Hospitals were of recent date as respected the Indian service. The future organization of the medical department of that service would receive the fullest consideration.

LOCOMOTIVES IN THE STREETS.

QUESTION.

SIR GRAHAM MONTGOMERY said, he wished to ask the Secretary of State for the Home Department, Whether he is aware of the frequent passage of locomotives through several of the thoroughfares of the metropolis, more especially in Grosvenor Place and Eaton Square; and if he considers it consistent with the safety of the public to permit of their so passing through the streets both day and night?

SIR GEORGE GREY said, his attention was called a few days ago to the fact of a locomotive passing through a crowded part of the metropolis—not the streets mentioned by the hon. Baronet, but in the neighbourhood of Charing Cross, and of horses taking fright in consequence. A communication was immediately made by the Police to the owner of that locomotive, which turned out to be one of Bray's traction engines engaged in carrying goods from the Docks to the Exhibition, and the proprietors at once agreed to observe the regulations of the Police, requiring them not to drive the locomotive through the streets in the daytime, and to take a less frequented route. Since the hon. Baronet had given notice of his question, he had found, on inquiry, that another locomotive had been seen passing through Grosvenor

Place and Eaton Square, but the owner of it had not yet been discovered. He believed it was on its way from a railway station to the Exhibition. By an Act passed last Session, power was given to the Secretary of State to make regulations for the passage of engines through the metropolis, and there would appear in the *Gazette* of that night an order prohibiting them from being driven through the streets in the daytime.

Mr. CRAWFORD said, he wished to inquire whether the right hon. Baronet was aware of the fact that one of Bray's traction engines had passed up Eaton Square at eight o'clock that morning, making a great noise, and frightening horses?

Sir GEORGE GREY said, he had not heard of the circumstance, but the order in the *Gazette* would prohibit locomotives from passing through the streets at any time, except between ten o'clock at night and six o'clock in the morning. He had the power to make such a regulation, and if the owners of engines did not comply with it, they would not be allowed to use the streets at all.

CHELSEA SUSPENSION BRIDGE.

QUESTION.

Sir JOSEPH PAXTON said, he wished to ask the First Commissioner of Works, If there is any truth in the rumour that the traffic over the Chelsea Suspension Bridge was restricted by the Police on account of some defects in the structure; and if the Bridge will furnish safe accommodation for the traffic arising from the Exhibition and the Royal Agricultural Show shortly to be held in Battersea Park?

Mr. COWPER said, the Police regulation had not arisen from any defect in the construction of the bridge, but was part of the original design. Mr. Page, when he designed the bridge, intended that the light traffic should go on one portion of the bridge and the heavy traffic on another. He constructed a roadway for light traffic by placing blocks of wood on bitumen, that bitumen resting on a concrete of cork and bitumen, and thus making an elastic roadway. The heavy traffic was not to pass along that elastic roadway, but Mr. Page had constructed for it an iron tramway at the sides of the bridge. It was true, a question had arisen as to whether the bridge was fit to bear the greatest load that might possibly come upon it. Mr. Page had not provided for such a load as other persons of high authority thought ought to be anticipated. The question had been under consideration, and his own opinion was that the bridge ought to be strengthened; but, at the same time, there was no reason to doubt that it was strong enough to carry the weight that would be brought upon it under ordinary circumstances. One might not like to see a dense crowd packed upon it, nor would it be advisable to allow troops to march across it, but he believed it was able to bear the traffic that would be permitted to come upon it.

THE THAMES EMBANKMENT.

QUESTION.

Sir JOHN SHELLEY said, he rose to ask, When the Returns ordered the other night relative to the Thames Embankment will be laid on the table?

Mr. COWPER said, they would be laid on the table either that night or at the meeting of Parliament after the recess.

INDIAN CONTRACTS BILL.—QUESTION.

Mr. SMOLLETT said, he would beg to ask the Secretary of State for India Whether he has received a copy of an Act, intituled "The Indian Contracts Bill," now pending before the Legislative Council of the Governor General of India; and whether he is prepared to sanction this measure in its present shape if passed by that body?

Sir CHARLES WOOD said, he had received a copy of the Bill in question, but it had not yet been considered by the Indian Council, and he was therefore unable to state at present whether it would be sanctioned or not.

INCOME AND EXPENDITURE.

QUESTION.

Sir HENRY WILLOUGHBY said, he wished to ask the Secretary to the Treasury, When the account of the Gross Income and Expenditure up to the 31st of March, 1862, will be laid on the table of the House?

Mr. PEEL stated, that the account of gross Income and Expenditure up to the 31st of March, 1862, would be laid on the table after the recess.

EDUCATION—THE RE-REVISED CODE OF REGULATIONS.—QUESTION.

SIR JOHN PAKINGTON said, he wished to ask the noble Viscount at the head of the Government a question as to the course of business which had been previously announced with respect to the Re-revised Code of Education. The right hon. Gentleman the Vice President of the Committee of Council of Education had promised to lay the Report on that subject on the table before the holidays. They were now about to adjourn for the holidays, and he desired to know whether it was probable that that Report would be laid on the table that night. The further progress of the Committee stood for the 5th of May, which was, practically only one week after the re-assembling of the House. As very little time would intervene to enable hon. Members to consider that Report, he submitted that it would be desirable to postpone the progress of the measure for some time longer.

VISCOUNT PALMERSTON said, the Report to which the right hon. Baronet alluded, would be laid on the table in the course of that evening, and would be delivered to hon. Members to-morrow. With regard to their further proceedings in the matter, there would be ample time, on the re-assembling of Parliament after the Easter recess, to make other arrangements if they should be found necessary.

STATE OF ITALY.—OBSERVATIONS.

VISCOUNT PALMERSTON: I rise, Sir, to move that the House at its rising should adjourn until Monday the 28th.

Motion made, and Question proposed,

"That this House will, at the rising of the House this day, adjourn till Monday the 28th day of this instant April."

SIR GEORGE BOWYER said, he rose in pursuance of notice, to call the attention of the House to the state of affairs in Italy. He did so, not only in the performance of his duty as a Member of that House, but also to redeem a pledge which he gave at the end of the last Session, and subsequently in a letter addressed to the First Lord of the Treasury, that when Parliament re-assembled, he would call the attention of the House and of the Government to the condition of Italy, and would likewise call the Government to account for the results of their policy with respect to that country. It would be in the remembrance of the hon. Members that near the close of the last Session he stated to the House, addressing himself particularly to the noble Viscount the First Lord of the Treasury, the atrocious means which were resorted to by the Piedmontese Government for keeping possession of the kingdom of the Two Sicilies. He stated that the whole country was governed by martial law in its most dreadful form; that blood was shed; that there was no security for person or property, and that the Government were utterly unworthy of a civilized community. He appealed to the noble Viscount, and asked him to use his influence with the Government of Turin to mitigate this state of things, and adopt a policy more in accordance with humanity and justice. What was the reply of the noble Lord? He began by speaking of the common topic of brigandage, of which they had heard so much; the noble Viscount retorted upon him all he had stated; he questioned the truth of all he had stated, and asked him to receive implicitly every thing that fell from his own lips. The noble Viscount said there was nothing at all political in the outrages that had taken place; that greater atrocities had been committed by persons called brigands; and that it was necessary the Piedmontese Government should use strong measures to keep the public peace. He supposed the noble Lord believed what he stated; but it was surprising he should do so, knowing, as he must have known, that a state of insurrection existed in the country, and that it was not merely an insecurity caused by marauders and highway-men. But what he was most concerned about was this—the noble Lord, so far from expressing regret or engaging, when asked, to use his influence with the Government of Piedmont to mitigate this state of things, said he would do no such thing, and that he hoped Generals Cialdini and Pinelli would use the strongest measures for preserving what the noble Lord called public security. Now, who was this General Pinelli? A man notorious for having issued a most atrocious proclamation, which had been reprobated by all parties in this country. When the Government was told of that proclamation, it was said he had been superseded in his command on account of it, yet he was afterwards reinstated—nay, he received a higher command; and that was the man the noble Viscount had encouraged to use still greater rigour and cruelty against the inhabitants of that country. What had been the consequence of the language used by the noble Viscount? The language of a Prime Minister in that House must have considerable effect in a country which looked mainly to England for alliance and support, and the natural result had been an increase in the atrocities of which he had formerly complained. As many as six towns were burnt, the inhabitants being driven away, put to the sword, or perishing in the flames. Numbers of persons were shot in cold blood, without trial or any process equivalent to a trial, and the prisons were crowded. He would mention one instance — that of Count Cristen, who had served under the King of the Two Sicilies. He was arrested on the 7th of September, 1861, put in a dungeon and kept in solitary confinement for six months without a trial. He asked for a trial, but could not succeed in obtaining one. Was that to be regarded as the result of the liberty which the noble Viscount had succeeded in establishing in Italy? Another case was that of Luigi Mancini, who was arrested in May, 1861, on suspicion of being a reactionist. He petitioned the Sardinian Parliament on the 8th of this month to be brought to trial. The Minister of Justice, Conforti, advised the Parliament to have nothing to do with the petition. Conforti was a companion of Poerio, the story of whose imprisonment had been rung from one end of the country to another; yet this Conforti, when asked by a poor prisoner to be brought to trial, advised the House to reject the petition, and the slavish Parliament of Turin followed his advice and gave no relief, and the man remained still in prison.

After the prorogation last autumn he (Sir George Bowyer) thought it his duty to write a letter to the noble Viscount, in which he again brought before him the facts he had stated in the House of Commons, as well as those which had since come to his knowledge. He showed that no mitigation of the cruelties practised by the Piedmontese Government had taken place, and he stated that he should hold the noble Viscount and his Government responsible, and call them to account for their participation by approval and support of a state of things so irreconcilable with every principle of justice and humanity. He received no reply from the noble Lord. The noble Viscount took no notice of his letter, and did nothing—so far as he knew—to vindicate that character for humanity which the Government of England used to enjoy, and which seemed to require that they should not remain indifferent spectators of such a state of things as had been brought under their notice—a state of things which had been attested by the daily letters of *The Times* correspondent and other newspapers. What was the present condition of the south of Italy, in consequence, to a great degree, of the course pursued by Her Majesty's Government? There was no security for person or property; the country was kept under martial law; military executions were constantly occurring; and the whole country was devastated by fire and sword. That was especially the case in Sicily. According to the latest intelligence, the people were everywhere rising against the Piedmontese Government and its officials; the statues of Victor Emmanuel and Garibaldi had been broken by the people, so great was the popular indignation, who called aloud for their own Government and those rights which were secured to the kingdom of the Two Sicilies by Charles III.; and declared, as they would not be a province in those days, so they would not be a province now of a country distant from them, whose people were of a different race and spoke a different language—nay, who were not even Italians.

He came to the present Session. Questions had been put in both Houses of Parliament with regard to the state of things in Naples, and especially with regard to the proclamations of Major Fumel and Colonel Fantoni, of which so much had been heard. Those proclamations were less important in themselves than as being fair types of the general system pursued by the Piedmontese authorities in the south of Italy. He could mention multitudes of atrocious acts committed by them, but he thought that was scarcely necessary, because it was avowed by pretty nearly all who knew anything of the matter that the mode in which Southern Italy was treated by the Government of Turin was a dark blot upon the morality and politics of Europe. He must remark upon the way in which these atrocious acts had been received by Her Majesty's Government. A question was put in that House respecting some of those atrocious acts, and Her Majesty's Government were asked whether they had any information upon them. The noble Viscount or the Under Secretary for

Foreign Affairs got up and replied in the negative; and immediately there arose a loud cry of "Hear, hear!" on the benches behind them—a cry of triumph implying, that because the Government had no information on the subject, therefore the allegations must be false, however much they might be borne out by the evidence of newspapers and private letters. That reminded him of the story of the man who, having, upon his trial for horsestealing, been told by the Judge, "Prisoner, there are two witnesses who swear that they saw you steal the horse," thereupon answered, "My Lord, I can produce twenty persons who did not see me steal it." The absence of information on the part of Her Majesty's Government seemed to be taken as proof that a thing could not be true. He could not help thinking that Her Majesty's agents at Turin had received a broad hint not to send any information that might be inconvenient or embarrassing to their Government; or, if no such hint had really been given them, those gentlemen appeared, by a species of instinct, to know what information would be agreeable to their superiors, and therefore supplied no other. They adapted their information to the policy which they knew the noble Viscount wanted to pursue. Possibly, things were mentioned in private letters which were not given in the public despatches. However that might be, the information possessed by Her Majesty's Government on these subjects was extremely partial and imperfect. A few days ago papers had been laid before Parliament giving, among other things, an account of a debate in the Turin Chamber, together with the speech of Signor Massari; and, no doubt, that debate was favourable to the policy of Her Majesty's Government. But why were accounts of the debates of a different tendency never laid before Parliament? Instead of doing so, they selected what suited their own purpose, and suppressed what did not, in order to make the Government appear to be acting in a manner different from that in which they were acting. Why, for instance, was the discussion upon the speech of the Duke di Maddaloni, denouncing the conduct of the Piedmontese Government in Southern Italy, withheld? Fortunately, they had the reports of the correspondent of *The Times*, and he must say that, much as he differed from the views expressed by *The Times* and its correspondents, the correspondent of that newspaper gave greater and more accurate information than was possessed by Her Majesty's Government. He would appeal to that writer to prove that the statements which he had made in that House, and which had been made elsewhere, in respect to the conduct of the Piedmontese Government in Southern Italy were founded on fact, and that the course adopted by Her Majesty's Government, in communicating to Parliament only what made for a particular policy, was highly disingenuous and calculated to deceive the Legislature and the nation. It was now nearly two years since the Piedmontese Government had been in possession of that country; and if, as had been alleged, they had really been deliverers from tyranny, who were received with open arms by the people, surely by that time the whole of Southern Italy would be in a state of perfect tranquillity, and it would not be necessary to resort to violent means, he would not say to govern, but to retain their hold of the country. The conclusion, therefore, was irresistible, that as they were obliged to hold the country by violent means, their pretence of being its deliverers from tyranny was false and foul. It was impossible to deny that the Piedmontese were governing Southern Italy by martial law, that they were ruling an unwilling people, who took every opportunity of rising against them, and showing their detestation of them as invaders. He said that the Neapolitans would never be reconciled to the rule of the Piedmontese. The Piedmontese were a different race; they did not speak Italian; they were not Italian. The Piedmontese spoke a jargon which was not understood by the people of Naples, so that actually the Piedmontese troops, when they got to Naples, could not make themselves understood by the inhabitants of the place. The Neapolitans, therefore, did not recognise them as being of the same race, and they would always adhere to the ancient traditions which made their country an independent kingdom. They would never submit to this invasion—he did not know by what terms sufficiently to express his abomination of it—a vile invasion, which had been effected by treachery, by corruption, and by a violation of all those laws which governed the relations of civilized countries. But he must revert for a moment to the proclamations to which he had already referred. The English Government denied that they had been executed. It was rather curious that while Her Majesty's Government held that language the Piedmontese newspapers admitted those proclamations to be true, and, indeed, rather gloried in them, at the same time that they snubbed the noble Viscount and Earl Russell for presuming to say that those acts were wrong. The *Opinione*, alluding to the question put in the British Parliament to Her Majesty's Government, respecting the proclamations of Major Fumel and Colonel Fantoni, observed that Lord Palmerston replied that no notice of the issue of the proclamation had been received from their agents. The *Opinione* went on to say that the English Premier ought not to have limited himself to that statement, but should have informed himself of the exceptional condition of certain districts in which the brigands found a safe retreat in the woods. The writer added that, without approving all the measures of Major Fumel, he could have wished to see evinced in the House of Commons a greater respect towards an independent State in regad to the administration of its own internal affairs, and especially in Members of the Ministry a greater desire to learn the actual facts, and to avoid the danger of offending against the truth. Thus it would be seen that the noble Earl and the noble Viscount were told by a newspaper which was in the interest of the Piedmontese Government that what they had stated was not true, and it recommended them in future to adhere more closely to truth. He would refer to another extract from that journal——

MR. SPEAKER: The hon. Member is not in order in reading extracts which are comments upon debates in this House.

SIR GEORGE BOWYER said, that after that intimation he would not refer to any comments upon debates in that House, but he must allude to one article commenting upon opinions that had been expressed by the noble Lord, with the object of showing the real views of the Liberal press of Turin. It was to the effect that the notification of Colonel Fantoni that measures of increased rigour would be adopted was approved by all, and the only regret was that those measures were too mild; but, nevertheless, they had already yielded excellent fruits. Now, Parliament had been told that the proclamations had never been acted upon, and yet there was a Liberal newspaper, supporting the interests and expressing, in a great degree, the views of the Piedmontese Government, which declared that those measures had produced excellent results. And yet the noble Earl, in another place, denounced those proclamations as atrocious, and was certain that the Piedmontese Government disapproved them as much as he did.

He would next proceed to examine the answers of Her Majesty's Government when the subject was brought under their notice. The substance of those answers might be reduced to three points. Firstly, the Government said that the proclamations were never published, and never acted upon. He thought he had, to a great extent, disposed of that point. Next, the Government said these were matters for discussion in the Parliament of Piedmont, and not in the Parliament of England; and thirdly, that Her Majesty's Government were not responsible, but that the responsibility rested with the Piedmontese Government. He should show that the atrocious proclamations had been atrociously executed, and he would give a few instances. He had, on a former occasion, mentioned the case of thirteen peasants in the kingdom of Naples, who were burnt alive because they had not given notice of the approach of bands of persons who were called brigands—that was, armed partisans. When the Piedmontese troops returned to the town, they seized the first men they could lay hold upon, thrust them into a hut, to which they set fire, and those unhappy persons were burnt to death. Then there was another case of a boy, who made signals, or was suspected of doing so, in order to induce armed persons to go away, there being troops in the neighbourhood. The boy (a simple lad), in his defence, said he was afraid that if a fight took place near his father's house it might produce injury to his family, and therefore he told those people to go away, which they did. His excuse was not accepted, and the boy was shot down in the presence of his father and mother, who were compelled to stand by and witness his execution. A third case which he would mention was that of a woman who fired a gun at the approach of the Piedmontese troops. An order had been issued by the Piedmontese authorities that when any armed persons were seen approaching a town or village a signal was to be given by the firing of a gun. The woman did so, but it appeared that the troops approaching were not reactionaries, but soldiers of the King of Sardinia, who rushed into the house, killed the woman (who was with child) and her husband, and then proceeded to make a feast in the presence of the bodies of the victims and their weeping children. Those were three instances of the atrocious manner in which the atrocious proclamations had been executed, although the noble Earl said they had never been executed at all. Then, as to the question of responsibility—Her Majesty's Government said they were not responsible for those affairs, and that the subject was one for discussion, not in the English Parliament, but in the Parliament of Piedmont. He did not deny that these matters should be discussed in the Parliament of Piedmont, although it was paying too high a compliment to that assembly to call it a Parliament, elected, as it had been, whilst the country was under military coercion and intimidation. But he contended that the subject ought to be discussed in the English House of Commons, because Her Majesty's Government were in a great degree responsible for what had taken place, as it was their policy which had led to such dreadful results; and it was his duty, as an independent Member of Parliament, to call them to account for that policy. The noble Lord and his friends had for years been the ringleaders and instigators of Italian revolution for party purposes. They had always been ready to raise for election purposes an outcry against what they called the tyranny and wickedness of foreign Governments, and held themselves out as the great redressors of wrongs and the assertors of justice and liberty. The famous mission of Lord Minto was sufficient to make Earl Russell and the noble Viscount responsible for what had occurred, because to that mission was traceable much of what had recently happened. That mission was styled a diplomatic mission, but it was an opprobrium to diplomacy: it was a mission of agitation, to stir up revolution; and it was a mission altogether contrary to all the rules by which the diplomatic intercourse of civilized countries had hitherto been conducted. He was glad to see the right hon. Gentleman the Chancellor of the Exchequer in his place, as he wished to refer to his famous letter about Signor Poerio and the cruelties said to have been practised by the late King of Naples. Much political capital had been made out of Poerio by the right hon. Gentleman and Her Majesty's Government; but in a letter written by Della Gattino, a well-known Member of the Piedmontese Parliament, and one of the revolutionary leaders, Poerio was described as "a conventional invention of the Anglo-French press;" and the writer added—

> "When we were agitating Europe and exciting it against the Bourbons of Naples, we wanted to personify the effects of the cruelty of that horrible dynasty; we wanted to present every morning to the readers of Liberal Europe a living, palpitating, visible victim, whom the ogre Ferdinand used to devour raw at every meal. For this purpose we invented Poerio. * * * * * * The English and the French press excited the appetite of that great philanthropist Gladstone, who repaired to Naples to see with his own eyes this new sort of Man in an Iron Mask. He saw him. He was moved. And, like us, he set to work to magnify the victim in order the more to irritate public opinion, and thus Poerio was created from top to toe. The real Poerio has taken seriously the Poerio whom we had been fabricating for twelve years in articles at three-halfpence a line."

That was the victim who was paraded by the right hon. Gentleman, and who formed a great portion of his stock-in-trade in his crusade against the King of Naples. He (Sir G. Bowyer) had been told that the right hon. Gentleman's pamphlet was sent by the noble Viscount to every capital in Europe, and as much as possible was made of it. No doubt it was a valuable piece of political capital for the right hon. Gentleman, and brought him much popularity. The pamphlet was made use of to ruin the Bourbon dynasty, and the Government and press of this country were responsible for the results which were now manifest. He came next to Garibaldi's invasion, the success of which was very much owing to what was called the moral influence of the British Government. [Hear, hear!] Hon. Gentlemen by that cheer accepted and approved that invasion, and it was disingenuous and unfair on their part and on the part of the Government to say that they were not responsible for the results which had followed that invasion. Her Majesty's Government had taken all the credit, and must also accept the blame. Earl Russell had always talked about non-intervention, and said that the Italians should be left to manage their own affairs; but they had not been allowed to do so, because the Government had done all they could against the Italian princes, and against what might be called the Conservative party. Though they had not sent an army into Italy, they had given every possible support to the revolutionists, and had grossly violated the principle of non-intervention. Stationing a large fleet in the Bay of Naples, they had repeatedly landed marines under the pretence of drilling them, but really to give the weight of the English Government to the Piedmontese invaders. The popular belief, of course, was that the English were there to help the Piedmontese, and that, if necessary, force would be used. No doubt they had been thanked by the Piedmontese Government for the support rendered to them in subjugating the country; yet they now declared that they were not responsible for its present state. No one would be deluded by such an absurd denial. What had the Government gained by the countenance they had given to the revolutionary party? Had they established Italian unity? True, the kingdom of the Two Sicilies no longer existed in fact; but that kingdom, as had been truly said in another place, existed in the hearts of the people; and it existed also as part of the public law of Europe. France had recognised what was called the kingdom of Italy as a matter of fact, reserving to herself the right of taking any ulterior proceedings which she might deem necessary. England was the only Power which had acknowledged the kingdom *ex animo;* and every other Power refused to admit that the kingdom of the Two Sicilies had ceased to exist.

Then let them look at the accounts given by *The Times* correspondents only two or three days since. They admitted that, as regarded the kingdom of the Two Sicilies, unity became more impossible every day, and that, in fact, the south of Italy could not be governed by the Piedmontese. It was said that nothing prevented the pacification of Southern Italy except the brigands. But if the "brigands" had not the concurrence of the population, and were not in a friendly country, they would have been extirpated long ago by an army of 80,000 men. And yet they had not been able to get rid of these brigands, who were opposing every day a more formidable opposition to the Piedmontese Government. In fact, if they wanted to get rid of every one who opposed that Government they must make a desert and extirpate the population. It was the whole population that was determined to resist the Piedmontese rule to the utmost. It was said that the only thing wanted to complete the unity of Italy was the possession of the city of Rome. "Give us Rome," it was said! If they had Rome! "If" was a very little word, but a very important one; and he would tell them that they would never have Rome. By means of corruption, fraud, the violation of international law, and by piracy, the Piedmontese had got possession of a large part of the territory of Italy, and then they turned round and said, "Give us Rome." It was as if a robber said, because he had got your purse, you were bound to give him your watch. Could there be anything more impudent? The means by which the Piedmontese got possession of the other parts of Italy were well known. In Florence the Minister of the King of Sardinia accredited to the Grand Duke of Tuscany plotted against that Sovereign. He was at the head of the conspiracy against him; he distributed money, and was the means of overturning the Government of the Grand Duke. When that was done, the Sardinian Minister was found at the head of the provisional Government established after the Sovereign to whom he was accredited had been forced to quit his dominions. The same thing was tried at Rome; but there it failed. It was tried everywhere; and everywhere the Sardinian Ministers were among the conspirators. The Duchess of Parma was an excellent Sovereign; no one had hazarded a word against her clemency or the goodness of her character. She was treated in the same way; her Government was overturned by the same power. Then, take the invasion of Sicily by Garibladi—a flagrant act of piracy. The present King of Naples wrote to the King of Sardinia, his near relation, stating that he understood an expedition was being prepared against him that was to start from Genoa. The answer was that the Sardinian Government had no hostile intention whatever against the King of Naples, and that His Majesty might feel quite easy on the subject! In the mean time, the Sardinian Government furnished one or more ships to Garibaldi and his friends, and furnished him with money to carry out his hostile intentions. In fact, the King of Sardinia was responsible for the whole matter. When Garibaldi had got possession of the island of Sicily, the King of Sardinia, the English Minister being an enemy of the King of Naples, was able to march his troops, and take possession of the dominions of his cousin. He could go further into particulars, but it was not necessary: the facts were known to all who had kept their eyes open to events. Having by such means got possession of a great part of Italy, they next demanded Rome, because they said it was the natural capital of Italy, and they must have it. What right had they to say that? The kingdom of Italy was not yet formed; Victor Emmanuel, though he had got possession of a portion of Italy, was not King of Italy. He was not acknowledged as King of Italy by any of the Powers of Europe, except France and England; and he had no more right to have Rome than to possess London. The Piedmontese would not get Rome; and he would tell hon. Gentlemen distinctly, that if the formation of their favourite Italian unity depended upon the King of Sardinia possessing Rome, they might give up the idea at once. Now, he wanted to ask, what had the Government gained by its policy in Italy for English interests? First, it had given Savoy and Nice to France. So far it had aggrandised France. It had also broken the power of Austria in Italy. Austria was an ancient ally of England; it had no interests whatever opposed to those of England; they had nothing to apprehend from Austria. Notwithstanding the political feeling of the noble Viscount and Earl Russell against the form of government in Austria, he had often heard them say that Austria was a Power whose friendship was of importance to this country, and they ought to cultivate it. But they had broken the power of Austria in Italy, and set up that of France. They had made France the preponderating power in Italy; for Victor Emmanuel was no better than a French Viceroy. The Emperor Napoleon could do as he liked with him. Something had been said of an agreement to cede the island of Sardinia to France. The existence of such an agreement was denied—as the intended cession of Savoy and Nice was denied. But supposing there was no agreement to transfer Sardinia to France, there could be no doubt whatever that, with the great power France had acquired in Italy and the Mediterranean, she might dictate her own terms to the King of Sardinia. The moment France wanted Sardinia she had only to say so to have it. There was no occasion for any agreement. In case of a war a couple of regiments of French Zouaves would be sufficient. The recent change in the Italian Administration had been effected by France. Ricasoli was deposed, and Ratazzi reigned in his stead. That was done by France—the glorified King of Italy, to whom everybody was to give way, and for whom the Pope was to leave Rome, was not able to choose his own Ministers! Ratazzi went to Paris, and every one knew that the object was to see whether he could make some arrangements with the Emperor of the French to get into office, and carry out a policy in accordance with the views of the Emperor of the French. That arrangement was made, and every one knew that Ratazzi was as much the Minister of the Emperor of the French at Turin as Persigny was at Paris. The Emperor of the French ruled the Government of Turin, and it must submit. The King of Sardinia was but a French prefect. He was created by the Emperor just as much as if he was a Viceroy, acting for him at Turin. The Mediterranean had almost become at last a French lake. France had got Nice; some day or other, it was whispered, she would have Genoa; and he should not be surprised to hear of such an event. At any rate, she had got such a power in Italy that she might almost call it her own. It was now pretty well established that Piedmont could not rule the south of Italy. Wherever the Piedmontese went there was anarchy—even in Bologna for a long time there was no Government at all, and in Naples and Sicily there was no security for persons and property. It had been more than whispered that a Murat might be placed on the Neapolitan throne. Perhaps the noble Lord, or some Member of the Government, might be able to deny that; at least, they might say that they knew nothing about it. That was generally the sum and substance of their answer when questioned about any disagreeable matter in relation to Italy—an answer which seemed to be perfectly satisfactory to hon. Gentlemen on the other side, though it was anything but satisfactory to others, who had not the same implicit reliance in the Government. What would the Government say if the Emperor of the French were to declare that, for the interests of humanity, he must step in and do that which the King of Piedmont could not do, and were to send his troops to occupy the kingdom of Naples? Would they go to war? If the Emperor were to send a few regiments to Naples, would there be any difficulty in getting a *plébiscite* in favour of Murat? Everybody knew how they were made, and that there could not be much difficulty in it. What would the noble Lord say—what would Earl Russell say—if the result of all their policy should be, as it probably would, to place a French Prince on the throne of Naples? They would then see a return of the old aggressive system of Napoleon I., who thought to take possession of all the thrones in the world. Already they saw the commencement of that system, and the Government of the noble Lord were responsible for it. They were responsible for the destruction of English influence in that country by enabling France to assume a preponderance all through Italy. The only influence which England could now exercise was the mere influence of the fomenters of revolution: they could exercise what they called a moral power to prevent the return of Princes to their ancient thrones, and to further the views of the Revolutionary party; but any real influence, honourable and useful to English policy, he defied them to exercise. France could do what she pleased in Italy, and then dare England to go to war to undo it, which probably the Emperor knew very well we should not do. The people of England had been deluded by the noble Lord's specious professions of neutrality, and by the cry of civil and religious liberty; but they were beginning to open their eyes, and to perceive what the real result of that policy was. Earl Russell very likely would say that it was of no consequence, as he did the other day, when questioned about the atrocities committed by the Piedmontese Government. True it was, he said, that great severities were exercised, that the people were heavily taxed, and that the country was in a very unsatisfactory state; but then they had a Parliament, where people made speeches, and newspapers coming out every morning in which they could read them. According to the noble Lord's notion, it did not signify if a country was deluged in blood, and devastated by fire and sword, so long as they could make speeches and read newspapers. He could not agree with the noble Lord that that was the end of Government. They ought to inquire rather whether the people were happy and safe. If they were not, he could not consider that newspapers and an assembly were an equivalent, nor did he believe that the country would receive any such absurd doctrine. No doubt, the House would hear from the Treasury bench that the people had liberty, and that there was, therefore, a considerable improvement on the old system; but he should be very curious to hear in what that liberty consisted. Certainly, the people of Italy had got that inestimable blessing—a heavy income tax, and all their other taxes were increased to an enormous extent. They had got military law, too, and their people were carried away from their homes by military conscription. He valued liberty as much as any man, but he did not see any symptoms of liberty in Italy. He saw the very reverse. He saw acts of tyranny and cruelty committed there such as the right hon. Gentleman the Chancellor of the Exchequer, with all his inclination to rake up everything which could tell against him, never could bring against his great enemy the King of Naples. England had always looked upon herself as taking the lead in liberty, as the model country, using her influence, as far as it extended, in protecting the oppressed—but in Italy her influence had been exerted in the other direction. It had been exercised against all constituted Governments and in favour of revolution. The flag of England, which used to be received everywhere with respect as the harbinger of justice and truth, was now looked on with terror, because it was held to be the harbinger of revolution, and the destruction of the rights of Princes. [Mr. WHITE: Hear, hear.] He was much obliged for the hon. Gentleman's cheer, it assisted his argument most materially. If the Government were in good faith—and he had no right to assume that they were not—he hoped they would acknowledge honestly that they had been mistaken in their policy, and that results very different from those they had expected had flowed from it. If they would adopt a truly English policy, it was not too late to repair the evils they had brought about in Italy—a country to which he was deeply attached, and which he hoped to see happy and prosperous. In the remarks which he had made on this subject he had spoken according to what he believed to be the truth—as an honest man. He had said things which might be unpalatable to some hon. Gentlemen, and with which, probably, not many hon. Members would be inclined to agree. What he had said, he had said entirely on his own sole responsibility; and no one who followed him in the debate would be responsible for any of his opinions; for in bringing forward the subject he had not consulted with any one. He wished it to be understood, that although he was aware the sentiments to which he had given expression were participated in by a considerable number of Members in that House, and although he had their concurrence in the course which he took, yet he alone was responsible for the opinions which he had enunciated, and which he felt bound to uphold in the discharge of his duties to his constituents, the country, and the world at large.

MR. LAYARD:—Sir, If I were in the place of the hon. and learned Member (Sir G. Bowyer) who has just spoken, the very last thing I should wish to do would be to call the attention of the House and of the country to the present state of Italy. I am quite willing to believe and to admit that my hon. and learned Friend is perfectly sincere in the opinions he entertains, and that he has honestly expressed his own convictions; but I rejoice at the same time to learn from my hon. and learned Friend himself that they are his convictions alone, and that they are not shared in by other Members of this House—a statement which, I think, has been fully confirmed by the manner in which the speech he has just made has been received. [Sir GEORGE BOWYER: A great many hon. Members with whom I usually act agree with me.] That may be so, but where are they? All I can say is this, that having attentively listened to every word that has fallen from my hon. and learned Friend, I can affirm with some confidence that it has never been my fortune to hear a speech delivered in this House which has met with so little sympathy. I most sincerely rejoice that such should have been the case. I should have been deeply grieved and mortified as a Member of the House of Commons, and as an Englishman, if the words of my hon. and learned Friend had found an echo within these walls. I am confident they find none in this country. I have no doubt that my hon. and learned Friend is most sincere and earnest in his advocacy of the temporal power of the Pope, of priestly rule, of irresponsible administration and the maintenance of popular ignorance and popular superstition as principles of Government. [Sir GEORGE BOWYER: No! No!] Well if my hon. and learned Friend will bear with me for a little while, and will permit me to proceed, I think I shall be able to prove to the satisfaction of the House, if not to his own, that the opinions he has expressed could bear no other interpretation, and the policy he advocates could lead to no other result. Such being the views of my hon. and learned Friend, if he were wise he would do his utmost, instead of inviting discussion, to keep from the eyes of the world, to withdraw from the field of investigation and inquiry, the condition of those provinces which have been happily released from the dominion of the Pope and of the Bourbon dynasty of Naples. My hon. and learned Friend must surely have been most egregiously and designedly misinformed and deceived if he is prepared, in confidence of a triumphant issue, to go into a contrast between the present condition and prospects of those provinces, and their condition previous to their annexation to the Kingdom of Italy, and to maintain that their former state was preferable in every respect to their actual state. If he is prepared to maintain this, my hon. and learned Friend has devised a standard of prosperity, of morality, of legality, and of Government which differs so completely from any that I can conceive or understand, that it is almost useless for me to attempt to argue with him, or to hope to convert him. My hon. and learned Friend promised to lay before the House what he termed a vast number of "the most atrocious facts" in support of the statements which he would make. He has unquestionably described many very dreadful occurrences in great detail, but he has given us no clue whatever to the evidence upon which they rest. I am completely at a loss to understand from whence his information has been derived. All I can say is, that after the most careful inquiry Her Majesty's Government have not been able to obtain any proof whatever of the atrocities and horrors which my hon. and learned Friend has attributed to the soldiers and adherents of "the King of Sardinia," as he is pleased to call the King of Italy. On the other hand, the facts that I shall state to the House this evening, and the statements that I shall make, are founded upon evidence which will bear the strictest investigation. I shall advance nothing that is not capable of ample proof. I shall be prepared to furnish that proof to my hon. and learned Friend, should he desire it. In dealing with this great and important subject I may detain the House longer than I would wish; but I think the House will agree with me in the opinion that it is quite time the questions raised by the hon. and learned Baronet should be set at rest, and that the real facts of the case should be established by evidence which may be deemed satisfactory to the country. It is, I think, but simple justice to that great people, whose interests we are discussing, that the calumnies which are uttered against them, if they be calumnies, should be exposed, and be met by an open and distinct denial. It is, Sir, I contend only due to the people of this country, who have given to Italy the weight of their sympathy and moral support, that they should be accurately and fully informed on this subject, and that they should be satisfied whether or not that sympathy and support have been rightly and deservedly afforded, or whether they have been bestowed upon a nation unworthy to receive them. It is but fair to Her Majesty's Government, who, I believe, have faithfully interpreted the sentiments and opinions of the great majority of the people of England in their policy as regards Italy, that the truth should be known, that it should be shown whether or not that policy has been founded upon good grounds, and that such statements as have been put forward this evening, if without foundation, should not remain without a formal and most emphatic contradiction.

Although so short a time has elapsed since that great change which we are discussing has taken place in the political state of Italy—a change greater and more fundamental, I will venture to affirm, than has ever taken place in so brief a period in any other nation of the world—a change which has in three short years transformed, I may almost say, the very life of the people—a change which has raised them from the very verge of slavery to the enjoyment of the fullest liberty—a change which contrasts as much with that which went before as would the bursting forth of the glorious sun in its noonday splendour at midnight contrast with the darkness which it had suddenly dispelled—yet, I will not hesitate for one moment to go into the comparison between the former and present condition of Italy, to which I have been just invited by the speech of my hon. and learned Friend. I think I shall be able to furnish proof to all those who are prepared to go into the matter without partiality or prejudice—by the light of reason and truth, and not with the false scales of intolerance and superstition—that the events which have recently taken place in the Italian Peninsula promise to lead to results far more important than any of us now present can contemplate, and to raise a people but a little time ago down-trodden, hopeless, I would almost say despised of other peoples, to the highest rank amongst the nations of the world.

My hon. and learned Friend has very prudently and wisely, for his own case, confined himself in the course of his speech to the condition of the Neapolitan Provinces. With the permission of the House, I shall take a wider range. I might, indeed, fairly go into the condition of the whole peninsula. That would be the fairest mode of comparison, instead of taking an isolated province or any particular part of the kingdom, as my hon. Friend has done. But without travelling over so large a field, I shall be satisfied with inquiring into the state of the territories recently belonging to the Pope and now annexed to the kingdom of Italy, as well as of those included within the late kingdom of the Two Sicilies. The contrast which may now exist between these two portions of the kingdom of Italy, to the disadvantage of the Neapolitan Provinces, may be fully explained by their previous condition. In the case of the kingdom of Naples, such proofs of progress and prosperity as formerly existed were confined to the capital, where, however, the population was corrupted, demoralized, and debauched by every means which the worst of governments could devise. There certainly was an outward appearance of prosperity and civilization in Naples, sufficient to delude the uninquiring and thoughtless stranger; but throughout the rest of the kingdom the condition of the population was truly lamentable; corruption of the grossest kind everywhere prevailed; there was no law, no justice; no roads, no means of communication between towns and districts; no commerce, no agriculture, no education, no attempt whatever to raise and improve the moral and physical condition of the people. The population was—the word is really not too strong—brutalized. In the cities and towns, with the sole exception of Naples, there was no educated and enlightened class, no high-minded aristocracy, animated by liberal and patriotic sentiments, who cherished and maintained feelings of independence and the love of freedom amongst those who surrounded them. As far almost as the records of Neapolitan history go back, the country has been a prey to brigandage. This curse is no new thing. Disorder and misgovernment were the normal condition of these provinces. On the other hand, what was the state of the provinces under Papal sway? They were, indeed, scarcely less ill-governed than the kingdom of Naples. In them, too, it was the object of those who ruled to keep the people in the utmost ignorance. [Sir G. Bowyer: No! No!] My hon. and learned Friend's view of ignorance may differ from mine. I am speaking of temporal or secular ignorance. Religious instruction of a certain kind the people undoubtedly had; and to what that religious instruction led we shall presently see: but as to temporal and political matters, their ignorance was such as to be hardly credible to those who are not acquainted with the former condition of the population in the Papal States. No encouragement was given to commerce or agriculture—corruption prevailed universally — the law was infamously administered — the people were miserably poor. There existed, however, this remarkable and material difference between the Neapolitan and Roman provinces. In the latter there are many ancient and renowned cities, once great and prosperous, but now, through terrible misgovernment, poor and desolate. In them dwelt men of old and illustrious families, who still cherished the independence, the liberal opinions, and the cultivated tastes of their ancestors, and who lived uncorrupted amidst the corruption around them. The consequence was, that as soon as they were released from the Papal yoke, the people found leaders to whom they were attached by every tie, who were there ready to teach them the value of the liberty they had secured, and to show them how to enjoy it with moderation. I have the honour of knowing many of the men to whom I have alluded—men of the highest intellectual cultivation, of the most unblemished character, of the most liberal political sentiments—men who would do honour to any country, the most civilized and the most free. They were to be found in the cities and towns of Umbria, of the Marches, of the Legations. They formed in each of these cities and towns a little society of their own of the highest refinement. They held themselves altogether aloof from politics, and from the government under the Papal rule. But when that rule ceased, they put themselves at the head of the people; they still continue to set them a great and honourable example, representing them worthily and independently in that free and illustrious assembly which my hon. and learned Friend has ventured this evening, in terms equally unbecoming and unjustifiable, to call "a slavish Parliament."

When the Roman provinces were annexed to the Italian Kingdom, the Papal Government scarcely left a single partisan behind it—no one to encourage conspiracies or to foment disorders. From that time to this there has not been a single rising, a single reactionary movement, nor, so far as I am aware, a single conspiracy in Umbria, the Marches, or the Legations. My hon. and learned Friend, will, no doubt, answer that every expression of popular opinion, all freedom of action, is kept down by force of arms, by the unbearable tyranny of "the King of Sardinia." But is that so? If I am not greatly misinformed, there is scarcely a regiment of regular troops in the provinces bordering upon the territories still held by the Pope. The populations are left entirely to themselves; public order is chiefly maintained by the people; that is to say, by the national guards, which are of the people. The test of good government I take to be this:—the presence of a sufficient police to repress crime—the absence of an army to repress liberty. Let this test be applied to those who are still under the rule of the Pope and to those who have been released from it. I am desirous that it should be—is my hon. and learned Friend equally willing? My hon. and learned Friend has not ventured to quote a single instance of disorder, violence, or misgovernment in the Roman provinces now forming part of the Kingdom of Italy. I have no doubt that, with his indefatigable industry in the search after such things, had he found one he would not have omitted calling our attention to it this evening. All I can gather from him is, that the populations of these provinces are extremely unhappy; that they yearn and long for a return to their former condition—sigh for that holy and paternal Government, which affords to those who are fortunate enough to live under it the highest amount of human felicity grafted on the best promise of eternal happiness. My answer is simply this. Why do they not return to that earthly paradise? How is it that those who are still living under this model theocracy, in which the spiritual and the temporal are so happily blended, that life passes smoothly away in the discharge of the highest duties imposed upon man—his duty to God and his King—are so ungrateful, so ignorant, so foolish, so besotted, that they wish to renounce the inestimable blessings they enjoy, and to unite with the unhappy, misgoverned, oppressed subjects of Victor Emmanuel! Sir, let the inhabitants of Viterbo, of the other border cities and of the Patrimony of St. Peter, kept down by the iron hand of foreign mercenaries and foreign troops, reply. Would my hon. and learned Friend consent to the withdrawal of the Pope's foreign bands and unsympathizing allies, and allow the people, who, after all, may perhaps be better judges of their own condition and of their own wants than my hon. and learned Friend, to choose for themselves? Will he venture to affirm, does he think, that the population still under Papal rule would hesitate as to the course they would pursue? My hon. and learned Friend exclaimed with great emphasis and energy, that although Victor Emmanuel wanted Rome, he would never get it. Well, that remains to be seen. But what I would wish to ask my hon. and learned Friend is this:—Is it Victor Emmanuel only who wants Rome, or is it that Rome also wants Victor Emmanuel? If my hon. and learned Friend has any doubt on the subject, let him advocate the withdrawal of the French troops from Rome, and leave the people of that city to answer for themselves.

Who that had travelled in and was acquainted with the Roman provinces before their withdrawal from Papal rule, does not remember their unhappy condition? My hon. and learned Friend, and those who like him have limited their visits and experience to Rome itself, have been willing to remain within that atmosphere of deception and self-delusion; they knew little of what was taking place outside its walls and of the real condition of the country. Cities and towns deserted, fields uncultivated, poverty everywhere; a population without life or energy, without hopes, without aspirations, crushed under the weight of superstition and ignorance, deprived of education as something sinful and to be dreaded, deprived of political liberty as something equally criminal and impious, taught to look upon idleness, beggary, and almsgiving as the first of Christian virtues; no public works, no justice, no enterprise, no commerce. No sooner had priestly government been overthrown than with it disappeared that unclean herd which had preyed upon the vitals of the people—the secret police, the spy in the family, the agent of the Inquisition—like the swarm of noxious vermin which flies from the deserted ruin about to be made fit for human habitation. One could watch the growth of a new life; men began to think that it were better to gain their bread by the sweat of their brow and honest industry than by living upon the charity of others. Commercial enterprise began to develop itself; trade flourished; education—not the mere theological education of the priests—was encouraged to an extent that had never been known before. Are these things true, or are they not? I have done my utmost to ascertain. Not satisfied with official reports alone, and with the statements made in the Italian Chambers—not even satisfied with what I have myself seen, I have endeavoured to obtain information from persons in Italy upon whose knowledge, judgment, and impartiality I could fully rely. The result of my inquiries is that they are true. But, I must be permitted, before going further, to say that my hon. and learned Friend was not justified in asserting, as he did, that the agents of Her Majesty's Government, including Sir James Hudson himself, had sent home reports which they knew to be false, because they believed that such reports would be acceptable to Her Majesty's Government, and would be favourable to the policy pursued by Her Majesty's Ministers. Such statements are utterly without foundation. I would have my hon. and learned Friend know that our agents in Italy, whether diplomatic or consular, are men of far too high character, far too honourable and truthful, to lend themselves to anything of the kind. I will defy my hon. and learned Friend, or any other person, to prove that their reports have not been perfectly impartial, truthful, and trustworthy, from first to last.

Amongst those to whom I wrote for information was Mr. Waddington, an English gentleman, married to an Italian lady of considerable landed property, and who has settled himself at Perugia, near which city his wife's estates are situated. He is intimately acquainted with the country and the people. He has taken great interest in them, and has made himself thoroughly acquainted with their wants. More than this, he is a Roman Catholic, and has no reason to be well disposed towards the Italian authorities, who have replaced those of the Pope in Umbria. He may, therefore, be looked upon as an impartial and trustworthy witness. If the House will permit me, I will read his letter in answer to my inquiries. It gives so complete and satisfactory an answer to the assertions of hon. Gentlemen opposite that it will go much further and will have more weight than any statement I could make. His letter is dated Perugia, the 17th of last March—not a month ago. He writes—

> * * * "In your last you inquire how we are getting on here, and I am happy to be able to state that, as far as the intelligent part of the population is concerned, they are delighted at the change of Government, and everybody is astonished at the results which have already been obtained here. The most rapid strides have been made where they were most wanted—namely, in education. We have now Infant Schools and Evening Schools for the adults of the poorer classes; at the former there are 195, which number will be augmented as fast as the locality can be prepared (of course a convent), and at the latter about 500. For the middle classes we have the Gymnasium, from the age of eight to fourteen: the Lyceum from fourteen to eighteen, and the University for the later stages. This last institution existed before, but has been endowed with a part of the revenues from the suppressed Convents, and has received an increase in the number of Professors. Besides these we have a *Scuola Tecnica*, where mechanics and designing, &c., are taught, and two normal schools for the formation of teachers, male and female. When you call to mind that we had only one Communal School and the University, in which one-third of the Professors were theological, you will see that we have made great efforts to remedy the weak point of education, and will note the wide difference between the past and present Governments. Besides this, in the sole commune of Perugia we have instituted twelve village schools for the benefit of the peasants, and I am glad to say they are pretty well attended. We have also made the experiment of trial by jury, and have met with a success which I hardly anticipated: the attention of the juries to the causes before them and their decisions would have done honour to England herself. The influx of so many masters, professors, and judges (for we have also a tribunal of appeal) has given a considerable impetus to local commerce, and the alterations in old buildings and the raising of new ones have given abundant occupation to the working classes, so that on the whole, though provisions have risen in consequence of the short crops of last year, and wages have not quite kept pace with the enhanced prices, everybody seems contented. . . . It is a fact that at Gubbio, where, to a population of barely 6,000, there are fifty-three churches and seventeen convents, there were no less than 2,700 persons receiving alms. And on the suppression of the convents many families, who were supported by the monks, . . . were added to the list of paupers. (I was told 200, but that must be an exaggeration.) I can vouch for the fact, as I was sent there on a mission to calm the populace, and was obliged for some time to continue the alms at the expense of the Government. Gubbio, once under the Dukes of Umbino, contained 28,000 inhabitants, and now 6,000 under Papal Government. . . . What has most astonished me in all these changes is the way in which the price of land has kept up."

But Perugia does not stand alone in the improvement and change which Mr. Waddington describes: it is no exceptional case. Equal progress has been made in the same direction in other cities, freed from the Papal rule. In Bologna—I quote now from official returns—the number of schools for men and boys has been more than doubled within the short space of fifteen months. It now contains 40 schools with 2,318 scholars. In the district of Bologna there are now not less than 103 public girl schools, whilst under the old Government there were only 13; a fact of no little importance, when the previous absence of a proper system of female education in the Roman States is taken into consideration. Thirty-eight additional private schools for boys have been opened, and 109 for girls. Four new asylums for infants have been founded, and nine evening free schools for labouring men, which already contain above 1,000 scholars. Let it be remembered that no such institutions existed under the Pontifical Government. They are attended by even men of the lowest class, besides operatives and mechanics, all eager to obtain knowledge. A school of design has also been established, and is already well attended. In order to improve still further the quality of the instruction given and to form a qualified class of instructors, a normal school for masters was opened last year with 20 scholars; it now contains 112. A college for boys in connection with it is about to be formed. In 1861-2, the commune of Bologna voted the sum of 200,000*f.* for educational purposes alone. At Imola and in the other districts of the Legations this educational movement is showing an equal development. In almost all the rural districts evening schools have now been established. In Ancona, where the population has been increased by between 2,000 and 3,000 souls in eighteen months, four new schools for boys, and two for girls on an extensive scale have been opened. And, what will specially interest some of my hon. Friends in this House, Sunday schools, which were formerly prohibited altogether, have been opened in various parts of the town. An infant asylum, and schools for girls to be educated for governesses, have also been established. Travelling inspectors of schools have, moreover, been appointed in the Marches and Legations by the Government. This thirst after knowledge—this earnest desire for education—is certainly one of the most hopeful and encouraging signs of the regeneration of Italy. It extends throughout the Peninsula, and its results are already felt and seen. It will not surprise the House, after what I have stated, to hear that in Bologna during the last six months crime has diminished 60 per cent, and that the population is enjoying a security of life and property which it never enjoyed before. Trial by jury has now been introduced into the Legation and Marches, as well as Umbria, and has met with marked success. The press is perfectly free, and editors of newspapers can only be tried by a jury for articles against individuals or the State. Public works are being extensively carried on. Ravenna, in whose deserted streets but a short time since the grass grew, is again becoming the emporium of the commerce of the Romagna, and begins to show the busy signs of reviving trade. Its ancient port, long buried in sand, will shortly be cleared out; a million of francs has been assigned to the works, which are again to connect the city with the sea by a broad and deep canal. The conscription, another test of the feelings of the people, was during last year perfectly successful, and the Government found no difficulty whatever in raising the required number of men, notwithstanding the threats and intrigues of some portion of the priesthood, who endeavoured to prevent the country people from serving the Government.

Such, then, is the state of the Roman provinces recently annexed to the kingdom of Italy. What is taking place in Rome itself, where the rule of the Pope, so much extolled by my hon. and learned Friend, is still maintained? Are the inhabitants of that city, and the territory surrounding it, satisfied with their lot? Do they require the presence of troops to keep them in subjection? Could they be left, as I have shown that the inhabitants of Umbria, the Marches, and the Legations have been left, to choose their own government? Let facts, which even my hon. and learned Friend cannot gainsay, answer these questions. Why is Rome occupied by a foreign army? What happened not later than the 28th of February last? Why were the streets resounding with cannon and bristling with bayonets? Was it to protect the people against a foreign enemy? Was it not rather to protect them against their own rulers—against that Government which my hon. and learned Friend so greatly admires? If not, why were the Papal troops and Papal mercenaries ordered to their barracks and confined to them during that day? It is really astonishing to hear my hon. and learned Friend speak as he has spoken to-night, when he knows, as well as I do, that within a very few days the whole French army of occupation in Rome was called out under arms to prevent, not the people from attacking the Papal troops, but to prevent the Papal troops taking advantage of an innocent and unarmed demonstration to fall upon and massacre the people! And this in Rome, which claims to be the centre of religion and Christianity.

Let me now turn to the Neapolitan provinces. I would beg the House to bear in mind the broad distinction between them and the Roman provinces. I have said that in the latter, after their annexation to the Kingdom of Italy, no partisans of the previous Government were left: as much cannot, perhaps, be asserted of the Neapolitan provinces. It is very probable that some few partisans of the former dynasty are to be found there. Whilst there is no one to stir up disorder and encourage disaffection in the Roman provinces, let it be remembered that the King of the Two Sicilies withdrew over the frontier to Rome; and that there, protected and encouraged, and safe from pursuit, he has been able to foment disturbance, to carry on and direct intrigues, and to arm and pay those who are inclined, for the sake of plunder and gain, or from attachment to himself, to engage in conspiracies and to stir the people to outrages of the worst description. This, and I believe this alone, has been the cause of the disturbed state of some—not all, as I shall show—of the Neapolitan provinces, which, I freely admit, offer an unfavourable contrast to other parts of the United Kingdom of Italy.

But, before going into the subject of the condition of these Provinces, let me point out to my hon. and learned Friend a mistake into which he and others appear to have fallen, with regard to the duty and responsibility of Her Majesty's Government and their agents in obtaining information as to events which may take place in various parts of Italy. He has asked me this evening, as he has upon other occasions, whether we have received information of a proclamation issued in this place or of some occurrence which may have happened in some other place. He has made our ignorance a reproach to us. Now, it is impossible for Her Majesty's Government to obtain in all cases such information. We cannot maintain agents in every small town and district in Italy. I cannot, therefore, undertake to satisfy my hon. and learned Friend upon all the occurrences, the greater part of them probably mere matter of hearsay, which he has brought to my notice.

I will now proceed to examine into the state of the Neapolitan provinces. My hon. and learned Friend has spoken of them as if they had been, until their annexation to the Kingdom of Italy, among the most flourishing and best-governed portions of the Peninsula. He describes disorder, outrages, and brigandage, as events altogether of recent occurrence. According to him, no part of Europe was formerly more peaceful, in none were life and property more secure. Yet, Sir, if I am not very much mistaken, the Abruzzi and Calabria did not enjoy the best of reputations, even under the model rule of the Bourbons. It was not then that the traveller could journey in perfect safety from Rome to Naples, or that the inn at Terracina was considered the safest of resting-places. Surely my hon. and learned Friend knows little or nothing of the former condition of the Neapolitan provinces. He could not have set foot in them. Indeed, there was scarcely a practicable road for a traveller through them, and I doubt whether even he would have ventured to incur the danger of such a journey. He seems to be in entire ignorance of the population and of their habits and feelings both now and then. How can he explain the fact, that if they are devoted to their expelled king, as he would wish us to believe, they should have made no effort in his behalf; but that, on the contrary, they should have received as benefactors and liberators those who drove him from his kingdom. He knows full well that the overthrow of the Bourbon dynasty was not accomplished by an army. When Garibaldi appeared at Naples, it was not at the head of large bodies of armed men. He came as a simple traveller by a railway, with a first-class ticket. The people rose to a man on his approach, and hailed him as their deliverer. How does my hon. and learned Friend account for these facts? In a few hours the political condition of the country was changed; but does any one believe that the nature and character of a people born and bred in ignorance and superstition, and accustomed for centuries to tyranny and misgovernment, could be changed likewise. The vices which exist among the Neapolitan population are vices that have been created by a long period of bad government. What is happening now is not to be attributed to the present rulers, or to the political change which has taken place, but must be traced to a former state of things. Those who have succeeded to the former dynasty have inherited the evils which that dynasty created. The brigand still lurks in the woods and in the hills, robbing and murdering the peaceful traveller, not because he differs from his victim in politics, but because he covets his money. Added to these outlaws are the disbanded soldiers of the late king—men brought up in ignorance, superstition, and cruelty—men carefully deprived of the feelings and aspirations of citizens to be formed into the tools of a despotic and cruel Government. These are admirable engines in the hands of those who wish to create disorder, to murder and to destroy. They have been used, and undoubtedly with effect. My hon. and learned Friend ventures to declare that they are not brigands and outlaws, but patriots, fighting in a good cause, and against a Government which has illegally, treacherously, and feloniously usurped the throne of their king; that they are loyal subjects of a monarch who has been unjustly and wickedly expelled his kingdom by strangers against the wish of his people. Sir, I would not so far dishonour the cause and name of the late king as to call men who have been guilty of the atrocities they have committed, his loyal subjects and his followers. Does my hon. and learned Friend doubt what I have stated? He seems to do so. Would he then accompany me in the spirit—not, of course, in the flesh, because, earnest and enthusiastic as he may be in their cause, if he fell into the hands of those loyal subjects and devoted patriots, I doubt whether he would fare much better than others who have had the misfortune of falling into their clutches—would he, I say, accompany me in the spirit into one of those districts in which the outrages to which I allude have been perpetrated? Let him look at that band of men, ferocious in mien and barbarous in dress, descending from those ilex-covered hills. They creep stealthily towards that quiet village, intent on rapine and blood. Who leads them on? Is it their royal master, for whom, we are told, they are willing to sacrifice their lives? Is it their king? Is it any member of his house? Any royal Rupert fighting to the last for the honour and rights of his race? Is it any man of gentle blood—any noble of ancient lineage? Is it any one bred to arms? Is it even one born in the land—an Italian? No—none of these! At their head is some unfortunate Borges or De Cristen who, deluded by religious zeal, or by a false enthusiasm—alas! too soon to be dispelled—or led by the desire of plunder or of pay, has been persuaded that he has embarked in a holy and righteous cause, and that he is to fight on behalf of a whole people and their legitimate rulers against a foreign and hated foe. But who is at his side in the scene of carnage and havoc which ensues — who urges him onwards, and encourages him in deeds of blood? One in the garb of a Christian priest, a crucifix in one hand, and dispensations in the other! And when the illusion that has induced him to embark in this desperate venture has passed away—when he finds that the people he has come to save are not with him, but against him—when deserted and betrayed he and his ruthless band are forced to fly; where do they go, where do they retreat together? Why, to the place from whence they were sent forth—to the sanctuary of religion, to the capital of the Christian world—the seat of justice and of peace, there to be blessed by the Head of their faith, whose priests they have just slaughtered, and to receive honours and rewards from him who claims for his subjects those with whose blood they are still reeking! What happens the day after? Why, again deluded by false hopes and promises, they are launched once more against a helpless and unoffending people, are again driven back like wild beasts and again retreat to their sanctuary under the protection of foreign arms. Could anything be more calculated to exasperate those who suffer from such outrages? Could anything call forth more vindictive feelings and more cruel punishments? Is it a matter of surprise that the Italian Government should take the strongest and most summary measures to exterminate these bands? It is highly probable—indeed, it could scarcely be otherwise—that under circumstances of such great provocation, cruel acts of retaliation may have been committed. God forbid that I should justify or even palliate them! I know not if all the proclamations quoted by my hon. and learned Friend, denouncing punishments of the utmost severity, even barbarity, against these brigands, are authentic or not. As I have already said, it is impossible for Her Majesty's Government to obtain full information upon such subjects. But this I can affirm, that Her Majesty's Government have not justified or defended those that have come to their knowledge, as my hon. and learned Friend has ventured to insinuate. As far as they may have a right to do in the cause of humanity, they have condemned them. Neither has the Italian Government approved of, nor justified them. So far from such being the case, it has condemned them as strongly as we have, and has punished those who may, under extreme provocation, have issued them. It seems, however, to be fully proved that they were only intended to terrify, and were never acted upon. Indeed, we know now that some were never even printed, having been suppressed at once by superior officers to whom they were submitted by their authors. How one proclamation thus suppressed came into the hands of my hon. and learned Friend I am at a loss to conjecture. I must say that the circumstance gives rise to some suspicion. [Sir GEORGE BOWYER: I obtained it from the *Gazette de France.*] Well, I had hitherto been under the impression that the only copy which existed had been sent to my hon. and learned Friend. But be this as it may, I must take this occasion of protesting against the habit of my hon. and learned Friend of constantly jumping up in this House, and asking questions about some imaginary proclamation, or some imaginary outrage, an account of which he may have seen in a newspaper, or may have received from some correspondent, without taking the trouble to ascertain whether or not there may be any foundation for the charge he thus attempts indirectly to bring against the Italian Government. The other evening he inquired of the noble Lord at the head of the Government whether the dead body of the Bishop of Amalfi, when exposed in state according to the custom of the country, had not been horribly insulted and mutilated by the Liberals, who rushed into the church, and stabbed it with their knives. He asked the question as if he had received the most authentic account of the whole transaction. Her Majesty's Government has since heard from their agents that the story was a pure invention, and had no foundation except in the imagination of those who seem to delight in taking advantage of the credulity of my hon. and learned Friend. He was no doubt deceived, but I protest again against the House of Commons being made the organ of such calumnies against the people of Italy.

I have asserted that the outrages committed in Southern Italy, which my hon. and learned Friend has declared to be the legitimate warfare of an oppressed people against their oppressors, are but the isolated acts of brigands, of persons whose object is plunder and murder. That it is brigandage, and nothing else but brigandage, and is no proof of disaffection or reactionary feeling on the part of the population, the following facts will, I think, prove. The excesses and outrages committed by these bands of armed men have been limited almost exclusively to the provinces immediately adjoining the territory still under the dominion of the Pope—to the Terra del Lavoro, the Abruzzi (in parts conterminous with Velletri and Frosinone), and the Capitanata. They have not prevailed in Calabria, Terra d'Otranto, and the Terra di Bari. And only when driven from their lurking-places in the hills have these bands descended into the plains of Apulia. There have been partial disturbances in Calabria and the Basilicata, but they have been caused by the landing of expeditions from abroad. That these invading bands meet with no sympathy in other parts of Italy, is fully proved by the fact that they are not composed of Italians—of men from Tuscany, or the Duchies, or Lombardy—but of strangers from Austria, Germany, or Spain. That they meet with no sympathy from the people of the country is indisputably proved by the fact that no landholder or respectable farmer—no man of intelligence or property—has joined them, and that in nearly every instance the National Guard, drawn from the people themselves, have acted with promptitude and energy in pursuing and destroying them. That the armed men sent over the Roman frontiers do not represent any portion of the population is proved by the fact that even in the districts bordering on the Roman confines, where they could best receive succour and support, they have never been able to hold their ground, or to keep a post of any importance for even a day—not a town—indeed, scarcely a village—having declared in their favour. Having descended from their hiding-places, struck their blow, and robbed, burnt, and murdered, they have again sought refuge across the border, where they are safe from pursuit. I have already mentioned that no officer who had attained rank in the former Neapolitan army has ventured to place himself at their head.

Now, as to the deeds of these men, who, according to my hon. and learned Friend, are loyal subjects struggling against a foreign yoke. I will not quote mere reports such as he has quoted. I will confine myself to information received from authentic and official sources, and will read to the House from a despatch from Mr. Bonham, Her Majesty's Consul at Naples, (dated the 27th March,) the following statement, made by a person whose truthfulness there is no reason to doubt:—

> * * * "I left Bari accompanied by my brother. The road being considered unsafe, two diligences, having altogether 14 passengers, travelled in company. On the 14th of March we were stopped by a large band in the valley of Bovino. Amongst the passengers were a lady, an old sergeant of veterans, a police officer, a monk, and my brother; the others were private travellers. We were taken some miles into the forest, where the large body of brigands were assembled—these numbered about 100, all young men dressed as peasants, not at all as soldiers. Two appeared to act as chiefs, one of whom was called Chiavone, a man of about 35 or 36 years old; the other Crocco, a man about 22 or 23. We were stripped of our money and clothes; the lady's earrings were also taken; the sergeant was then shot; the policeman was bound and thrown amongst a heap of faggots, which were set on fire, and he was burnt. The rest of us remained for some time in extreme terror, not knowing what would be our fate; finally, one of the chiefs ordered that we should be let go, and we were released accordingly, found our way to Ariano, and thence to Naples." (Mr. Bonham himself adds:) "I have to-day seen a telegram reporting the burning alive of a priest by the same band of Crocco, near Ascoli, which is also in the neighbourhood of Bovino."

Again, on the 19th of March last, Mr. Bonham, in giving an account of an interview with General La Marmora, on the subject of the proclamation of Major Fumel, thus accounts for the severity of the punishments inflicted upon the brigands when they fell into the hands of the Italian troops—

> "Doubtless the utmost exasperation exists on the part of the troops towards the brigands; it cannot be otherwise. The latter put to death with excessive cruelty any one of the troops who has the misfortune to fall into their power—cut off the mustachios and chin-tufts of their victims, and wear them as ornaments in their hats. Having such trophies, it is not possible to suppose they can expect or receive quarter when they, on their

part, fall into the hands of the troops. General La Marmora further stated to me that a captain and nineteen men of a company of infantry at Lucera, near Foggia, having separated from the rest of the company when marching in that neighbourhood yesterday, were overpowered and all massacred by brigands. Their bodies were subsequently found by their companions, stripped and horribly mutilated."

Mr. Bonham, in another despatch, writes—

> "Castelluccio, a village containing nearly 1,500 inhabitants, situated about two miles from the frontier, was the object of their (Chiavone's band) attack. This unfortunate village was surprised, sacked, and partly burned before the troops and the national guard of Sora, distant five or six miles, could reach the spot. The brigands then retired with their plunder across the frontier."
>
> "The band of Cipriani, about Nola and Avellino, is still uncaptured, and makes occasional descents upon villages and outlying hamlets, plundering and carrying persons off for ransom."

As I have already said, I know not whether any of the threats held out in the proclamations which have been so often referred to have been put into execution or not. I am assured that they have not. If cruelties have been inflicted upon the captured brigands, I am not here to palliate them, although they may admit of some palliation when the horrible outrages committed by these brigands are considered. Nor would I hold the Italian Government responsible for them; nor would I wish to see that Government constantly called to account for such things. It appears to me, as I have already stated in this House, that it would be unbecoming in us, that we should be wanting in due consideration and respect to the Italian Government, if we were to be constantly asking that Government for information and explanations upon matters which do not concern us, and which are for its consideration alone. I cannot forget that Italy has a free press and a free Parliament, and that there exists at this moment this great, this happy difference—that whereas formerly no one dared to comment upon or condemn such things, and that the people were taught to look upon strangers alone for sympathy and redress, no illegal or inhuman act can now be committed without calling forth the fullest inquiry and investigation, if such inquiry and investigation are needed. If abuses exist, under the influence of Italian public opinion they will be redressed; under the influence of foreign intervention, as frequently happens with nations sensitive as to that which may affect their dignity and independence, they may be persevered in.

Unfortunately, such outrages and proclamations as have been described are by no means new in the Kingdom of Naples. The proclamations, indeed, seem to have been modelled upon documents of the same kind not only issued, but acted upon with inexorable rigour, by the former rulers of these provinces. The curse of Southern Italy has ever been brigandage, and it was only by deeds of extreme cruelty and horrible retaliation that the former Governments endeavoured to keep it in check. They seem to have thought that no other means could prevail. Let me refer my hon. and learned Friend to the pages of the well-known historian of Naples, Colletta. He cites proclamations against brigands which are nearly word for word the same as those said to have been issued by officers of the King of Italy, and describes deeds of cruelty and revenge which far exceed in horror even those of which the details have been supplied to my hon. and learned Friend. Let me quote one or two instances from the annals of the reign of Murat—

> "When Joachim perceived that there was no crime of which the brigands were not capable, he passed a law conferring unlimited power on one of his generals to try every case in Calabria, whether military or civil, for the destruction of brigandage. General Manhes, who was selected for this office, passed the ensuing October in preparations, waiting until the country should be bare of fruit and leaves, which provided the brigands with food and shelter." "He then published lists of brigands in every commune, and issued orders to the citizens to kill them or take them prisoners." "He punished with death all correspondence, not even excepting that between wife and husband, or between mother and son; he armed the innocent parents against their own sons, and brothers against brothers. He prohibited, under pain of death, labourers to carry any food with them into the fields. These decrees were so severe that they appeared to be only dictated to strike terror; but shortly afterwards facts put an end to this incredulity.
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> "Benincasa, a chief of brigands, was apprehended and taken to Cosenza. Manhes directed his hands to be cut off, and that he should then be taken to San Giovanni, his native place, and hung on the gallows. He actually underwent the first portion of this sentence in Cosenza, and marched on foot the same day to San Giovanni, where he met his death bravely."

These horrible acts happened during the reign of Murat; let me mention a deed of combined treachery and cruelty perpetrated by the Bourbon dynasty—

> "Gaetano Vardarelli, an ex-soldier, a brigand, formed a formidable band, and set the police at defiance. The Government at last treated with

> him, and engaged to take him and his men into the pay of the king as gendarmes, in which capacity they acted with considerable success for a while. At last, General Amato, who commanded in Puglia, enticed the band into the city of Foggia, under pretence of a review, and, in the midst of a public festival, shot them down in the market-place."

I do not quote these instances of cruelty and treachery to justify anything that may have been done by the Italian troops—admitting for the sake of argument that the accusations made against them by my hon. and learned Friend have some foundation—but as proofs of the unhappy condition of the Neapolitan provinces under former Governments—of the prevalence of brigandage under them, as well as under the present Government—of the deplorable state of a country in which such brutal deeds could be committed with impunity, and of the consequent demoralization of its inhabitants. We can judge from these facts to what a condition a nation can be reduced by a lengthened period of tyranny and misrule.

My hon. and learned Friend declares that we are not well-informed with regard to the real state of things in Naples and other parts of Italy, because the Italian Parliament does not represent the feelings and opinions of the people. If my hon. and learned Friend means that there are no men in that assembly who represent his opinions and feelings he is, unquestionably, in the right. I doubt whether there be any constituency in Italy which would return a Member of my hon. and learned Friend's views. And for a very good reason. I may venture to say that there are no independent, intelligent Italians who entertain them. But of this I am convinced, that the Italian Parliament fairly and fully represents the vast majority of the Italian people. My hon. and learned Friend declares that the real condition of the Neapolitan provinces has passed unnoticed in that Parliament. Surely he has not followed the debates which have of late taken place in that assembly. Had he done so, he would have read the speeches of Signor Massari, and other eloquent and able men, who have been sent to Turin to represent their native cities and districts in the Neapolitan provinces and in Sicily. They have fearlessly exposed the condition of the country, have pointed out the causes of disorder, and have called the Government to account for such things, as the Government might fairly be held responsible. I repeat it, the Italian Parliament is a free assembly in which every class and shade of opinion, not numerically insignificant, is fully and ably represented.

My hon. and learned Friend has denounced the Piedmontese as strangers of a different origin and race, speaking a different language to those whom, according to him, they have treacherously invaded, and are now holding in subjection by force of arms. He has talked of "the jargon" of the Piedmontese, which so little resembled the Italian language that the Neapolitans cannot even understand their invaders. I do not profess to have a critical knowledge of the various dialects spoken in the Italian Peninsula; but I may, I think, affirm with some confidence, that the Neapolitan dialect is scarcely less removed from the pure Italian than the Piedmontese. I am pretty certain, at all events, that one who spoke only the classic language of Tuscany would have as much difficulty in understanding a Neapolitan as a Piedmontese. But let me ask my hon. and learned Friend whether those Austrian troops who, with his entire approbation, for ten long years held in terrible servitude the subjects of the Pope, spoke the Italian tongue? Is it the native language of the armies which now keep down the people of Rome? or did that noble band of heroes who went from a neighbouring island to the succour of the Holy Pontiff speak the purest dialect of Italy?

I will readily admit, indeed it cannot be denied, that the population of the Neapolitan provinces are not at this moment as well satisfied with the change of Government and their annexation to the Italian Kingdom as the rest of Italy. There is no difficulty in explaining the reason. When the army of Victor Emmanuel appeared in the south of Italy, they were received not as conquerors, but with universal joy by the population as their saviours. The people were under the belief, not that the Kingdom of the Two Sicilies was to be annexed to Piedmont, but that it was to form part of a great united Kingdom of Italy, of which Piedmont itself was but a province, with Rome for its capital. It was for such a united Italy that they so unanimously declared themselves. Their hopes and expectations have hitherto been disappointed. That is still wanting which can alone constitute a united Italy. The Neapolitans will not consent to be the province of a province; nor will they be so. No doubt the fact of their being governed from Turin had caused a great deal of disappointment, perhaps discontent. But I will venture to say that such discontent does not extend beyond this. If my hon. and learned Friend means to assert that they desire to return to their ancient condition—to receive back the Bourbon dynasty—he is very greatly misinformed. I believe that no trace of such a desire exists, amongst the vast majority of the population. Allow me to read what Mr. Bonham wrote to Her Majesty's Government on this subject (6th September of last year)—

> * * * "I doubt whether, except with a portion of the nobility who were personally attached to the Bourbon family and Court, and many of the peasantry who are specially under the influence of the priesthood, there is any considerable party whose feelings of discontent go the length of causing a wish for a return to the former Government. I arrive at this conclusion in a great measure from the fact that throughout the whole country, with one or two insignificant exceptions, the National Guard has held stanch to the Government, and has been everywhere and on every occasion found acting by the side of the regular troops. The ranks of the mobilized National Guard, composed entirely of natives of the localities in which they were raised, two companies for each district (circondario), have been thus far quickly and efficiently filled, already numbering upwards of 15,000 men. General Piola tells me these men have already rendered good service."

Even admitting, for the sake of argument, the existence in the Neapolitan provinces of more disaffection and discontent than I am aware of—even admitting that such acts of cruelty as described by my hon. and learned Friend have been committed by the Italian troops—let us turn for a while to the material condition of those provinces since their annexation to the Kingdom of Italy. Let us inquire whether any real progress has been made in the development of their resources; in the education of the people, morally, socially, and intellectually; in the establishment of free institutions; and in the administration of justice. After all, these things furnish the best test of good government, and by this test I am willing that the new Government should be tried. I would earnestly request the attention of the House to this important subject. I think the House and the country will be astonished at the proofs of such progress that I shall be able to place before them; that they will marvel that so much has been accomplished in so short a time, and in the midst of such great difficulties. The substantial improvements—improvements of vast importance—which have already been introduced may be thus briefly enumerated:—1. Ecclesiastical reforms of the greatest consequence, accompanied by complete religious toleration. 2. The introduction of an extensive system of popular education. 3. The commencement and construction of great public works, railways, highroads, and harbours. 4. The introduction of one uniform commercial tariff with the rest of the kingdom, upon principles of free trade, the former high and protective duties having been summarily abolished. 5. The establishment of trial by jury, and measures, already in many respects highly successful, to improve the administration of the law, so scandalously corrupt under the Bourbon dynasty. 6. The introduction of the military conscription, at first so repugnant to, and so resolutely opposed, by the people.

I will now touch briefly upon each of the principal heads of improvement and progress I have thus enumerated, furnishing proofs from authentic and official sources. And first with regard to ecclesiastical reforms. One of the earliest steps taken by the new Government was to abolish the privileges granted to the clergy under the Concordat with Rome of 1818, by which the civil authority was systematically placed under the rule and control of the clerical power. In addition the right of appeal '*ab abusu*' such as it exists in France and Piedmont, against excesses of power on the part of the clergy, has been established. In a country where formerly religious intolerance was as great as in the most intolerant countries of the world, complete religious toleration has now been introduced, and a perfect equality of civil and political rights has been extended to persons of every religious persuasion. One of the results which will be interesting to this country has been the confirmation by the Government of the grant made by Garibaldi of a piece of land at Naples for the erection of an English Protestant Church. (The House may, perhaps, be aware that the Italian Government has made a similar grant at Milan, and has there given a building for conversion into an English Church.) A scarcely less important step, and one which will have a very considerable effect upon the prosperity and well-being of the country, has been the suppression of convents, monasteries, and religious bodies, except such as can be proved to be of public utility. Hon. Members who had no personal acquaintance with the Italian provinces under the old rule can form but an imperfect idea of the evils that such institutions entailed upon the population—of the curse that they were to the country. I can best illustrate their mischievous effects and the demoralizing results they produced by quoting some official statistics—

> "On the 17th of February, 1861, there were (in the Neapolitan provinces) 1,020 establishments for men, containing 13,611 monks and laymen, namely: 1st—3,005 monks-proprietors, that is to say 1,924 fathers and 1,131 laymen, with a revenue of 3,323,785 francs a year. 2nd—1,657 mendicant friars, with a revenue of 1,232,182 fr. 3rd—8,899 absolute mendicants without revenue, namely, 5,382 fathers and 3,527 laymen. The above 4,662 monks-proprietors therefore enjoyed a revenue of 4,555,967 fr., which makes an average for each individual of 977 fr. a year.
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> "It is worthy of remark that several monasteries have not yet sent in a return of their revenues. The other 8,899 live on the alms of devotees and of the lower classes. The convents on the 17th of February, 1861, were 276 in number, occupied by 8,001 females, of whom 5,103 were nuns, and 2,898 novices, with a revenue of 4,772,794 fr., making an average of 596 fr. for each."

What a story do these figures tell! what a condition of society do they disclose! All these men and women living in idleness upon public charity, and withdrawn from the productive resources of the country! My hon. and learned Friend laughs. But let him without prejudice examine the results of such a state of things. What has contributed to the ignorance, the superstition, and the misery of the people of the largest portion of Italy but the existence of this monstrous evil? What has reduced the populations of great and flourishing cities to a mere aggregation of beggars—what has left some of the fairest parts of Italy uncultivated and a desert but this system? Let me beg my hon. Friends opposite (the Irish Members) not to believe for one moment that I would treat this matter as one of religion. This is no religous question. I would scorn to exhibit an intolerant feeling toward Roman Catholics, as I would towards men of any other denomination. I do not denounce and condemn the former misgovernment of Italy as a Protestant, as my hon. and learned Friend would persuade himself. It has been far more earnestly denounced and condemned by sincere and pious Roman Catholics. I cannot believe that my hon. Friend will venture to declare that the great Italian people, and their leaders, men of the highest eminence and ability, who have brought about the great change which I am describing, have renounced the Catholic faith. They think that they can denounce, without forfeiting their claims to be considered good Catholics, a system which, although professing to be essential to, and to be supported by, the Roman Church, they believe to form no part of it, but to be noxious to the people and detrimental to the progress of their country.

And now as regards education; in Naples in three or four months a university may be said to have been created. It formerly existed only in name. No less than 9,477 students have entered it, so great is the ardour for learning in that part, as in all other parts of Italy! An Academy of Fine Arts, which already contains more than three hundred students, has been founded. In the provinces seventeen lyceums, or superior academies, have already been opened—those at Naples and Bari ranking amongst the first for instruction and discipline in Italy. No less than fifty-two superior provincial schools have been established, and government inspectors have been appointed for the communal and parochial schools. And let the House remember that all this has been effected in a country in which but a very short time ago education and instruction were not merely neglected but actually forbidden!

I now come to great public works undertaken or encouraged and supported by the Government. Lines of steamers, either carried on or subsidized by Government, or belonging to companies encouraged by it, have been established along the coasts, connecting together many cities and ports. A complete scheme for lighting those coasts has been adopted. New harbours are being constructed, and old ones cleaned and restored. No less than seventy-two of such harbours exist on the coasts of Naples and Sicily; but they had been so utterly neglected that, for the most part, they had become useless: works upon a very extensive scale are now being carried on to restore them to commerce. The harbours of Ancona, Molfetta, Bari, Gallipoli, Catania, and Milazzo are being enlarged and improved. Other works are projected for Pescara, Brindisi (to which nine millions of francs have been assigned), Naples (to which forty millions of francs have been assigned), Palermo, and Licata (in Sicily). The Government have, moreover, determined to construct harbours of refuge at S. Venere near Pizzo in Calabria, and at other places. A commission has been further appointed to report upon the ports and harbours of the Adriatic and Mediterranean with a view to their improvement. Great lines of railways along both coasts of the southern part of the Peninsula, and others joining the great cities and towns in the interior are in course of construction. I will not occupy the time of the House by naming in detail each line now making or about to be commenced. Suffice it to say, that in the Neapolitan provinces alone railways to the extent of 1,600 kilometres (or nearly 1,000 miles) are being constructed, and in Sicily to the extent of 400, or 248 miles, and that in a very few months Turin will be united by railway with Naples. During the last year there has been spent in public works, chiefly ordinary roads for the Neapolitan provinces, no less a sum than 7,100,000 francs, 3,500,000 on national works, 600,000 in "bonifications," and 3,000,000 on provincial works, and 33,400 workmen have been employed. The Council of Salerno alone has voted five millions of francs to complete the roads of that province. In Sicily, where, remember, there existed under the old dynasty but two roads—that rich and fertile island being left without any means of internal communication, and consequently without agriculture or trade—by a Royal decree of the 1st October last, six millions of francs were assigned to the construction of ordinary works, four millions to national works, and two millions to provincial works. The provincial taxes, which the former Government raised for the construction and maintenance of roads, but misapplied to its own purposes, will in future be entirely appropriated to the objects for which they are collected.

Now, as regards commercial improvements, I may first mention that in October, 1860, the tariff previously in force in Northern and Central Italy was introduced into the former Kingdom of the Two Sicilies; and the whole of Italy, with the exception of the territories still under the dominion of the Pope, and Venetia, was placed under one uniform commercial system. The effect was to reduce at once the old Neapolitan tariff 80 per cent. Well, what has been the result? The trade and commerce of the Neapolitan provinces, which had been almost paralysed under the old protective system, had been stimulated and increased to an extent which even the Italian Government could have scarcely contemplated. The receipts of the Naples custom-house in the time of the Bourbons had amounted to £800,000. Under the new system they reached last year £520,000—showing that the value of goods paying duty had increased fourfold; because had the imports and exports remained stationary, the duty under the new tariff, being lower by 80 per cent than that under the old tariff, would only have reached £148,000, or about one-fourth of the former receipts. I take these figures from the financial statement made in December last by Signor Bastogi, the Italian Minister of Finance. Comparing the receipts of two months of the last two years, I find that whilst in October, 1860, the customs receipts at Naples were £39,880; in the same month in 1861, they were £47,840; in November, 1861, as against November, 1860, they were £60,000 to £52,000. The same increase has taken place in the other Neapolitan ports. At Bari, for instance, there was in August last an increase of £2,880 over the preceding year; and in September, of £4,600. In Sicily I find the same results. Before the change of Government, the amount of customs receipts was £320,000; last year, under the new tariff, with the reduction of 80 per cent, it had already reached £260,000, showing more than a fourfold increase in articles subject to duty; and numerous articles, it must be borne in mind, are now admitted free. Such being the results of only a few months' experiment, no one, I think, will entertain any reasonable doubt that in a very short time the revenue derived from customs will not only reach its former level under the protective system, but will very considerably exceed it. I may further mention, as an interesting feature in the financial prospects of this part of Italy, that savings banks are being established in the principal provincial towns, such, for instance, as Trani.

The condition and conduct of a national guard furnish a decisive test of the feelings of the people to their Government. Its ranks are filled up in the south of Italy as in other countries, from the most intelligent, independent, and well-to-do portion of the community—the upper as well as the middle classes, rich merchants, small landed proprietors, respectable shopkeepers, small tradesmen, farmers, and even daily workmen. They have fought, almost without exception, on the side of the government against the brigands—or loyalists, as my hon. and learned Friend calls them—

sometimes side by side with the Royal troops, sometimes alone. In the city of Naples there are no less than 20,000 national guards, and yet no symptoms of hostility or disaffection to the Government have shown themselves. I have already read to the House what Her Majesty's Consul reports to us on those subjects, and the conclusion he justly draws from the conduct of the national guards.

The success of the conscription has been equally remarkable. Those who were drawn for the army were formerly brought from their villages like malefactors, bound together by ropes; they now leave their native places amidst the cheers of their countrymen. In Sicily, where the Bourbons could only raise two regiments, composed for the greater part of criminals and men of the most worthless character, where even Garibaldi could at first scarcely prevail upon the people to furnish troops in their own cause, last year the conscription was carried out with such success by General Della Rovere that the number of recruits exceeded the legal requirement.

With all the facts that I have stated before him, my hon. and learned Friend has ventured to declare that the condition of Sicily is such, the disorder and anarchy so great and universal, that he will not attempt to describe them. In order that the House may judge how far he is authorized in making the statements he has made, I will read a report dated in December last from Her Majesty's Consul at Palermo—

> "A change of Government, long foreseen and foretold, was brought about by Garibaldi's entrance into Palermo. The old structure fell to pieces, and a new and better fabric rose by degrees. Anarchy prevailed for a moment, but order was finally restored. Districts were put under governors, towns and villages under syndics, and provincial and commercial councils were established on a broader basis. Public confidence in the maintenance of peace, at first somewhat shaken, regained its usual tone. 12,000 galley slaves, released from prison, were sent into the country to remain at their birthplaces, and kept, under heavy penalties for removal, under the constant eye of the local authorities. During the eighteen months which have elapsed since the entrance of Garibaldi, industry and Government have undergone material changes. The progress of agriculture has been slight but perceptible. Wastes have been enclosed; grass lands broken up; and pastures converted into orchards; vineyards have been planted and fresh gardens laid out; new and higher prices are asked and given for land. The judicial administration, both civil and criminal, has been improved by the institution of new courts and the introduction of new judges. The ends of justice are too often defeated by the reluctance of timid prosecutors to appear against the accused; the fear of future vengeance deters them from giving evidence. The civil administration has been materially amended. The councils of communes, districts, and provinces were formerly composed of Government nominees who debated with closed doors, and passed accounts without examination. These councils will in future be chosen by landlords and housekeepers; the debates will be public; the administration of funds will be subject to audit; and the governors will interfere no further than is needful to prevent violation of the law. The interests of learning have not been forgotten or overlooked. New chairs of science have been established, new schools have been founded, and new estates have been appropriated to public instruction."

This is, I think, a conclusive answer to my hon. and learned Friend as regards Sicily. A despatch, which has been received only this morning from Her Majesty's Consul at Naples, Mr. Bonham, is equally conclusive as regards the condition of the Neapolitan provinces. With the permission of the House, I will read it. It is dated the 2nd of April, and contains, consequently, the very latest information that I could submit to the House—

> "Great insecurity continues to prevail in the province of Capitanata. There are several bands of brigands in that province who keep the country in a state of terror, and successfully elude the pursuit of the troops. Reinforcements have been sent, and a new and active general appointed to the command.
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> "Most exaggerated reports of brigandage throughout the country generally are industriously and perseveringly spread at the present time, with the obvious view of causing alarm and disgust. Brigandage, no doubt, exists on a large scale, and as yet has met no serious check in the Capitanata; but in other provinces, at all events up to this time, that scourge is not at all what it was last year, and in many provinces it does not exist at all. So far as I can learn, the Calabrias are undisturbed, and the Abruzzi the same; these have usually been the most disturbed provinces. In the Abruzzi they are now expecting an invasion of adventurers, who are organizing, without, as is believed, hindrance or molestation, at Tivoli, in the Roman states.
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> "The reactionary agents here are busy, not only in spreading alarming reports, but in endeavouring to seduce and corrupt the Neapolitan soldiers, who now in considerable numbers are embodied and serving in Italian regiments in these provinces; I am, however, assured that these soldiers are behaving exceedingly well, and that the attempts of these agents meet with no success.
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> "There continues to be great discontent in Naples, and undiminished jealousy of Northern Italians; still, in many respects, there is progress and material improvement. It cannot be doubted that commerce is largely increasing; British shipping at Naples during the first three months of this year, as compared with the first three months of the years 1859, 1860, and 1861, shows the following results:—

"British vessels entered during first quarter:

	Vessels.	Tonnage.
1859	51	15,925
1860	62	21,646
1861	57	20,347
1862	93	34,710

"The custom-house is inadequate in size to contain the increased quantity of goods now landed, and a large area on the outside has been covered in with zinc roofing to afford temporary shelter for such goods.

"People have no difficulty in finding work; trade generally is good, and furthermore employment is largely given by the municipality in building and other works in different parts of the town. House-rent and provisions of all kinds have risen in price.

"I hear no complaints of distress or want of work at the various ports where there are Vice-Consuls, and believe commercial affairs there, as here, are going on prosperously."

It is quite true that Mr. Bonham states in this despatch, that considerable discontent exists in Naples because it is still governed as a province from Turin. This fact I have fully admitted. I have endeavoured to explain the reason why it is so. And I venture again to affirm that it arises in no way whatever from a desire on the part of the Neapolitans to return to their former Government, or to separate themselves from the rest of Italy. It is no symptom of any reactionary feeling in favour of the Bourbon dynasty.

Sir, in the remarks which I have addressed to the House, I have limited myself to the condition of the south of Italy, and of the territories still under the rule of the Pope. Did I not fear to weary the patience of the House, upon whose attention I have already trespassed far too long, what a picture could I not draw of the condition of other parts of Italy, of the progress and improvements visible in them, when compared with their state under their former rulers? What could I not say of Lombardy, of the Duchies, even of Tuscany? I might describe that sudden springing up of political vitality, of commercial energy, of private and public enterprise, of happy contentment—proving that the vigour, the intelligence, the genius of that great Italian people have not been destroyed, but only kept down, by the demoralizing and corrupting tyranny which for so long a time weighed upon them. I could dwell upon their new political life, their freedom of thought, and liberty of action, full of promise and of hope. These things are, perhaps, not unknown to the people of this country who have watched with eager anxiety, yet earnest confidence, the great struggle which has been going on in Italy. But let me point to the Italian Parliament as a convincing proof of the aptitude of the Italian people for self-government, and for the enjoyment of the freest constitutional institutions. I was surprised to hear my hon. and learned Friend, himself a constitutional lawyer, speak in disparaging, I had almost said insulting, terms of that assembly. I will venture, notwithstanding, to say that its conduct and demeanour, its dignity, prudence, moderation, wisdom, and self-restraint during three years of unexampled difficulties and temptations, have been such as to deserve the admiration of every people, and most especially of the people of this country. It is an assembly over which even you, Sir (Mr. Speaker), might not disdain to preside. I believe, as I have before stated, that every part of Italy is fully represented in it. We might even trace, in its constitution in this respect, some resemblance to our own House of Commons. There are the sober Tuscans, the somewhat canny Piedmontese, and a class of gentlemen from the south, men of ardent, excitable temperaments, with great eloquence and great grievances, who represent a certain number of hon. Friends of mine in this House. So excellent is it in its mode of conducting business, that a right hon. Friend of mine, the Member for Wells (Sir W. Hayter), who was lately at Turin, and watched the proceedings of the Italian Parliament, and who surely is no mean authority on such matters, declares that it would be quite perfect if it only possessed that institution of which he was so long the respected and esteemed embodiment in this House—an effective "whipper-in." I believe, moreover, that the Government of Italy has done its duty. I do not now allude to any particular Ministry. It would not be becoming in me to draw comparison between one Government and another. The Italians are the sole judges of those to whom they should confide the management of their affairs. It is for us to accept the Government of the time as the organ of the Italian people. But I cannot refrain from expressing my deep sorrow—a sorrow indeed, for the utterance of which words are wanting to me—at the loss of that calm, ready, and skilful pilot, who guided his country through so many stormy seas, and who is more wanted now than ever to carry her past those rocks and shoals which still lie between her and her desired harbour. Yet I have confidence in the Italian Government. I believe their conduct hitherto justifies that confidence. I have equal confidence in the Italian people, and I think that confidence is equally well grounded. Is it a small thing that twenty-two millions of men should have been released in one day from the darkness of servitude, and placed in the full sunshine of freedom; that they should have suddenly found themselves possessed of complete liberty, and that they should have used it not only without licence, but with unexampled moderation and wisdom? With one solitary exception, and that a case in which there was extreme provocation—I mean the unhappy murder of Anviti—can my hon. and learned Friend point to a single outrage, to a single crime? Remember what the Italian Government have had to accomplish during this short space of time, and admit that it is wonderful that they should have accomplished it without producing general disorder and confusion. Seven different states to weld into one, with seven different administrations, seven different codes of law, seven different systems of finance and commerce, seven different currencies, seven armies; and yet this fusion has been effected. If, as my hon. and learned Friend asserts, Italian unity has not yet been attained, certainly it must be admitted that the first step towards it, and a very essential one, has been taken. Taxes, and heavy war taxes, are collected without opposition —nay, are cheerfully paid. The conscription is successfully carried out, from one end of Italy to the other. Judges, not removable as formerly, but holding their offices for life, have been appointed for the administration of justice; juries try and protect their fellow-countrymen; a wonderful commercial energy and activity have developed themselves. Surely these are great results. I trust my hon. and learned Friend is now satisfied. I have endeavoured to show him the contrast, which he has invited, between the past and present condition of Italy. Still I despair of converting him; but the time must come when even he will be no longer able to withstand the irresistible evidence furnished by the state of Italy—when even he will admit that a great, prosperous, independent, united Italy is more than a wild and empty dream.

There is an omission that has particularly struck me in my hon. and learned Friend's speech; it is the absence of any accusation against the Italian Government of political persecution. It is, indeed, a most remarkable fact, that there have been no political vengeances, that there have been no political parties persecuted or banished; that there are no refugees except those who have voluntarily withdrawn themselves from the rule of a Government whose principles they do not approve, or who have been legally condemned for crimes against the State. The worst case which my hon. and learned Friend could point out, and I have no doubt he has searched very keenly, was that of the unfortunate Count de Cristen, who has been confined in prison without trial for six months, and who according to my hon. and learned Friend, is the victim of political persecution. But let the House remember the circumstances under which the Count de Cristen was captured—that he was in disguise in Naples, conspiring against the Government, and directing and encouraging those brigands whose outrages I have described. What, let me ask my hon. and learned Friend, would have been his fate had he been captured by some who formerly ruled in Italy? Would he not have been summarily condemned and shot, probably without any trial at all, or with the mere mockery of one? It is rather a proof of the humanity than of the cruelty and injustice of the Italian Government, that they have dealt so leniently with him.

Now, what has been the result of my hon. and learned Friend's speech? He may search the gutters of crime, and find an instance of a murder here or an outrage there, and then hold these instances up in triumph, as proofs of the incapacity and turpitude of the Italian Government, and of the unfitness of the Italian people for freedom. But does he think that such things can alter or affect the opinions, the views, or the policy of Her Majesty's Government with regard to Italy? Does he think that they will shake the confidence of Her Majesty's Government—that they will shake my confidence—in the destiny reserved for that great people? The philosophic statesman is not influenced by such considerations as those brought forward by my hon. and learned Friend. He does not allow his judgment to be swayed by events which have no relation to the great principles at issue, which neither depend upon them nor affect them. Those principles in the case of Italy—the principles recognised by Her

Majesty's Government—are simply these—that the Italian people have a right to deliver themselves from the tyranny under which they formerly lived, and to choose their own form of Government and their own rulers. God forbid that whilst professing a liberal and generous policy we should seek every opportunity of dishonouring and calumniating the Italian people and the Italian Government. If there are still things to be deplored, if there are still evils to be remedied and crimes to be suppressed, we do not look upon them as proofs of the incapacity and misconduct either of the Italian people or of those who are intrusted with the administration of their affairs, but rather as the inevitable consequences of a long period of oppression and misrule. Surely this is not the time for the Government to withdraw its sympathy and moral support from Italy. On the contrary, it is the time to give it, freely, generously, unreservedly; not to force upon the Italian Government intrusive council, but to offer it friendly and disinterested advice, founded upon our own experience in the struggles for political freedom which we ourselves have had to pass through.

The Italians have yet much to undergo. They must not believe that their task is already done. No nation ever yet acquired and established its liberties, without passing through great trials and great sufferings. Italy may yet have hers to experience. She has still great dangers and temptations to contend with—on the one side a vast and powerful conspiracy organized and conducted by the priesthood; on the other, the promises and delusions of visionary and often unscrupulous men. Let them remember that nothing is so much desired, by both parties, as disorder and war; nothing so much dreaded as order and peace. Nay it is even possible that the efforts of their enemies—that the conspiracy against their liberties—may succeed for a time. It is even possible that they may again be subjected to despotic government and priestly rule. Such things have happened in other countries before now. But does any reasonable and thinking man believe, that even if such were the case, the Italians would consent to remain under their old rulers? Is it possible that a people who, even for the short period of three years, have tasted of the inestimable blessings of freedom—who have seen the arbitrary barriers which separated into petty states a great country which Providence meant to be one, broken down—who have known what free intercourse is—who have enjoyed liberty of thought and a free press—should ever consent to return to their former state under the demoralizing rule of absolute Princes and ignorant Priests. Sir, it is impossible! The future of Italy is now in the hands of the Italians themselves. Let them be neither disheartened by the speeches, the accusations, and the denunciations of the hon. and learned Baronet and those who act with him, nor by the calumnies, the intrigues, and the conspiracies of those who, finding power slipping from their grasp, are prepared to make every effort, however unscrupulous, to retain it. When Italy becomes, as she will inevitably become, a great, prosperous, and united kingdom—when she takes that place amongst the family of nations to which she is entitled by the genius, the wisdom, and the virtues of her children—history will record, if indeed she will condescend to notice such things, these vain and futile attempts, as amongst those that have ever been made by the enemies of progress and human freedom to frustrate and retard the development of the political and religious liberties of mankind.

Mr. HENNESSY said, that while he would congratulate the hon. Gentleman upon the ingenuity with which he had selected the documents from which he had ventured to quote, he could not avoid remarking that it was not usual for a Minister to refer to despatches which had not been laid before Parliament, and to which, therefore, hon. Members had not had access. He desired to follow the hon. Gentleman into what had formed the main portion of his speech—the material progress of Italy—and he could conceive no statements more diametrically opposed to facts than the statements of the hon. Gentleman. He should avoid the example which he had condemned in the hon. Gentleman, and therefore he should quote from no documents which were not official. He should take as his guide the Board of Trade returns, which gave an authentic view of our past and present commercial relations with the different States of Italy. Those returns, which had only within a few days been laid before them, gave the details of exports from the United Kingdom to the various parts of Italy during the last two years. From those documents it appeared that for the year 1860 the total value of merchandise exported from the United Kingdom to Sardinia was £265,714, and in 1861 it had fallen to £260,339. The exports to Tuscany in 1860 amounted in value to £575,064, and in 1861 they were £560,917, also showing a decline. To the Two Sicilies the exports in 1860 were of the value of £1,867,904, and in 1861 they had declined to £1,540,715. But the case was different as concerned the Papal States, for our exports to that quarter had increased from £39,843 in 1860 to £118,350 in 1861. Thus in every part of Italy that had been annexed to Piedmont there had been a decline in our trade, while in the portions not annexed there had been an enormous increase. The reason for those extraordinary facts could be found in official documents. Consul Macbean, writing to Lord John Russell in October, 1859, stated that the publication of the document declaring the annexation of Tuscany to Piedmont had created a great sensation among all traders and merchants, and that several large importers of British goods had determined to suspend their purchases, fearing that the Piedmontese customs tariff would be substituted for that of Tuscany—the former being far more Protectionist than the latter. That despatch, although it was not laid before Parliament for twelve months after it was received, had attracted the attention of Sir James Hudson, who directed an inquiry as to how the introduction of the Piedmontese tariff into Tuscany would affect British trade. The report that followed stated that the inevitable consequence of the introduction of the Sardinian tariff into Tuscany would be, that, sooner or later, the importation of cotton yarns, shirtings, and other cotton goods, must completely cease. That report was confirmed by a subsequent despatch from Consul Macbean. The Government were thus aware that the application of the Sardinian tariff to other parts of Italy would injure British commerce, and yet they withheld for months those despatches from the knowledge of Parliament. But what had taken place at Naples? Shortly before the revolution, in March, 1860, the Government received a despatch stating that the young King of Naples intended to introduce extensive fiscal reforms; but as the Government had not given the House any information upon that subject, he must refer to an article in the *Daily News* of October, 1860, which paper had been fortunate enough to obtain a knowledge of the proposed customs duties. The article stated that, by virtue of a Royal decree of the young King of Naples, the whole body of import duties for the Two Sicilies were remodelled after the manner of those eminent British Statesmen, Peel, and Mr. Gladstone; and it proceeded to inquire, very naturally, why the Government had kept back the despatches announcing the fact. He thought the House would perceive how completely Consul Macbean's anticipations had been realized, and how our cotton trade had been injured by the annexation of some parts of Italy to Piedmont. He would again refer to the Board of Trade returns, which the hon. Under Secretary had so carefully avoided noticing. The value of cotton goods exported in the two months of January and February, 1861, to Sardinia was £80,000; in the same two months of 1862, £55,000. The exports to Tuscany were in the two months of 1861, £62,000; in 1862, £30,000; to Naples and Sicily, in 1861, £140,000; and in 1862, £88,000. In the Austrian territories in Italy, on the other hand, there was a large increase in the total value of British cotton imported. With respect to worsted stuffs, or stuffs mixed with wool, the import into Sardinia in 1861 was to the value of £50,000; in 1862 it fell to £15,000. In Tuscany it was, in 1861, £20,000; it fell in 1862 to £5,000; and in Naples and Sicily it fell from £41,000 to £7,000. The hon. Gentleman (Mr. Layard) stated that the British Consul at Naples had informed him that the number of ships had increased; but the number entered in British ports—which ought to be a good test—was, of Sardinian ships, 24 in 1861, 20 in 1862; and of Neapolitan, 113 in the former year against 88 in the latter. Those were facts which the hon. Gentleman would not be able to dispose of, for no private letter that he might read could have the force of returns presented by the Board of Trade within the last few days, and which dealt most with what concerned the trade of England. Last year he (Mr. Hennessy) was able to show the same class of facts, and from the same authority. But if the Sardinian tariff was of that oppressive character which it was described to be, no wonder that trade and commerce should be crippled by the extension of the Sardinian power. But that was not all. Within the last few days Her Majesty's Government had received a despatch from the Secretary of Legation at Turin which contained anything but a satisfactory account of the financial condition of Sardinia. If the hon. Gentleman had turned to the despatch of Mr. West, dated the month before last, he would find that from 1815 to 1847 the public debt contracted by Piedmont was 135,000,000*f.*; but in the twelve years from 1848 to 1859 the debt contracted was 910,000,000*f.*, making a total of 1,045,000,000*f.*, with an interest of 51,000,000*f.*, and that debt had been since increased. The comparative debts of Piedmont and the States annexed were, according to Mr. West—Piedmont, 1,159,000,000*f.*; Lombardy, 145,000,000*f.*; the Æmilian provinces, 42,000,000*f.*; Tuscany, 209,000,000*f.*; and Naples and Sicily, 550,000,000*f.* Mr. West went on to say that the enormous expenses incurred by the Minister of War in the Neapolitan provinces would probably amount to more than the revenue of all the other provinces put together. The deficit last year of whoever acted as Chancellor of the Exchequer in Piedmont was not less than 400,000,000f. The expenditure in Piedmont was 80 or 90 per cent more than the Estimates. With these facts before them he confessed he was surprised at the hardihood of that member of the Government who talked of the financial progress and growing prosperity of Piedmont. On the other hand, let the House look at the accounts of the Papal States which had been given by Lord Lyons—one of the ablest officials whom Her Majesty possessed, and who had sent home some interesting despatches relative to the Papal States. Lord Lyons said that in the Papal States commerce had advanced; the revenue had increased, in consequence of a considerable reduction of the import duties—let the House mark that; the value of land had risen, and agriculture was flourishing. In a subsequent despatch Lord Lyons said—

> "The continued rise in the value of landed property in the Papal States of late years is very remarkable, but still it does not seem to have reached its limit. Agriculture is undoubtedly making considerable progress. There is a marked and progressive amelioration in the finances of this country."

He would recommend the hon. Gentleman, when next addressing the House, to prefer the official statements of the British Ministers in Italy to the reports of a secret agent of the Piedmontese Government—Mr. Waddington. But that was not a question of British trade and commerce only; it affected the character of British statesmen, and he knew of no more striking effect of the Italian revolution on the continent than the change that was produced in regard to the estimation in which British statesmen were held there. He had been challenged to show any one member of the Piedmontese Parliament who held the opinions to which his hon. and learned Friend (Sir G. Bowyer) had referred. There was one who deserved to be known in that House—M. Petrucelli della Gattina, who, when an attack was lately made upon England in the Italian Parliament, had generously defended this country. That gentleman made a statement which well deserved the attention of that House. In a letter to a friend in this country he described "Poerio" as a conventional invention of the Anglo-Gallic press, designed to excite feelings of exasperation against the Bourbons of Naples, and that all the fine statements made with respect to him by the Chancellor of the Exchequer were really not founded on facts, though it was not alleged that the Chancellor of the Exchequer believed them to be otherwise than true when he made them. But the right hon. Gentleman the Chancellor of the Exchequer had more recently taken up the case of the Duke of Modena, against whom he brought certain charges. Those charges were brought on the 4th of March; but upon the 16th of July following the right hon. Gentleman said that he was ready to explain, and to express his regret that he had put a construction on the document beyond what it properly bore; and again, that he was ready to express his deep concern. It was highly honourable in the right hon. Gentleman that he did so. What, however, would foreign countries think of the British Senate when one of its most brilliant ornaments committed blunders like this, and charged an unfortunate prince with crimes he had never committed? But that was not all. On the 28th of March, 1859, the Earl of Clarendon, in discussing the chances of a war in Italy, said that against such a war, or rather against such an unprovoked European convulsion, the public opinion of Europe had been expressed with unprecedented unanimity; and in April he declared that the territorial possessions of Austria were to be found set forth in the Treaty of Vienna; that they had been correctly described as being the result of conquest, of inheritance, and of long tenure; that they had for one hundred years been recognised as part of the international law of Europe; and upon these treaties Austria had a right to take her stand, and should in doing so be upheld by the other Powers of Europe; and he added, "I believe the bubble of Italian unity has burst." The Earl of Clarendon thus stood by the Treaty of Vienna, but what did Count Cavour in his published letters to Ratazzi represent him as saying? In a letter, dated, April 12, 1856, when the Earl of Clarendon was British Plenipotentiary at Paris, Count Covour wrote to his correspondent, that being convinced that the powerlessness of diplomacy and of the Congress would produce evil consequences for Italy, and would place Piedmont in a difficult and dangerous position, he had thought it well to see if a solution could not be arrived at by arms; that he had accordingly gone to the Earl of Clarendon and said that Piedmont must either make friends with Austria or declare war against her; that the Earl of Clarendon, without showing either surprise or disapprobation, replied, "I think you are right. Your position is growing very difficult. I conceive that a rupture will soon be inevitable. I only doubt whether the moment to speak out has yet come." To that Count Cavour's answer was that the Piedmontese were in a condition to go to war, and that he was persuaded that England would be constrained to help them, whereupon the Earl of Clarendon said, "Oh! certainly. If you are in that strait, you can count upon us, and you will see with what energy we will come to your rescue." To that Count Cavour added in his letter that he would go to London, and talk with Palmerston and the other heads of the Government; that if they agreed with Clarendon, Piedmont must make secret preparations, raise a loan of 30,000,000*f.*, send Austria an *ultimatum* which she could not accept, and so commence the war. The programme was fulfilled accordingly; Austria was forced into the war; and yet, while all this was being done, it was said over and over again upon the Government benches, "Austria is attacking Piedmont; Piedmont can have no aggressive policy; she desires nothing but peace." The Earl of Clarendon had since, on his word of honour, denied every allegation which Count Cavour had made. They had heard Count Cavour spoken of that night by the Under Secretary of State, he did not think that the hon. Gentleman had called him an honest or accurate statesman; but if he (Mr. Hennessy) were called upon to believe the Italian or the English statesman, he infinitely preferred to believe Lord Clarendon. There was, however, a distinguished Piedmontese statesman, Massimo d'Azeglio, whose words he did believe. That nobleman seemed to be of opinion that Southern Italy was far from being in the happy position described on the Government benches, and since his opinion had been expressed things had become far worse. Massimo d'Azeglio said—

> "I know nothing of this result of universal suffrage except that it requires 60 battalions to maintain it—a Government said to be established by universal consent. There must here be some great error; we must change either our acts or our principles. We must ascertain once more, and once for all, from the Neapolitans whether they will have us, 'Yes, or No.' I can comprehend that the Italians have a right to make war on those who wish to retain German rule in Italy; but because Italians, while remaining Italians, will not unite themselves with us, I say that we have no right to send battalions to shoot them down, unless, once for all, we mean to adopt the principles and the name of Bomba, who bombarded Palermo and Messina."

That was the language held by one who had filled the highest offices in Piedmont, and who ranked as high as any statesman in that country. He (Mr. Hennessy) held in his hand a very extraordinary document which the Under Secretary of State presented to the House only a few days ago. It was called "Papers on the Affairs of Italy," and it consisted of four despatches. They were the last papers laid on the table by the Government for the purpose of giving the House information relative to Italy, and the last in order was dated "Turin, April 4, 1861." He at first thought that "1861" had been a misprint for "1862," for he could not imagine that the Government would so insult the common sense of the House; but, looking into the despatch, he found it enclosed a summary of a debate in the Italian Chambers on the 3rd of April, 1861. He supposed that the Government had printed these papers from a wish that the Piedmontese case should be laid before the House in anticipation of the present debate. Surely, it was treating the House badly to lay before it the information published by the leading journals twelve months ago. Another despatch in the papers in question, dated April 3, 1861, gave a summary of the speeches in the Italian Chambers of the previous day. Another despatch in these papers was dated April 27, 1861. Only one of these four despatches had reference to recent matters. As the Government had given the House no information of what Sir James Hudson thought of that which was going on, he had been compelled to refer to that great repertory of facts—*The Times* newspaper. In *The Times* of that morning he found a letter from its Naples correspondent, dated April 6, 1862. That was at least recent information, and it came from a source which they all knew to be very much prejudiced against the Legitimate party at Naples. He was, however, willing to take it as his evidence, because the Government had given the House no information. *The Times* correspondent said—

> "Though I wrote to you so lately as yesterday, events of such importance are occurring as to render it necessary to trouble you with another letter to-day. 'Brigandage' is in every one's mouth, and though undoubtedly some of the worst characters are enrolled in its ranks, it cannot be regarded otherwise, I think, than as the expression of a very general discontent and disappointment. The consequences are vacillation, desperation, and disorder, and a fearful looking forward to the future. First, let me give you the gleanings of such official papers as I have been permitted to see."

Thus it seemed *The Times* correspondent was better treated by the Piedmontese Government than the British House of Commons was by the British Government. He then quoted despatches of the 4th of April, and continued—

> "But it is the old story; the strength of these men is in division and flight; they are concealed or tolerated by the inhabitants, meet again, strike a blow, and so on, round the circle."

The hon. Under Secretary for Foreign Affairs, on the authority of some private letters, stated that not a single member of the National Guard had joined the insurgents. But *The Times* correspondent said that a reward had been offered for the apprehension of the late commander of the National Guard of Ottajano, a town of 20,000 inhabitants, who had been in communication with the brigands, and had disappeared. He added that a serious report was in circulation of disaffection in the National Guard of Naples, and that the popular statement was, that a conspiracy had been discovered, comprising a portion of each of the twelve battalions except the first. So much for the information of the Government as contrasted with that given by well-informed authorities in Naples. He was surprised to hear the hon. Under Secretary of State read an extract from an historical work describing the atrocities that were committed in the time of Murat, as a sort of extenuation for the atrocities recently committed. He would not go back to the time of Murat, but confine himself to the present time, and he would fall back on the correspondent of *The Times*. The noble Lord at the head of the Government on the 2nd of August, 1861, assured an hon. Gentleman, with, as he said, much satisfaction, that Her Majesty's Government would do nothing to check the proceedings of Generals Cialdini and Pinelli. Within a few days of that speech the Piedmontese General wrote the famous despatch to the Piedmontese Government:—"Yesterday, at dawn, justice was done upon Ponte Landolfo and Casalduni." The justice thus done was in burning two towns to the ground. *The Times* correspondent stated that upwards of two hundred women perished in the massacre, having rushed from the soldiers into the flames. Did the hon. Under Secretary deny that? [Mr. LAYARD: Yes.] Did the hon. Gentleman deny that the correspondent of *The Times* mentioned the fact? [Mr. LAYARD: No.] That was, at any rate, getting half-way to the truth, and the question was whether the correspondent was well informed or Her Majesty's Government. That Gentleman said he read the official accounts, and that he saw the officers present at the massacre. Until the Government laid some authentic information before the House, he should prefer to give his faith to one who was even credulous against the Legitimate cause. Before the massacre of Ponte Landolfo was known, and on the very day that the infamous despatch of the Piedmontese General was written, the *Contemporaneo*, of Florence, No. 358, published some statistics which had been reproduced in other Italian papers. Had the Government given the despatches of Sir James Hudson, or other authorities, perhaps he should not be constrained to quote either *The Times* correspondent or a Piedmontese newspaper. The *Contemporaneo* stated the number of persons "shot instantly," as 1,841; shot after a few hours, 7,127; wounded, 10,604; prisoners, 6,112; houses burnt, 918; number of individuals arrested, 13,629. The despatch from the Piedmontese officer who destroyed Ponte Landolfo and Casalduni, he regretted to say, had not been very generally published in this country. It said that in Ponte Landolfo and Casalduni all the houses were burnt, "except those of seven or eight Liberals." That showed not only the atrocity of the Piedmontese, but that, by their own admission, they could only find in two such large towns "seven or eight Liberals," whose houses were spared. These were facts worth mentioning, if only to show the extraordi-

> the dangers and difficulties of succeeding him by popular election. The admirable force of the French empire is the result of the work of many generations. Inasmuch as I have thrown no obstacle in the way of the unity of Italy, so I will not permit others to interfere with the purpose of my reign, by drawing us into dangerous and disastrous enterprises. I will guard your independence as a treasure, and share with a parliament the noble duties of a king."

He then speaks of destroying "*l'aristocratie artificielle de conspirateurs*," and suggests the confederation of Italy. There were many other documents he might read to the House to prove the fact that there was a great Muratist party. England was interested in that question. Another danger was that of the Republican party in the north of Italy. In the speech of Garibaldi at Genoa he talked of going into the streets and raising insurrection; and from the speech of Mazzini there could be no doubt that there was a perfect understanding between Garibaldi and Mazzini. Those were the two dangers in Italy—the Muratist party and the Republican party. Then, he would ask, was this country prepared to allow Naples to be taken possession of by France for any member of the Imperial family? Could they see with indifference the harbours of Naples, Syracuse, Messina, and Gaeta in the possession of France? He should think not. He did not know whether it would be a *casus belli* or not, but at any rate the Government would do its best to prevent it. The hon. Gentleman had talked about brigandage. He (Mr. Baillie Cochrane) was not going to quote instances to prove that it existed, but he would simply refer to one point which could be perfectly well authenticated. There was in this country at that moment a Neapolitan gentleman of the highest consideration. Because certain of the parties called brigands, or royalists, or whatever they were, were seen in the neighbourhood of that gentleman's residence, his three brothers were taken out of his house at night, and put into a prison at Naples, and had never been tried to that day, nor had any accusation been brought against them. He had a rather curious document which he wished to lay before the House, to show how justice was administered in the Neapolitan states. It was the report of the President of the Chamber of Justice to the Procurateur General on the state of the prisons. It was, perhaps, the most remarkable document that ever emanated from a minister of justice—

> "You will find some orders for the discharge of some of the incarcerated, even by the police here or elsewhere, by the magistrates specially delegated; and you will find that some of these, even without a favourable report upon the case, could have been discharged from prison. But I have not acted in that way, because I wished to investigate the processes, and also because we are surrounded by the banded brigandage of the Bourbon reaction. You will find the process of accusation of the well-known Mirabelli Centurione, in which, on my proposition, the Grand Court did not give effect to the order for discharge, and I was led to this proposition from considerations of prudence. You will find the process which regards the Prince of Ottaiano, and upon which I should have proposed a declaration of acquittal. I have not done so, as I wished more carefully to consider the material of the processes commenced at Salerno, and entered at Sarno, at the accusation of the four Bourbon soldiers, Alfonso Amato, Domenico Esposito, Aniello Manna, and Guglielmo Crescenzo, in which process Ottaiano is named; and although, from the course of the prosecution at Salerno, it was almost manifest that, to say the least of it, this was an error, and that in consequence I could have proposed the liberation of the four individuals indicated, I did not do so for the above-cited reason. You will find the process of accusation of Carlo de Gennaro and Pasquale d'Angelo, on account of a seizure of sixty-seven packages of powder, and three of percussion caps. In the course of the instruction of the prosecution made by me at Salerno, I contradicted the defence set up, and I must not conceal from you that I was convinced that those seized articles were for the service of the reaction. And, for that reason, being only a simple capture, and although not having as yet succeeded in eliciting the truth from the lips of the accused, or of obtaining any other evidence of their guilt, flattering myself to be able to compass that object, I did not allow myself to propose the liberation of the two accused."

No doubt the Italian Government had great difficulties to contend with, but it could not be said that justice ought to be administered in that way. He wished to ask the Government, in the present state of Italy, which must be a cause of anxiety —he wished to know from the Government what their policy would be. How far was moral support to go? If, as was probable, there should be another movement in the north of Italy he hoped that the policy which was last year indicated by Earl Russell with regard to Austria would be strictly followed. The noble Lord said that whatever reproach he might bring upon himself for holding old-fashioned and obsolete politics, he did undoubtedly entertain the strongest desire to see the prosperity and reviving strength of the empire of Austria. That policy he (Mr. Baillie Cochrane) considered was identified with the best interests of this country. He believed that whatever Armstrong guns or iron ships they might construct their greatest safety was in our continental alliances. It seemed to him perfectly inexplicable how we could distrust France, and arm ourselves against her; and yet all the time adopt a policy which must inevitably lead to an extension of the influence of France, and to giving her seaboard in the Mediterranean. He maintained that the true policy of this country was distinctly an alliance with Austria. It had been said that Austria was a decaying country. A short time before he had passed through the north of Austria, and he could say that no country had been subjected to more misrepresentation. Much had been said about the tyranny of the Austrian Government, but he knew that the proper state of the case was not represented in this country. No doubt there was some discontent, but it had been created by the Piedmontese committee acting at Venice. That was a committee as secret as any in the days of terror in France, and all kinds of misrepresentations were made with regard to Austria. He would quote from a document that was important upon the subject. Last year some officers were sent out from this country to make a report on the battle of Solferino. He would read an extract from that report—

> "The stories that were told of the cruelties and excesses of the Austrians were wanton fictions to excite the people against them. A French correspondent, who had forwarded to the *Debats* reports of peasants compelled to labour *à coups de baton*, writes from Vercelli, 'Once more an error. I am happy to say that I can find no trace of those ravages, the accounts of which have so filled the press. I look, I inquire, I seek for information, but there is nothing. Everything at Vercelli, as at Voghera, is limited to requisitions for beef and other provisions.'"

He believed that sooner or later they would have to accept an Austrian alliance, and that the best hope of this country in the event of a war would lie in such a union. He wished, therefore, to know what was the course Her Majesty's Government would be prepared to take in case France should carry her arms into either the north or the south of Italy, as he believed the French Government were intent on doing.

Mr. GRANT DUFF said, the Italians are generally accused of being hot-headed; but I think that, in the matter of this debate, they have given us a lesson in moderation. When it was first understood at Turin that the hon. Baronet intended to call the attention of this House to the internal affairs of the kingdom of Italy, some violent persons proposed that they, in their turn, should get up a discussion in the Italian Parliament about the internal affairs of Ireland. I am happy to say, however, that the good sense of the majority of the deputies, to whom this proposal was mentioned, induced them to scout it, and to leave Her Majesty's Government, with the assistance of Parliament—a Parliament, be it observed, in no way more legally constituted than the Italian one—to govern Ireland as it deems best. What possible right have we to interfere, under present circumstances, in the internal affairs of the kingdom of Italy? When a Government becomes so hopelessly bad, that it can be called by a Conservative statesman writing to a Conservative statesman, and amidst the applause of the civilized world, "a negation of God," it may be very right for us to interfere, to prevent horrors which are a disgrace to our common humanity; but, even upon the showing of the hon. Baronet himself, there is at present nothing worse than a languid rebellion being slowly trampled out by the legitimate authority. The hon. Baronet may perhaps object to the phrase I have used—"a negation of God"—but the language of the most eloquent defender of the Papal power is quite as strong. "Look," says Count de Montalembert, "at those wretched sovereigns of Italy, men of politics so profound, of imaginations so marvellously fertile for the destruction of the admirable race which they misgovern, that they have made their country a moral and intellectual hell, and have compelled all the best spirits to curse that land, the fairest under heaven, because, as they justly say, a tomb is never a country.' But even granting that the hon. Baronet has a right to ask us to discuss the internal affairs of Italy, what case has he made out for his friends? He has told us of atrocities committed by the troops of the King, but what is his authority for those atrocities? Are they the reactionary newspapers of Italy? Is it not perfectly notorious that these are in the hands of persons so unscrupulous, that the fact of any piece of intelligence appearing in them is almost a presumption that that piece of intelligence is false? Or does the hon. Baronet derive his information from private letters? If he does, he will find it difficult to prove that those letters are not written by persons who are the accomplices —the meaner accomplices—of those very brigands whom they put forward to do their work. Nothing would be easier than to get up a list of atrocities longer than that of the hon. Baronet. But although the mediæval imagination of himself and those who sit near him may luxuriate in such things, they are too horrible for the House of Commons. With regard to this whole subject of brigandage, surely we can have nothing more decisive than the dying declaration of the least disreputable of those brigands who met his fate last December. It may be in the recollection of the House that a Spaniard named Borges, who appears to have been a man of honour, was deceived by the persons who surround the ex-King of Naples into the belief that there was a real insurrection going on in his favour in the Neapolitan provinces, the kind of insurrection in which an honourable fanatic might take part without disgracing his name or the reputation of a soldier. He landed in the Neapolitan provinces with a commission constituting him Generalissimo; he soon found, however, that the regiments of which he had been told were purely imaginary, that the troops which he had expected to command consisted of the mere sweeping of the galleys, commanded, amongst other ruffians, by one Crocco, whom he describes as a monster in human shape. So much with regard to the facts of the hon. Baronet. But if we have a right to discuss the internal affairs of Italy, we have every right to discuss its external affairs, and for this plain reason, that our own foreign relations are closely bound up with its foreign relations. As long as the present abnormal state of things continues in Italy, a general war may break out at any moment; we shall always be uneasy about our Estimates, and kept in that painful state of preparation for war, which is only a less evil than war itself. Now, what are the two causes of this exceptional state of things in Italy? They are Venice and Rome. With regard to the first of these, I am free to admit that the Italian nationality cry can no more be defended before the tribunal of pure reason, than any other nationality cry. It might be much better if nations could be made to understand that good government is the first thing, and that the question between foreign and domestic government, where the subject population is small, is really a matter of secondary importance. Unfortunately, however, it wants very little insight to see that nations are not governed by pure reason; that this nationality cry is the cry of the time, and that, wherever it is sufficiently strong, it must in the end be yielded to. Of course there is no doubt that plausible reasons have been put forward to show that the loss of Venetia would be extremely inconvenient to Austria; but the question is not about convenience or inconvenience, it is about national existence or national ruin. It is impossible that Austria can right itself without making political concessions to Hungary, and without getting rid of Venetia, in return either for a large sum of money or for territorial compensation elsewhere. I am happy to think that there is a large party in Austria, including some persons who stand very near the throne, which would most willingly throw overboard Venetia, if they could venture to propose such a measure without irritating the susceptibilities of the Emperor, and throwing more power into the hands of the Absolutist clique which still flits about the Palace in Vienna. I am sure that our Government will act in accordance with the wishes alike of the House of Commons and of the British nation, if, while taking care not to wound the pride of a high-spirited and patriotic people, they loss no opportunity of impressing upon the Austrian Cabinet the expediency of yielding to circumstances, and abridging a state of things which is dangerous to Europe, and must, if continued, prove absolutely fatal to Austria. With regard to the question of Rome, there is one point on which the Italians have, as it seems to me, a right to express their opinions very strongly. It is quite intolerable that the ex-King of Naples should be permitted to use that wealth which he has carried away with him to excite confusion within the territories which he was unable to govern. It may be said that the Emperor of the French only permits it in order to show that Italy can really triumph, even over such a terrible disadvantage as this; but I rather fear that he only permits it to continue for want of courage to take a decisive step; and although, as I shall presently point out, the Italians ought not to be too impatient to insist on the withdrawal of the French from Rome, they, and we, and all civilized mankind have an interest in protesting against the brigandage and filibustering of Francis II. and Monsignor de Merode. With regard to the occupation of Rome by the French, I am not one of those who believe, after making deduction of all mixed motives, that the intentions of the Emperor with regard to Italy are otherwise than very fair and honourable; but his favourite motto is "Ne rien brusquer." As far back as the year 1849, when the news of the battle of Novara came to Pais, he was on the point of declaring war against Austria. He was prevented doing so by the entreaties of his Ministers, and for ten years he bided his time. I cannot help seeing that he has to contend with great difficulties. Of these I will mention only two. Up to the time when he returned from his long exile, he never believed that religion was a political power in France at all. He was undeceived by the remarkable energy displayed by the clergy at the time of his election to the Presidency, and from that time he has obviously never been able to make up his mind what the real strength of the Ultramontane party in France may be. And no wonder; it is one of the most difficult questions which can be put to any one. Let any gentleman ask the opinion on it of the six best-informed Frenchmen with whom he is acquainted, and he will be perfectly astonished by the diversity of the replies which he will receive. His second great difficulty is to be found in the fact that it has been the traditional policy of French statesmen to keep Italy weak, to prevent the formation of a great power upon the southern frontier of France. All the heads of the "old parties" continually and pertinaciously repeat that Louis Napoleon, by giving in to the scheme of a united Italy, is sacrificing to his own crotchets the permanent interests of his empire. For these, and other reasons, he must be extremely circumspect; but I believe, nevertheless, that, in that dreamy and inconstant mind, where so many things are in a state of flux and reflux, there is one point fixed, and that is a determination to befriend Italy, if he can do so without injuring what he loves a great deal better than Italy—the prospects of his dynasty. On the whole, Sir, I do not take a very unfavourable view of the present condition of Victor Emmanuel's kingdom. I think that the members of the present, as of the former Parliament in Turin, have shown great good sense in affecting rather the fame of being good men of business than of being great debaters. I think that the Italian press, considering the low price at which papers are sold, and the fact that the abolition of the censorship is so recent a thing, even in Piedmont, is marvellously good. I think that the whole conduct of Victor Emmanuel shows that those who recently accused him of being in ill-humour with the working of constitutional monarchy, judged him harshly and unfairly. I think that the report lately circulated by a person in high place in this country, with regard to the sale of obscene books at Naples, is contrary to all evidence and grossly exaggerated. And, finally, I think that English Liberals, if they have anything to say to Italy, except to apologize for meddling in her affairs at all, should quote to her the maxim which I have already mentioned, "Ne rien brusquer."

MR. MONCKTON MILNES said, that on a recent great occasion—that on which Italian unity might be said to have been proclaimed in the House—he expressed an opinion, which he still maintained, that it would be well for the friends of Italy to look towards the future, not in too jubilant a spirit, not confident in the belief that the difficulties of Italy were over, but conscious that they were just beginning. It was with the nation as with the individual—when the responsibilities of life arrived, great difficulties had always to be encountered. The question was, whether Italy had, under the circumstances, risen to the level of her responsibilities. He was of opinion that there was nothing in late events in Italy to call for any interference on the part of that House. The hon. Baronet (Sir G. Bowyer) who introduced the Motion entirely failed to make good his case; for the "facts" which he brought forward were mostly unattested, and would certainly not justify the intervention of England. There was some truth in the reproach of the French Minister, that France had spent her blood and treasure in the cause of Italy, and had got very little gratitude in return. On the other hand, England had got much credit from Italy for doing nothing at all. This arose from the perception on the part of the Italians that our conduct towards them was entirely unselfish. The commercial interest of England in the Italian question was somewhat remote, and her interest in the movement undoubtedly sprang from that sympathy which, he trusted, England would always bestow on the rise of liberal institutions and the establishment of independent nations. Unfortunately, and most unjustly, the action of Her Majesty's Government, limited as it had been, and unaccompanied by a stiver of English money or a drop of English blood, had been perversely seized as a pretext for strengthening the Opposition against the Ministers, and for alienating from the Liberal party those who were bound to it by the strongest ties of gratitude and old associations. He believed that this had arisen partly from a disregard, and partly from a misapprehension of facts. He challenged any Roman Catholic gentleman, however zealous he might be in religious matters, to point out a single act of the Government which could be regarded as a participation in any insult or injury to be inflicted by the Catholic people of Italy upon the Court of Rome. The Government appeared to him to have merely given expression to the commonly-received opinion of all rational Protestants, that the question of the temporal Government of Rome rested between the Catholics of Italy and the Catholics of the rest of the world, and that it would be unbecoming and indecent for this country to assert that the former were wrong and the latter right. The only opinion which they ventured to express was, that if the temporal administration of the Roman See became utterly irreconcilable with the happiness of Italy, if it were plain that the Pontifical Government had not gained the affections of its subjects, then it would be desirable that some modification of the rule should take place in order to reconcile it with the great future of Italy. The Catholics of Italy were naturally the best judges on such a subject, and the other adherents of the faith were too far off either to appreciate the difficulties, or to feel the oppressions of the Papal system. But, because the Government had pursued this very moderate course, was the great link between the Liberal party and the Roman Catholics of Great Britian to be snapped for ever? He could not but believe that this temporary aberration of judgment would pass away, and that the Roman Catholics would again rally round the banner under which they had fought so long and so triumphantly. He was fain to accept the absence of the main body of the Roman Catholic members from the House as a proof of their unwillingness to use this question, as it had been used on the hustings, against the Government. He trusted that Italy would be left to herself, and that England would interfere as little as possible. [Sir George Bowyer: Hear, hear!] Would the hon. Baronet cheer as cordially the wish that the Emperor of the French would withdraw from intervention in Italy? He thought the question would then come to an issue. He begged that he might not be supposed for a moment to assume that it would terminate in any manner derogatory to the dignity or real power of the Roman See. As an Englishman and as a Protestant he had no right to make such an assumption. Forming a judgment upon what was known of Italian history and Italian character, he believed that the people of Italy were sincerely, earnestly, and piously Catholic. He believed that the supporters of the Papacy would have to go to much greater lengths than they had at present to make the people otherwise. But no one could foretell the consequences if for a generation, or even half a generation, the faith of the people were to be set against the liberties of the people. It was a question of great delicacy and of great gravity, but he believed that it was capable of a pacific and honourable solution, and that it was possible to combine the unity and happiness of Italy with such a position for the Bishop of Rome as every Catholic desired. At the same time it was a question with which he could never think it right to allow Protestant opinions or inclinations to interfere. The future of Italy must rest with the Italian people. He implored the House to leave the question unaffected by the foolish rumours of newspapers, or the accumulations of comparatively insignificant incidents. In his opinion it would be as absurd for the French Government to interrogate the English Government upon the course which was being pursued in reference to the Road murder or the Roberts tragedy, as for the English Government to be continually questioning the Emperor of the French as to the policy he intended to adopt in regard to the affairs of Italy. He was of opinion that the hon. Baronet (Sir George Bowyer) had introduced a subject which it would have been quite as well not to bring before the notice of the English House of Commons.

Mr. WHALLEY said, as to Catholics to whom the hon. Member had alluded, that they were not open to the charge of pretending to support civil and religious liberty merely for electioneering purposes, or that they had deserted their party on this Italian question. He believed they had always acted in accordance with their avowed principles. The natural place of the Catholic Members was in opposition to a liberal Government. He had never said a word against the faith of Catholics, and he would never consent to withhold any advantages from them which they could enjoy in common with their fellow-countrymen. But in its political aspect Catholicism was a conspiracy to obtain political power inconsistent with the social well-being of the community. As to the brigandage, if the Piedmontese soldiers had committed acts of atrocity, they had done so contrary to the spirit and principles of the Government. But if those persons who turned brigands to effect the restoration of Francis II., and to sustain the temporal power of the Pope, had committed atrocities, they had done so in accordance with the principles enunciated by the authorities of the Catholic Church. Every massacre by Catholics was celebrated under the orders of their superiors, and they were still celebrated as the great events in their Church, to show that they were ready to re-enact them, just as the Orangemen, by celebrating the siege of Derry, showed that they were ready to re-enact their heroism if similar circumstances were again to occur. If the alliance between the Opposition and the Catholic Members were further matured, there might shortly be a change of Government on this question of Italy. Italy remained unsettled because of this war of brigandage; and, connived at and promoted by the French, the Emperor was responsible for it as much as if his troops sullied their own arms in the cause. He appealed to Her Majesty's Government to give a practical turn to this Italian debate, and call upon the French Emperor to act decidedly one way or the other—either to withdraw his troops from Rome, and so put an end to the protection afforded to those persons who really fostered the war of brigandage now raging and the atrocities resulting from it, or to declare war against Italy. If the Emperor hesitated what to do, the noble Lord at the head of the Government could at all events remind the Emperor that, according to his own declarations, the French troops were at Rome to keep order, and not to support brigandage and its attendant atrocities?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I confess it appears to me there is a great deal of force in the objection which has been taken by various hon. Members on this side of the House—at all events, in the abstract—to the periodical discussion in the House of Commons of the internal affairs of Italy: in the first place, because it seems to be hardly consistent with the respect due to a friendly Power wholly independent of us; and in the second place, because Italy herself is provided with an arena and organs for such a discussion. But although I feel the force of the objection in the abstract, I cannot but feel also that it is much mitigated by the form which those debates assume, and the effects they are likely to produce. My hon. and learned Friend the Member for Dundalk (Sir G. Bowyer) in the exercise of his judgment, pursues, I think, a course which is eminently conducive to the benefit of Italy; for when, from year to year, he invites the British House of Commons to enter into this subject, and to give expression to the feelings which they themselves, as well as their constituents, entertain with reference to the progress of events in that country, it is to him, and not to the organs of the Ministry, not to my hon. Friend near me—to whose admirable speech I listened with so much pleasure to-night—nor to my noble Friend at the head of the Government—we owe the frequent opportunities which are afforded to us, the representatives of a free people, of speaking out our sentiments on this deeply-moving question—opportunities for which I, for one, beg to return the hon. and learned Gentleman my hearty thanks. I may add, that of all the speeches to which I listened this evening not one, on the whole, appealed so strongly to my feelings as that of the hon. and learned Baronet himself. I do not wish to use unparliamentary language; but if I may be permitted—as I believe I may, without being open to the charge—to accuse an hon. Member of indulging in paradox and being the victim of credulity, I would appeal to my hon. and learned Friend himself, and at all events with great confidence to the House generally, to say whether his speeches are not distinguished by astonishing powers of paradox, as well as by a capacity for credulity which is absolutely marvellous. I shall, if the House will allow me, endeavour to sum up in a few words the statements which he made. He comes among us a contemporary historian of events passing in Italy, and tells us that 4,000,000 of people in a corner of that Peninsula—Lombardy, of course, stands out of the account, its conquest being due to French arms—who, he says, are regarded as strangers by all the rest of the people of the country, and are detested by the Neapolitans—have by their own unprincipled agency succeeded, not indeed in uniting in the bonds of friendly alliance and fully incorporating with themselves, but in subjugating to their sway some 15,000,000 or 20,000,000 of Italians. That is the first great item in the charge which the hon. and learned Baronet brings against Piedmont; but I wonder he does not perceive, that if the allegation be true, he has made out a very good claim on behalf of the Piedmontese to the position which they enjoy; for, if there be in Italy a race of men numbering only 4,000,000 endowed with this marvellous capacity for extending their narrow limits, and who, with the Pope frowning on one side and Austria on the other, work out the marvellous results which the hon. and learned Baronet has described, surely their very performances stamp on their front the character of an imperial race, and the hon. and learned Gentleman is doing them not only great but most extravagant honour in giving them credit for those achievements. But what makes all this more wonderful is that my hon. and learned Friend would lead us to believe that before Piedmont set out on this apparently hopeless crusade Italy was the happiest country in Europe, the population of the different States of which it was composed being united in the closest bonds of friendship and animated by sentiments of devoted loyalty to sovereigns who exercised over them a paternal sway in the eyes of an admiring world. Now, I may, I think, without exaggeration describe my hon. and learned Friend, who has given us this picture of Italy, who has represented the operations of the Piedmontese as having been conducted not only in the face of the great spiritual power of Rome, and the great temporal power of Austria, but likewise against a people who enjoyed the utmost happiness, as a most successful creator of paradox.

Now, let me take a particular ininstance,—the downfall of the late King of the Two Sicilies, in bringing about which event my hon. and learned Friend was so kind — I do not know whether he meant it as a kindness or not —as to speak of so humble an individual as myself as having had some infinitesimal share; and let me observe, that if he could prove to me that I have been in the smallest degree instrumental in assisting to cause the removal, from a world in which there is wickedness add misery and sorrow enough, of one great and gigantic iniquity, I should accept that proof as another favour conferred upon me. I do not, however, assume to myself any credit of that character. But what, according to the representation of the hon. and learned Baronet, has happened in this case of the King of the Two Sicilies to which I am referring? Here was a kingdom in which he tells us the whole population, with the exception of a few busybodies belonging to the middle-classes—in which the aristocracy, the educated classes, the peasantry, as well as the great bulk of the middle classes—were attached to the expelled dynasty. That being so, what takes place? An adventurer named Garibaldi, clad in a red shirt, with a certain number of followers also clad in red shirts, lands upon the southern point of the Italian Peninsula, marches through Calabria, and with those few men in red shirts faces a Sovereign with a well-organized army of 80,000 men and a fleet perhaps the best in Italy, and the Sovereign at once disappears before him like a mock king of snow. Then comes my hon. and learned Friend, and, with the evident sincerity and earnestness which marks all he says and does in this House, seeks to persuade us that such events as these can occur in a country where the feelings of the people are not alienated from the throne, and where misgovernment does not prevail—thus exhibiting, in addition to the power of paradox to which I have already referred, a credulity which is almost incomprehensible, and in which he wishes to make us sharers when he asks us to receive his statements on this head as a kind of political Gospel. Then the hon. and learned Baronet said, with respect to the kingdom of Italy, that it was non-existent. Now, it is true we must all, in taking into consideration the completeness of the kingdom, refer with sad and pensive thought to the names of Rome and Venice; but how, I should like to know, does my hon. and learned Friend prove his assertion? He maintains that the kingdom of Italy is non-existent because it is not recognised by any European Power, except England and France. Now, I will not inquire into the literal accuracy of that statement, but I may observe that I do not think it is entirely correct. Be that, however, as it may, I venture to contend that, so far as the existence of a nation depends on the recognition of European Powers, you have made in that direction very considerable progress when you have procured the recognition of England and France. But the principle which I want to assert in the face of my hon. and learned Friend is, that the existence of a people does not depend mainly or primarily upon reognition from other peoples. The Almighty has allowed nations and peoples to exist in the main for themselves, and has permitted them to be the first judges and arbiters of their own destiny. It is that which the Italian people have done and achieved, and which all men, except my hon. and learned Friend, have perceived them to have done and achieved; and it is that in virtue of which they are entitled to be called, even though they have not the recognition of some other nations, the people who constitute the kingdom of Italy.

My hon. and learned Friend is heard with great patience in this House. I never hear the speeches, in which he expresses his views upon Italian freedom, and gives his history of transactions in Italy, without thinking that they are remarkably characteristic and are highly creditable both to himself and the House. They are creditable to the House, because the patience with which they are listened to indicates the traditional self-restraint of an assembly that is not in harmony with the speaker who addresses it; and they are highly honourable to my hon. and learned Friend, because his evident earnestness and sincerity, his unvarying good humour, and the manner in which he always carefully avoids injuring or wounding the feelings of any of those among whom he sits, entitle him to the friendly and patient hearing which he receives. But, besides that, I, for one, frankly own that I feel something like a sentiment of gratified curiosity in listening to my hon. and learned Friend. My hon. and learned Friend possesses a wonderful faculty, which he exercises in perfect unconsciousness, first of all of deceiving himself, and then of endeavouring in entire good faith to deceive his hearers. The result is, when this marvellous faculty is exercised laboriously and continuously by my hon. and learned Friend throughout a long speech, that the display becomes a perfect work of art, and at once attracts the eye even of the least curious among mankind. When my hon. and learned Friend tells us his amazing stories, and propounds his extraordinary doctrines about what are the real proofs of the attachment of a people and what is the real meaning of the events which have taken place in Italy, he comes among us almost like a visitant from another sphere. What does my hon. and learned Friend admit? He admits that there is in Italy a free press and a free Parliament.

Sir GEORGE BOWYER: No; I do nothing of the kind.

The CHANCELLOR of the EXCHEQUER: My hon. and learned Friend does not admit that, but he quotes from Italian newspapers language the most congenial to his feelings—language denouncing, in terms satisfactory even to him, the conduct of the Italian Government and the institutions which exist in Italy. Does he not himself thereby produce a proof of the existence of a free press in Italy? In the halcyon days upon which his memory fondly dwells would it have been possible for those who wanted to exhibit the real state of Italy to take their evidence from Opposition papers? My hon. Friend the Under Secretary for Foreign Affairs has referred to other proofs of the happy change which has been effected in Italy. He has cited, in addition to a free press and a free Parliament, the extension of education and the increase of trade; and he made another citation, which I did think would, through the medium of his professional feelings, have touched my hon. and learned Friend. If my hon. and learned Friend could not admit any of the things I have enumerated to be evidence of a sound or an improving state of affairs, I certainly did expect that we should hear some expression of sympathy from him when my hon. Friend the Under Secretary referred to that which is, perhaps, not less important than them all—namely, the fact that Italy now has a body of judges who cannot be removed at the will of the Government. But all these things are, in the sight of my hon. and learned Friend, as nothing. Perhaps he regards them as evidences of slavery. We, on the other hand, are accustomed to consider them as demonstrations of freedom. When an Englishman goes abroad among those with whom my hon. and learned Friend has the closest sympathy—those, for example, who are much about the Court of Rome—he is often told that there is a great deal of practical slavery in England. He is frequently told that there is a wide gulf between classes, that the aristocracy domineers over the rest of the community, that no real freedom exists, and that the people are in a state of misery. How does he answer? He answers by pointing to the great institutions I have mentioned as indications to the contrary, and he considers his answer conclusive. But my hon. and learned Friend will not admit anything of the kind in the case of Italy. The Englishman says that all the things alleged against his country must be false, otherwise we should hear of them through our free press and our free Parliament; and that if they were true, we could not have the prosperity —the improvement of our laws and the advancement of education—which, through the mercy of Providence, prevails among us. No wonder that my hon. and learned Friend makes but little way in the British House of Commons, when he is compelled to admit the existence of such institutions in Italy, and yet denies that they are evidences of freedom and of a progressive state of affairs. My hon. and learned Friend denies the existence of a kingdom of Italy, deplores the change which has taken place in that country, and asserts that a state of anarchy prevails. The Italian peninsula contains a population of something like 28,000,000, of whom 23,000,000 or 24,000,000 are Italian people. Now, observe, the statement of my hon. and learned Friend does not touch 16,000,000 out of these 24,000,000. It does not touch the inhabitants of Piedmont, the inhabitants of Lombardy, the inhabitants of the Duchies, the inhabitants of Tuscany, the inhabitants of the Legations, the inhabitants of Umbria and the Marches, or the inhabitants of Sicily. My hon. and learned Friend is compelled to put them all aside.

Sir GEORGE BOWYER: Not Sicily.

The CHANCELLOR of the EXCHEQUER: I do not think my hon. and learned Friend introduced Sicily into his speech.

Sir GEORGE BOWYER: I did.

The CHANCELLOR of the EXCHEQUER: Then I am wrong. But when we come to the evils which my hon. and learned Friend describes, into what do they resolve themselves? Into manifestations which occur either on points near the coast, where the agency of foreigners landing from abroad is felt, or else on points near the frontier, where the agency of those who work from Rome is felt. But is it really to be expected that after a great revolution—not a destructive, but a constructive revolution—effected among a people like the Italians, on the very next day at dawn everything is to be in perfect order, developing itself and operating with all the advantages which belong to long-established institutions and traditions? The thing is absurd. Only two years have elapsed since the Italian Revolution. What was the condition of England two years after the Revolution of 1688? Was the new dynasty secure? Was the country tranquil? What was the state of things in Ireland and in Scotland? What about the Massacre of Glencoe? The work of pacification and consolidation was not accomplished for two, or ten, or twenty, or even thirty years after that great revolution, which we regard as the epoch when the last and greatest development of constitutional freedom in this country was effectually begun; and I want to know what the condition of England would have been if, instead of being separated by the sea, on which we were always strong, from the country whence foreign influence was exercised against us, Scotland had had a frontier coterminous with France. If France had been able to operate upon Scotland in the time of Louis XIV. and Louis XV. as Rome is now able to operate upon the southern portion of the Italian kingdom, I believe the condition of England would have been such that a comparison drawn between it and the present state of the kingdom of Italy would be to the disadvantage, not of the Italians, but of ourselves. Let us endeavour to bring this question to some clear and practical issue. I shall put to the House two points which appear to me to be decisive. In the first place, as regards two-thirds of the population of the kingdom of Italy, my hon. and learned Friend himself has practically renounced and abandoned the case.

Sir GEORGE BOWYER: Certainly not.

The CHANCELLOR of the EXCHEQUER: Do not let me be misunderstood. I do not mean that my hon. and learned Friend has undergone a process of conversion in his own mind. What I wish to say is, that for the purposes of debate in this House he has abandoned the case as far as two-thirds of the Italian population are concerned.

Sir GEORGE BOWYER: I deny it, at least for the debate to-night.

The CHANCELLOR of the EXCHEQUER: My hon. and learned Friend denies it, but what is the denial worth? Surely my hon. and learned Friend is not going to resume the subject to-morrow. To-night is the great annual festival, or, I should rather say, the night of doleful commemoration on which he sings his dirges and requiems for the late Government in Italy, and launches his invectives against the present state of things. It is, therefore, the night on which, if he had intended to say anything about two-thirds of the Italian people, he ought to have said it. My hon. and learned Friend may have omitted something from his speech; but if so, all I can say is that the omission was a grievous one, and I am sorry for it. With respect to the other third of the population, upon which my hon. and learned Friend laid great and exclusive stress, I admit that we ought to be able to show that things are improving. Bad Government, especially when long continued, must undoubtedly have a disorganizing effect, and order cannot be restored after even the most beneficial revolution within so short a time as has elapsed since the recent change in Italy; but we may fairly be asked for some evidences and indications of improvement. Without adding to the lucid and ample details which have been submitted by my hon. Friend the Under Secretary for Foreign Affairs, I will call the attention of the House to two important points. One allegation of my hon. and learned Friend is, that the entire population of Southern Italy is averse to its union with the kingdom of Italy. As a conclusive confutation of that statement, I adduce the fact of the existence of a National Guard. It is impossible that there should be a National Guard—which arms the most intelligent and most substantial portion of the population—in harmony with the Government, if there were anything like an approach to truth in the assertion of my hon. and learned Friend, that the people of Southern Italy are alienated in spirit from the Italian Government. My hon. and learned Friend is credulous enough in some things; but when he deals with an adversary, he is strong in the resources of unbelief. I wish to come to close quarters with him. I put to him this test—he says the arming of a force such as the National Guard, containing the best part of the heads of families in the country, is no proof of sympathy between a people and the Government. [Sir George Bowyer: No.] Does he think that the present Sovereign of the remaining fragment of the Roman States would like to arm the National Guard? Either that National Guard would at once be in collision with the French troops, or, if the French troops were withdrawn, that temporal Sovereign would have to execute an evacuation of the Roman territory more rapid than dignified. I am glad my hon. Friend favours me with his "Yes" or "No," for it enables me to found a stronger argument on his silence. I asked him if he thought the temporal Sovereign of Rome would like to intrust his defence or safety to a National Guard, but I did not succeed in drawing any answer from my hon. Friend on that point.

Sir, the other case to which my hon. and learned Friend referred is a matter with respect to which it is impossible, on a debate suddenly arising, to arrive at any judgment. It is, I am afraid, impossible that such atrocities in their degree should not occur. It is in the nature of a revolution partaking, as it must, of the character of civil war—though it has partaken less of that in Italy than in any revolution of equal magnitude that ever took place in modern times—yet it is of the nature of a civil war to engender bitter and ferocious passions; and there is one circumstance, above all, that invariably gives an intensity to these ferocious passions—that is, when those who contend on the one side look on those who contend on the other side as representing and being supported by a foreign influence. Sir, it is foreign influence interfering in Italy, it is foreign influence that gives its character to those horrors wherever they prevail in the South of Italy; and for that foreign influence, I regret to say it, the present temporal Soverign of the Roman States is principally responsible. It may be natural enough for the ex-King of the Two Sicilies to do what he can to regain his power, and we can perhaps hardly blame him if he be not too scrupulous as to the means; but it is he who shelters him; it is he who, being sheltered himself by the defence of France, extends that shelter to the expelled King of the Two Sicilies—it is he who is most deeply reponsible for the continuance of the disorders in the South, and for whatever of human misery or crime attends the perpetration of these enormities. Sir, wherever cruelty is proved it will never, I am sure, be apologized for or palliated in this House; but in recording the admission that all cruelty is abominable, I must say I think, on the whole, it is marvellous to see how little cruelty, under such circumstances of fearful and agonizing suffering, has been proved against the soldiery of Italy.

The mind is necessarily dragged in discussions of this kind to the state of Rome, with regard to which my hon. and learned Friend would have us to believe that the population of that city and the surrounding country are thoroughly satisfied with their Government. He requires us to believe this in the face of the fact, that I believe not less than some 20,000 French troops are there for some purpose or other. He does not say what purpose, but he says he is quite sure of one thing—it is not to keep the population in order. He requires us to believe this in the teeth of the recollection that he was wont to make similar declarations regarding the whole Papal States; but it did happen in the wealthiest and most considerable portion of those States that one fine morning the Austrian army walked out, and before twelve hours had elapsed the Papal Government walked after it, and that portion of Italy, with a singular absence of military force, has been among the most peaceful portions of the whole kingdom ever since. But my hon. and learned Friend undertakes to say that Piedmont will never have Rome, and that the population is entirely in favour of the temporal sovereignty of those States. I cannot help recollecting a very slight anecdote which I may mention to the House as illustrative of the real state of opinion in Italy, and which every one who has travelled in Italy, unless he has kept himself among a particular section, perfectly well knows. You may say, "I do not care a pin about the state of feeling among the population; I mean to keep them down. It is necessary for religion that the iron heel should be placed on them." At least, there would be a grain of truth in that; but there is not, I am sure, the slightest shadow of truth in the declaration of my hon. and learned Friend as to the feeling of the population. It was in the month of June, 1849, when I can assure my hon. and learned Friend I had not paid the smallest attention to the details of Roman politics, I happened to be on board a steamer at Civita Vecchia; there was every variety of passengers in the ship, and, the French having just entered Rome, they were all joking or crying out against the Pope but a portly *facchino*, who said, "I am on the side of the Pope, because the Pope fills my paunch." That was the reason why he was on the side of the Pope—the Pope filled his paunch. So you will find two classes in Italy on the side of the Pope—the majority of the clergy and the majority of those whose paunches are filled by holding public office. Beyond those classes, however, a Papal party does not exist, and the proof of it is what has happened in the portion from which the Austrian troops have been withdrawn, and which is a clear indication of what will happen in the rest when the French troops are withdrawn. My hon. and learned Friend, however, takes refuge in bold prediction. "I tell you plainly," he said, "you won't get Rome; you will never have it." Sir, that reminds me of what was once said in this House by Mr. Grattan when contending with an adversary. He said, "He does not argue, but he foretells. I have, therefore, but one resource. I cannot confute a prophet, but I can disbelieve him." Sir, that applies to the utterances of my hon. and learned Friend. The future is neither in his nor in our power. If I spoke as the organ of the Government, I should feel less at liberty in alluding to the occupation of Rome as I now do; but, speaking as an individual, I cannot but record the deep regret with which I view the continued prolongation of that occupation. I, for one, feel for France—for that great nation, an admiration which is not mixed with nor measured by envy, because I do not believe that England has any occasion to envy France, and I do believe that in this world, which the Almighty has made for nations, there is room enough for us all; but this is a matter of deep European interest—not confined to any country or any religion, and I most earnestly hope that for the name and fame of France, for the sake of justice and humanity, for the sake of the future peace of Europe, and for the sake of the great and splendid services that France herself has conferred on Italy, that occupation may soon come to an end.

My hon. Friend the Member for Honiton (Mr. Baillie Cochrane) alarms us by referring to the supposed existence of a Republican party in the North of Italy, and a Muratist party in the Neapolitan territory. He said that French interest prevailed, and he asked what measures the Government intended to adopt to avert the evils he anticipated. Well, I say, if there be such a party as the Muratist in Naples, which I do not believe—if there be a Republican party in the North of Italy, which I do not wholly disbelieve, but we know it has been repressed for a long series of years with increasing energy and earnestness by the great mass of the Italian people—and if French interests prevails—I do not presume to forecast the course of this or any other Government in particular exigencies—but if these dangers exist from within and without, I venture to say the safest and the surest remedy is this—to call forth the self-consciousness of the Italian people. That is the basis, as I think, of all the policy to be pursued by the Government of this country, either with consistency, or in accordance with the rules of right and justice, or with the slightest hope of support from the people. My hon. and learned Friend alarms us by speaking of the responsibility of the Government with regard to Italy, and he seems to think that our slumbers must be disturbed by the immense effect which our policy has produced. Now, it appears to me, that as the hon. Member for Honiton somewhat underrated, as I think, what he called, and very properly, moral support in matters of great European policy, so it was materially overrated by my hon. and learned Friend. My hon. and learned Friend treated the British Government as being in the main the authors of recent events in Italy. The hon. Member for Honiton, on the contrary, rather approximated to the notion that what is termed moral support is only a name, a mere shadow, or something which is totally ineffective. Now, I grant that what is called moral support, as between country and country, is in no inconsiderable degree a modern idea; but it is one of those modern ideas to which, as it appears to me, we ought to attach the greatest price and the greatest value. Moral support is a real power in Europe. Genuine public opinion —not the opinion of any one State—is a real power in Europe; and it is a true sign of advancing civilization and of progress in the affairs of men—not a visionary, but real and substantial progress—when you find that you have passed beyond the region in which no real influence was known, except that of sword clashing against sword, and entered into that domain in which the minds of men act upon one another, and in which, without a resort to force, the power of higher principles is felt and recognised. That I believe to be the meaning of moral support. That moral support, I rejoice to think, has been afforded by Her Majesty's Government to what is, in my humble opinion, the cause of law, the cause of freedom, the cause of European peace, and I will even presume to say—following the excellent remarks of the hon. Member for Pontefract (Mr. M. Milnes)—the cause of religion itself.

Reference has been made to the course taken by a portion of our fellow-subjects with respect to the general policy and position of the present Administration in consequence of its conduct in regard to the affairs of Italy. Sir, every section of Englishmen, Irishmen, or Scotchmen are free to judge of and to adopt the course that seems best to themselves. For my own part, if I deeply lament that there are in this House, and out of it, those who make their views as to the temporal power of the Pope the key to their entire political action in all matters of civil and internal concern affecting this great Empire, I can only say that, regretting it, I regret it far more for their own sake than upon any other ground. I have, before now, walked with my hon. and learned Friend into the lobby of this House in very small minorities in defence of what I held to be the civil rights of persons of his own religion. I am ready again to repeat that course wholly without reference to that which he or others may now do. But I beg respectfully to tender to him the assurance that I should think it the basest of proceedings if we were capable of being actuated on great questions involving the fortunes of the nations of the world by the opinions which we might secretly or individually entertain in respect to the special fortunes of this or that religion. Sir, there are among the British public, and even among those portions of it who, perhaps, go the furthest in their hostility to the Roman Catholic religion, persons who are perfectly well satisfied with the policy now followed by the temporal sovereign of the Roman States, because, as they argue, "Whatever we may say or do, either in Exeter Hall or through the medium of the printing press, we cannot do anything one half so effective for detaching the Italian people from religious allegiance to the Court of Rome as the Pope himself and his Cardinals are doing from day to day, from night to night, from month to month, and from year to year, without intermission, by causing that Italian people to retain in their minds the living sentiment that there is a practical opposition between the conduct of their ecclesiastical rulers, who insist upon being likewise their civil governors, and those deep principles of justice, right, truth, and order, which are the original and inalienable heritage of mankind." I hope it is not disrespectful towards my hon. Friend, recollecting the endeavours that have been made to cast the censures of infidelity upon those who have followed Garibaldi, if I venture to remind him that theologians perhaps the most distinguished of his own communion in Italy are men who have shown themselves ready and anxious to part with the Papal sovereignty. [Sir GEORGE BOWYER was understood to signify dissent.] My hon. and learned Friend shakes his head, and thereby, I suppose, means to challenge me to the proof of my assertion. I would therefore cite to him the names of the celebrated monk of Montecassano and of the Padre Passaglia. My hon. and learned Friend seems shocked at the mention of the Padre Passaglia, but who, let me ask, is the bearer of that name? A man, I will say, quite as famous as my hon. and learned Friend. My hon. and learned Friend has acquired an extended fame by his chivalrous and dogged defence of everything done in Italy by the beloved Sovereigns who have now left it; and, considering the peculiarity of his task, the strangeness of his performance, and the courage it requires, I think he deserves the reward of an extended fame. But Passaglia was a considerable man when the Court of Rome, about five or six years ago, proceeded to take one of the most remarkable steps in the whole of its ecclesiastical history, and promulgated what was popularly known by the name of the new dogma. The Pope and his advisers then very naturally looked around for a grave and competent apologist, and who was the person they selected? Why, Father Passaglia. I cannot say that I have in my pocket the two enormous volumes which that gentleman then wrote, containing not only his dedication of his book to the Pope, but also a letter from the Pope to him stating the grounds of the confidence on which he had been chosen to execute that great work for the honour of the Church. That man, whom my hon. and learned Friend now decries, contradicting the whole tenour of that letter of the Pope, which I have seen, and can show to my hon. and learned Friend—that man whom I cite as a theologian of far more eminence than any one in Italy who can be marshalled against him, is now an exile from Rome, because, although he was the chosen champion of the Papacy in matters spiritual, he could not consent to be the advocate of the iniquities connected with its temporal authority, and he is, I believe, at this moment earning his bread by editing a petty journal at Turin.

With respect, Sir, to our responsibility on this question, I am not entitled to speak for the Government collectively, but only for my own individual share in it; and I would only say I rather incline to have that responsibility aggravated than extenuated. But there is one important point with respect to which, with the indulgence of the House, I wish to bring this matter to a clear and definite issue. I have admitted that those who are, in some degree, responsible for having contributed, by their moral support, to the formation of the kingdom of Italy, are bound to show the existence of an improving state of things in that country. It has been alleged that disaffection prevails among the National Guard of Italy. Now, that assertion confutes itself, because, if it were true, who believes that the Italian Government would for a moment allow that force to continue in arms? Of course, in that case it would be disarmed immediately. But another and more distinct issue still capable of being presented to the House, and which was put by my hon. Friend (Mr. Layard) at an hour when there were much fewer hon. Members present than are here now, is, I hold, conclusive, not for the purpose of rebutting every allegation that is made of abuse, of cruelty, of imperfection, or of crime, but for the purpose of showing that great improvement is going on in the southern part of the Italian kingdom. I refer to the remarkable circumstance stated by my hon. Friend with regard to the trade of that kingdom. The hon. Member for King's County (Mr. Hennessy) thought to confute it by showing that the imports into this country from Italy have undergone a certain decline within the last year. Why, Sir, it is not a question of what the trade of Italy with this country may be, but what the trade of Italy may be with herself and with the whole world. Italy was formerly divided into seven States, and those seven States, being now formed into one, have been united in point of commerce. My hon. Friend (Mr. Layard) observed that we have the very clear and simple test of figures to apply to this matter. The receipts of the customs at Naples formerly amounted in the aggregate to £800,000 a year. [Mr. HENNESSY: At what date?] The date is the latest for which the figures can be given under the old *régime.* I do not recollect precisely the month at which that *régime* ceased. Under the new system the import duties have been reduced to one-fifth of their previous rate. If, therefore, the trade of the country were the same as it was under the old system, the amount of customs receipts obtained at Naples would be just one-fifth of £800,000, that is, £160,000. But, instead of that latter sum, the actual sum is £520,000, showing a threefold trade in the port of Naples. The same thing might be proved to exist in regard to the trade of Sicily, were the hour not too late for troubling the House with the particulars. But I do not hesitate to state that I think this fact is in itself a conclusive confutation of the stories that have been told us. It has been said that 7,000 men were shot on the spot, that 6,000 or 10,000 were wounded, that 7,000 or 8,000 were carried away to prison, that 900 villages have been burnt to the ground, and all this, forsooth, in a country where, in the short space of two years or a little more, the trade of the metropolis has expanded to threefold dimensions. I put it to the reasoning faculties of my hon. and learned Friend, which are perfectly acute in all cases where he is not governed by some overruling prepossession—I do entreat him to divest himself of the prejudice in which he seems to look at this question, and to tell us how he can possibly reconcile these two suppositions: on the one hand, that the people are universally disaffected and miserable, and that 900 of their villages are burned, and I know not how many hundreds or thousands more depopulated or under military occupation; and, on the other hand, that simultaneously with this terrible state of things, the pursuits of peace exhibit such an expansive power as is not merely indicated, but proved by the figures which I have just laid before the House. As regards the responsibility of the Government, I think they will be well able to bear it. I do not hesitate to say that I believe a special part of the duty—I may say of the mission—of the Administration of which my noble Friend is at the head, is to be the true expositor of the sense of the people of England on a question so vitally important as the Italian question is, both to the maintenance of every high and sacred principle, and likewise to the future tranquillity of Europe. I believe, too, so far as the judgment of England is concerned, never was that judgment pronounced on any public question, at home or abroad, with greater unanimity or clearness; and that there will not be any chapter of the life of my noble Friend on which Englishmen will probably dwell with greater satisfaction than that in which it shall be recorded that, not now alone, but for many years past, before the question had arisen to the magnitude of its present position, through evil report and through good report, he sustained and supported the cause of Italy.

MR. LOCKE said, he was willing to give the hon. Baronet the Member for Dundalk (Sir G. Bowyer) credit for the manner in which he had brought forward this question, and for the temper which he had displayed; and he did not rise for the purpose of speaking upon the question after the crushing speech of the Chancellor of the Exchequer, which appeared to him to have entirely disposed of it. He rose rather for the purpose of asking a question. Upon the numerous occasions, when the affairs of Italy had been discussed in that House, there was one thing which had been always wanting, and that was the expression of any opinion upon the part of those hon. Members who sat upon the front Opposition bench. Day after day hon. Gentlemen had for years past occupied themselves with carping at the foreign policy of the noble Lord at the head of Her Majesty's Government, and it would be in the recollection of hon. Members that the right hon. Gentleman the Member for Bucks and the late Under Secretary for Foreign Affairs had at the commencement of last session more especially indulged in that course. He should like to know what policy hon. Gentlemen opposite would pursue upon this question if they came into power? Would it be similar to that adopted by Lord Derby's Government in 1852, upon the question of free trade, when they said that they had no opinions of their own, but whatever the opinion of the people of England might be, they would bow to it, and at the general election in that year their supporters professed free trade principles in the boroughs, and, like the hon. Member for Suffolk, were Protectionists in the counties. They might have expected better things from the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), whom he did not see in his place, although a very short time since he had observed his head above the box while sitting at the further end of the front bench. Where was he? Although he had left his place, he would undertake to say that he was underneath that roof. He much wished he would return to the House and state the opinions of himself and of his party, if they had any. The hon. and learned Gentleman the Member for Dundalk and the hon. Member for the King's County, who had transferred their allegiance from the Gentlemen on this side of the House, to whom they were indebted for Catholic Emancipation, and consequently for the seats which they occupied, must have been sadly disappointed that the right hon. Gentleman the Member for Buckinghamshire had not spoken to-night. He was, however, glad to see the hon. Member for Horsham (Mr. Fitzgerald) taking a note, as there was no man more fit than the Under Secretary for Foreign Affairs in the Government of Lord Derby to say what the opinions of the leaders of the Opposition were upon this question. [Mr. FITZGERALD: No!] Well, if he were not taking a note, he was probably writing one to his leader to ask him to come back. Hon. Gentlemen opposite could not tell whether their leader was a supporter of the Pope or of the King of Italy; let him come back and say which he was. What had been the conduct of the noble Earl at the head of the Conservative party. Had it been in favour of the King of Italy? No, he had rather given his support to Lord Normanby, whenever he had brought forward his tedious propositions.

MR. HENNESSY rose to order. He protested against such an attack being made upon a noble Lord who had at one time been a Member of that House.

Mr. Locke

MR. SPEAKER informed the hon. Member for Southwark that he was out of order in his remarks.

MR. LOCKE said, then, that a noble Lord [Order! order!]—that somebody in another place was sometimes tedious, and that certainly was no aspersion on his character, for hon. Gentlemen in that House were sometimes tedious. He did not wish hon. Gentlemen opposite to be deceived. They looked forward to a glorious accession to power. The hon. Member for Dundalk, and those who agreed with him, had a right to know what were the opinions of the late Government on the Italian question, and the hon. Member for Norfolk (Mr. Bentinck), who sometimes entertained opinions of his own irrespective of his party, ought to be informed by the right hon. Gentleman the Member for Bucks whether, if his party came into power, he intended to support the Pope or the King of Italy. He felt sure that some explanation would be offered by some hon. Member opposite. He was not going to take part in the debate, he had merely risen for the purpose of asking a question. It seemed to him most extraordinary that throughout the evening the front Opposition bench should have remained unoccupied, but he now saw upon it his hon. Friend the Member for Horsham (Mr. Fitzgerald) from whom he trusted the House would receive some information.

MR. PEACOCKE said, he did not rise for the purpose of answering the question of the hon. and learned Member for Southwark (Mr. Locke), because he considered it superfluous to do so; but the right hon. Gentleman (the Chancellor of the Exchequer began his speech by stating that he deprecated these discussions; but who had been more ready than the Chancellor of the Exchequer both with his tongue and with his pen to raise discussions as to the internal affairs of other countries; neither would he follow the hon. Member for Peterborough (Mr. Whalley) in the discussion of the theological bearings of the question, for that hon. Member would have the opportunity of discussing them at greater length on the 8th of May, when he designed to submit to the House his Motion on the subject of Maynooth. The hon. Baronet the Member for Dundalk (Sir G. Bowyer) and the hon. Member for the King's County (Mr. Hennessy) would then have the opportunity of replying to the hon. Gentleman's arguments, and he had no doubt but that the triangular duel would then take place in the presence of a numerous and an admiring audience. But on his own behalf, and on behalf of those with whom he usually sat, he must deprecate the charges brought against that side of the House by the hon. Member for Peterborough (Mr. Whalley) and the hon. Gentleman who had just sat down (Mr. Locke) of having any intention of combining with the hon. Member for the King's County (Mr. Hennessy) for the purpose of turning out the Government upon the Italian question. So far from wishing to do so, although he thought the question might have been argued in a fairer spirit by the right hon. Gentleman, he would still say that he desired as much as the right hon. Gentleman himself to see a powerful and united Italy. But when they spoke of a united Italy, it must be remembered that there were two systems by which that unity might be effected—one a system of centralization, and the other a system of federation. That point the right hon. Gentleman had carefully avoided, and no doubt intentionally. The system of centralization was the French system of governing by *prefets*, and of mapping out the country into departments: the system of federation, was the English system, which had an Imperial parliament for Imperial purposes, yet left each province to manage its own affairs after its own fashion. The system of centralization had been tried, and had failed. The hon. Baronet the Member for Dundalk (Sir G. Bowyer) had probably over-coloured the picture, but there could be no doubt that discontent did exist in Tuscany, in Naples, and in the Island of Sicily. The other day he received a letter from one of the most distinguished men in the island, who was a short time back more Piedmontese than the Piedmontese themselves, but who now acknowledged that great discontent had been caused in the island by the removal of the Viceroy and the appointment of a Governor who was nothing but a *prefet* in his stead. He wished to see a strong and united Italy, and under a system of federation his wish might still be realized. Baron Brenner, in the interest of France desiring a weak Italy, wished for a system of federation under a variety of Princes; but the system which he desired was a federation under a single Sovereign. There was a certain charm about centralization; but it ignored the habits, the feelings, sympathies, and prejudices which were prevalent among large classes of men, and to be practicable, men must be movable as pawns upon a chess-board. It was altogether inexpedient to endeavour to force Piedmontese laws and institutions upon the provinces now united with Sardinia, and to compel a forced division of property in Lombardy. In making such an attempt Count Cavour had committed one of the greatest blunders that could be made by a great statesman, because it was generally acknowledged that constitutional liberty could not exist without the support of an independent territorial class, but if an independent upper chamber was desirable in all countries as a check upon the fickle passions of an elective chamber, it was more especially desirable at Turin as a check upon the intrigues of the Camerilla of that capital. If there had been an independent upper chamber in Piedmont, Baron Ricasoli would not have been displaced. An honourable man, an upright minister, who would not stoop to the artifices of many public men, who would neither purchase the praises of the press, nor fawn upon the demagogues of the market-place; and yet he had fallen a victim to the backstairs influences of the Palace, and to certain other influences which might be but too easily surmised, when it was recollected that for months his dismissal had been demanded and clamoured for by the *Constitutionnel* and by the *Patrie.* Italy ought to feel as England would have felt if Lord Clarendon had been dismissed by the intrigues of Mrs. Palmer, and at the demand of Louis XIV.; and great indeed must be the shame of Italy that her Minister should be displaced on account of the inflexibility of his integrity—a vice not too common upon Italian soil. Anxious as he was for the liberty of Italy, he must say he thought the present attitude of the Cabinet of Turin was becoming intolerable—it was inconsistent with the disarmament of Austria and with the peace of Europe. Instead of empty threats and idle vapouring, it would be better if she were to consolidate the provinces she had already acquired, and to conciliate the populations which acknowledged her sway; for, as the Cabinet of Turin but too well knew, if she attacked Austria without France, she must fail; and if she attacked Austria with France, success would even be more disastrous to her than failure, and in that case, in the warning language of Lord Clarendon, she might perhaps too late find, that she was but the advanced guard and pioneer of France, and that in grasping at the shadow of power she had thrown away the substance of liberty.

Mr. STANSFELD said, that in his opinion the arguments used in the course of the debate had been rather one-sided. There were two questions to be considered —the one the condition of Italy, the other the Italian policy of Her Majesty's Government. As to the former of these questions, the remarks of the hon. Baronet the Member for Dundalk (Sir G. Bowyer), who raised the discussion, had been somewhat vague respecting the unsatisfactory and unsettled condition of certain provinces of Naples, and of the rigours and excesses of martial law. Those statements had been replied to by the hon. Gentleman the Under Secretary for Foreign Affairs in a speech full of accurate information, and delivered in a tone of manly sympathy for the Italian people that was creditable alike to himself and to the Government. The hon. Baronet who opened the debate found fault with the Government because their policy was inconsistent with the principle of non-intervention, upon which it professed to be founded. The hon. Baronet, no doubt, would desire to bring about political changes in this country which, rightly or not, he might believe would mean a change from non-intervention, with the moral influence of this country on the side of the King of Italy, and against Austria and the Pope, to non-intervention with the moral influence of this country marring the destinies of the Kingdom of Italy and upholding the cause of Austria and the Pope. For himself, he accepted non-intervention in good faith as the real foreign policy of this country, and after the speech of the right hon. Gentleman the Chancellor of the Exchequer he thought he should be justified in making a few remarks upon the subject. He would, in the first instance, meet the hon. Baronet by saying that non-intervention did not mean indifference, nor even neutrality, for to hold that opinion would be equivalent to a negation of all foreign policy, and a conclusion alike impossible and unworthy for this country to adopt. If it neither meant indifference nor neutrality, a policy based upon non-intervenion could not consist in its profession as a bare fact or a rule to guide our own action, but must consist in upholding that principle, and, as far as we wisely might, in enforcing it in the councils of Europe. Thus interpreted, he did not think it was far from being the policy of Her Majesty's Government, and it was one worthy of them and of the country. It recommended itself as tending to limit the area of future conflicts and general European wars, and it recommended itself far more widely for reasons quite opposite to indifference, because it tended to leave Governments and those whom they governed face to face, without any Holy Alliance to interpose between them and the attainment of their desires. Now for the application of those principles to the case of Italy. The policy of intervention, thus understood, would lead this country to deprecate a renewal of the struggle between France and Austria upon Italian soil, because that might lead to a European war, and because that would not be leaving Italy to work out her own emancipation. But such principles and considerations would lead them with even greater urgency to demand the withdrawal of the French troops from Rome, and to forbid, should the occasion arise, the interference of any other European Power, German or otherwise, between Italy and those dynasties which stood between her and the accomplishment of her unity. Did not that description apply to the policy of Her Majesty's Government? At all events, he might safely say, that in proportion as their policy deviated from those principles and those considerations would it meet with the approval of the supporters of the hon. Baronet. The hon. Baronet, in dealing with the condition of Italy, carefully avoided that which it was his duty to explain—the causes of the evils of Italy and their remedies. They knew the causes of those evils and they knew the remedies for them. The hon. Baronet told the House that the dismemberment of Italy, with a return to the old state of things, would restore peace to that country. But the House knew very well that the cause of the evils of Italy was neither more nor less than the policy of those whom the hon. Baronet represented that night. The hon. Baronet did not come there as the exponent of any national policy from an English point of view, but he came as the representative and the advocate of a foreign temporal Power, itself the sole cause—the conscious and intending cause—of all the evils which he affected to deplore. Did not all the world know that it was at Rome the ex-King of Naples found a refuge when he fled in terror from Garibaldi and his thousand volunteers; that Rome was the basis of the system of brigandage, and that Rome was the source of supplies and the shelter in defeat of those hirelings who sought to harass and disturb, though they could not hope to restore a kingdom? Why did the temporal Papacy play so suicidal—so ignominious a part? Why had it so fallen from its high estate in those days when it had yet a purpose to fulfil, when Gregory VII. brought that powerful monarch Henry IV. of Germany from the head of his armies to sue on bended knees for three days and three nights, for forgiveness from the Papal chair? Why had it so fallen from what it was in more recent times, when the present Pontiff ascended the Papal chair, and when, moved by the aspirations and troubles of his country to a moment of humanity and patriotism, the sacred word "Italy" escaped his lips with a prayer, and all Europe, Protestant as well as Catholic, indulged in dreams of a renovated Papacy? Why was this? It was not because the temporal Papacy was unable to read aright the handwriting on the wall; but because it had not the courage to submit to an inevitable fate, but *per fas et nefas* struggled against the decree. It was because it read in the unity and the life of Italy its own death-warrant that it allied itself with the scum of Europe to harass, to pillage, and to murder where it could not hope to conquer. The hon. Baronet had assured the House that Italy should not have Rome, and he taunted the Government by telling them that it was their policy which led to the predominance of French influence in Italy. He would ask the hon. Baronet one question—on what power did the temporal Papacy rest? Why did it continue this fatal, needless, and yet ignominious struggle, day by day, rendering any possible arrangement which might serve to break its fall more improbable—day by day making itself more hateful in the eyes of the Italian people, because it became more clearly the great obstacle betweem them and the accomplishment of that which they wished for, to crown and consolidate the edifice which they had built—day by day rendering itself more despicable because it maintained the struggle with a force in no degree its own, and day by day losing its hold even upon the spiritual allegiance of the Italians, because it relied upon the bayonets of Voltairian France? He had read the history of the Italian people in a very different manner from some hon. Gentlemen who had spoken that night. Looking back upon the history of Italy he saw that country had fulfilled great purposes in the world, and, having fulfilled them, it fell. He had pondered on the depth of that fall. It might be said that Italy had never been a nation. That might be true in one sense; but it had been more than a nation. Twice had she possessed universal dominion; she had ruled the Pagan and the Christian world, and precisely in proportion to her grandeur had been the depth of her fall. But those days were past, and the future at which she aimed was one more modest, but at the same time eminently calculated to promote the welfare and the peace of Europe, no less than her own. From '48 downwards the Italian people had been availing themselves of all aids, they had been accumulating for one struggle all the various forces within that kingdom, and those facts might be taken as evidence of their determination to found a united Italy. He had always felt that the chief difficulties in the way of Italian unity would be those immediately preceding it. He could not conceive any disintegrating force sufficient to rend asunder Italy having Rome for its capital and the Alps and the sea for its natural boundaries. He believed firmly in the approaching consummation, and it was one which no diplomatic intrigues would avail to prevent. He hoped that Her Majesty's Government would do what they could to hasten that consummation by narrowing the area of the necessary conflict, by limiting the expenditure of treasure and of blood, and by rendering more fruitful and more peaceful the victory which would yet be won. This was a policy worthy of the English nation—a policy in the pursuit of which any Minister might count on the support of the country—a policy which would lead this country still further in the path she had already trodden, and which would be giving only due and fitting expression to the feelings of people who desired ardently the civil and religious liberty of the world.

Mr. MAGUIRE said, the hon. and learned Member opposite (Mr. Locke) seemed surprised that Catholic Members of that House should wish to see the present Government come to grief. Now, it was historically untrue that the Whigs had emancipated the Catholics. Civil and religious liberty was made a shuttlecock between two great parties in this country, but it was the people of Ireland under a great and powerful leader who carried the question of emancipation to such a point that the English Government were obliged to concede it, and the instruments to carry the law into effect were Sir Robert Peel and the Duke of Wellington. Who was it that put the first fetter on the Irish Catholics in 1688? Was it not the Whigs? It was to the Whigs they were indebted for the Penal Laws. By whom was the first link struck from the limbs of the slave? By Pitt, who was not a Whig statesman. The Whigs for nearly thirty years made capital out of the cry of civil and religious liberty, and over and over again deceived the hopes of the Catholics. It was the Catholics themselves who, under a wise and powerful leader, worked out their own political redemption. As to this Italian question, the Government were, no doubt, very glad it had been brought forward. Hon. Members opposite called it "the great question of the day." That was precisely what Her Majesty's Government wished to make it. Reform had been the great question of the day. But it was so no longer. Having betrayed the English Reformers and turned out the Conservatives for not going as far in the path of Reform as they professed themselves determined to go, the Government came into office as Reformers upon a Reform cry, and the hon. and learned Gentleman knew only too well how much he and his party had been "sold." For his own part he thanked God that he was one of those who voted against Lord Russell's Resolution which he proposed in his enthusiasm for Reform. He did not assist in turning out Lord Derby's Government for a mere sham, knowing as he did thoroughly well that the present Ministry were not in earnest upon the question of Reform. The House had heard enough that evening of paradox, and, as to credulity, why the Radical party swallowed almost everything. No deception was so gross that they were not willing victims to it. And now after all this talk about Reform what was said to be the great question of the day? Not something that was happening in Southwark or the manufacturing districts, but certain events in Southern Italy. The Government would most likely be glad if the same question were brought forward at the end of the Session, when they were being smashed to pieces by internal dissension. They would rejoice in getting up a cry against the Pope and the King of Naples, for this, perhaps, might enable them to tide over the recess, and give them a lease of office until the opening of the next Session. Having abandoned Reform and betrayed their supporters, the Government were now doing what Earl Russell did whenever he was unpopular. When that statesman found himself unpopular, which he often was, he generally betook himself to Exeter Hall, and there delivered himself of a "No Popery" speech. The Government were now living on sufferance, having deceived their party; and they also made Anti-Papal speeches, but of course in the interests of human liberty. There was no connection between the Catholics and any party. They simply exercised the right which belonged to them as freemen, and they acted as every freeman had a right to act. They simply discriminated between revolutionists, and those who were anxious for true progress and rational liberty—between those who believed in the power of nations and governments to work out their own reformation, and those who, on the other side, hounded on every anarchist and infidel in Italy to the destruction both of throne and altar. It was one thing to wish well to Reform, but it was another thing to promote anarchy and encourage revolution. What Catholics complained of was, not that the Government had acted on the principle of non-intervention, but that they had grossly violated that principle. The hon. Gentleman (Mr. Stansfeld) had defined non-intervention in rather an extraordinary manner. He said it meant sympathy and something more, for it did not bind him to neutrality. But would Her Majesty's Government dare to apply that definition to their dealings with the Northern and Southern States of America? He would maintain that no individual Member of the Government dare even express his sympathy either with North or South; and as a body the Government would not venture to throw their moral weight into either scale, much less to abandon the strict line of neutrality. They might alter their prudent policy when they saw which way things were certain to incline, but at present they dare not act upon the policy which they pursued towards Italy and feeble Powers generally. Then, look at Russian Poland. Did the Government deal with Russia as they dealt with the Pope and the King of Naples? The noble Viscount at the head of the Government had stated the other night upon this question that it was not the province of a Member of that House to sit in judgment on the policy of a foreign country and to criticise the rule of Russia in Poland. Yet, were there no wounds in Poland? Was there no dark and dense tyranny in that unhappy country—were there no cruel outrages there? Where were the eloquent appeals of the right hon. Gentleman the Chancellor of the Exchequer and his colleagues upon the wrongs of Poland? The reason of their silence was one unworthy of English manliness and English pride. They were outspoken upon Italy, because the Pope and the King of Naples were weak and broken; but Russia was strong and powerful, and so not a word escaped them on behalf of the oppressed Poles. The noble Lord now translated to another place (Earl Russell) had made himself the schoolmaster for whipping and scourging the Sovereigns of Italy, but he dared not apply the same tawse to the Emperor of Russia when the sufferings of Poland were in question. For the Papacy he had no apprehension, neither had he any fear that its temporal power would be destroyed. He believed that the same Providence that had watched over the temporal power of the Papacy for 1,100 years, and which had protected it through many fiery ordeals, and against many malignant enemies, would again baffle the enemies of the See of Peter. He said this because he believed it, and because within little more than half a century the temporal authority of the Papacy appeared, at least to the eyes of men of limited vision, to be utterly destroyed. The storm and fury born of the Great Revolution swept over Italy, and the Pope was whirled away before its resistless force; but the Pope was again restored to the Vatican. The Pope was again driven from Rome; but a few years passed, and the Pope was once more in the Vatican, and the Great Powers of Europe guaranteed by solemn treaty the security of his temporal power, which her Majesty's Government were now assisting to wrest from him. When the revolution of 1848 broke out, and the Pope was driven into exile, it was thought that his temporal power was gone for ever; but a year afterwards the Pope was again in the Vatican. And should the Pope be compelled to fly from Rome with that indecent haste over which the right hon. Gentleman the Chancellor of the Exchequer gloated by anticipation, it would still matter little; for, by some new and unexpected combination of circumstances, Providence would raise up friends and protectors where, perhaps it was least, expected. When the hairs of the right hon. Gentleman were white, and when he was no longer equal to those splendid intellectual conflicts in which he is now so powerful and successful, he will acknowledge the wonderful dispensations of that Providence which will again and again save the Papacy and its temporal power from the malice of its enemies. The hon. Gentleman (Mr. Stansfeld) talked of the sunburst of freedom that now shines over Italy. But he must surely forget. He asked him was that freedom perfect? Where was his friend Mazzini? Was he in Italy? No doubt, Garibaldi was in Italy, where he was blasphemously adored as a God. Did he romance? Not ten days ago one of Garibaldi's lieutenants hailed him in the midst of an immense assembly as a deity, and the correspondent of *The Times* declared that the people rose up with such enthusiasm that they evidently believed the statement to be true. If the Government had faithfully and honourably carried out the principle of non-intervention, the Roman Catholics of this country would have made no complaint. But they had done everything unworthy of men who represented a great, powerful, or, as they so often proclaimed, chivalrous country. What did they do? When that unhappy young monarch, betrayed by his Generals and surrounded by purchased statesmen, made his last gallant stand against his enemies, with his heroic wife at his side, what was the cry from the benches opposite? What was the tenor of the despatches from the Foreign Office? That blood was being wantonly spilt, that it was a sin to protract a useless struggle, and that the King ought to abandon his throne to his enemies. That was dishonourable language on the part of the British Government towards a young man to whom no fair trial had been vouchsafed. The whole weight of this powerful country was flung into the balance against the besieged of Gaeta, and in favour of the besiegers. That, surely, was not strict neutrality—the same that was now exhibited to the Northern and Southern States of America. He was glad that there had been no great amount of laudation that night of Victor Emmanuel, whose career during the last three years had been one of unparaleled infamy. He had violated every moral and sacred obligation ; he had burst through every law of nations. He had done everything that could brand shame on his brow. [*Murmurs.*] He would prove it. They might murmur as they liked ; he was in order, and if he did not vindicate what he had said, he would consent to be hooted by them. Victor Emmanuel had counselled the Pope not to rely upon foreign aid, but to create and maintain an army of his own to defend his throne. The Pope took his advice, and got an army. [An hon. MEMBER: Yes, the Irish.] They need not sneer at the Irish, for they could not do without them. It would be a bad thing for them if they had not them in the hour of danger. It was then they could appreciate their value, and could understand how necessary to their country was their courage, their daring, and their dash. Well, Victor Emmanuel pretended to be the friend of the Pope ; he was in diplomatic alliance with him ; his Minister was at Rome. The Pope had an army, and what did Victor Emmanuel do? He treacherously promoted insurrection in the Papal territories, and said he would go forward for the double purpose of putting down the revolution and protecting the Pope. He then, with his powerful army, crushed the Pope's small army under Lamoricière. Was that honour, or was it infamy? In his opinion it was nothing but infamy. He had not even proclaimed war against the King of Naples, yet he sent an army against him, and besieged him in Gaëta. That was nothing but piracy and robbery on a gigantic scale, and the historian of fifty years hence would pass a cooler judgment on such transactions than now came from the Treasury Bench. The Government appeared to be bent on continuing the same mad and reckless policy which they had pursued ever since they came into office. They were encouraging the ambition of a Power which was dangerous to the peace of Europe, and they had done everything they could to bring about the humiliation of a Power which had been their friend at other times. Their policy was in favour of France and against Austria. He had no fear for the Papacy, for, if necessary, Providence would again protect it; but it was a foolish and an ungrateful policy on the part of England to injure, humiliate, and oppress nations that had been her faithful allies in the time of her need and trial.

MR. O'BRIEN remarked, that the interest taken in this question was not so much caused by any particular regard for the liberty of the people of Rome as by an impression that the annihilation of the temporal power of the Pope would tend to produce some religious change in Italy. But he believed the maintenance of the temporal power of Rome was necessary to prevent the head of the Catholic Church from becoming the minion either of France, Austria, Spain, or any other political Power. He would, therefore, in every possible way, maintain a Power he thought necessary. But they knew that Roman Catholics had established republics on the American continent ; and he fully accepted all the great principles of civil liberty. The Emperor of the French was the real arbiter of the temporal power of the Papacy ; and as long as Pio Nono lived, he had a strong idea that a French garrison would always be seen in Rome.

VISCOUNT PALMERSTON: Sir, I think the hon. Member for Dungarvan (Mr. Maguire) when he reads to-morrow the words he has spoken to-night, may, on cooler reflection, regret some of the expressions he has let fall with respect to a Sovereign in alliance with our own. There is in this House perfect freedom of speech ; every hon. Member is entitled by the rules and privileges of Parliament to express, in any manner he thinks consistent with the decorum that ought to prevail in our debates, his opinion of the acts of any foreign Sovereigns. But I think the hon. Gentleman, on reflection, will feel that his zeal for the head of his Church, though natural, has led him somewhat too far in his expressions. The vehemence and passion with which he has spoken remind me of a story of a North American Indian, who, coming to England, attended one of the courts of justice and heard a trial. He was not familiar with the English language ; but when asked by a friend what was his opinion of the proceedings, he said it was quite clear which of two lawyers who had spoken was in the right. One, who went into a violent passion, was evidently in the wrong ; the other, who kept his temper, must have been in the right. Now, the vehemence and passion the hon. Gentleman displayed in the course of his remarks have clearly shown an internal consciousness that he was defending a bad cause, and endeavouring to make violence and passion the substitutes for argument. The hon.

Gentleman has also, I think, treated very unjustly the services which the Liberal party have rendered to the Roman Catholics of Ireland. The hon. Gentleman, with a natural pride, said, "We thank nobody for the emancipation of the Catholics; we have only to thank ourselves for it; it was the Irish who carried the question, with no assistance from England." I think the hon. Gentleman has misread the history of his own time. He has devoted great pains and study to the history of the Court of Rome; if he had bestowed equal attention upon the events of his own period in the United Kingdom, I think he would come to a somewhat different conclusion. Undoubtedly, the Liberal party had not the good fortune actually to carry the question of Catholic Emancipation; it was carried by the party which had systematically resisted it when proposed by others. But it was owing to the exertions of the Liberal party, and the pressing reasons they brought to bear on the case, that justice was ultimately done, and the question carried in a satisfactory manner. I do not complain of the course the Roman Catholic Members have thought fit to pursue with regard to Her Majesty's Government. I am willing to make full allowance for the strong religious feeling and natural attachment to the head of their Church. They are mistaken, and acting under a delusion; but that mistake and that delusion are to be respected. And I assure them we feel no resentment towards them; we are willing to trust the course of events, which, I hope, may lead them to take a sounder view of their relations to the party by which Catholic emancipation was supported and gained. With regard to the hon. Baronet who brought forward this Motion, I not only respect his motives, but I tender him both my thanks and compliments. I compliment the hon. Baronet on the renewed proof he has given of the fidelity of his attachment to the Church to which he belongs. I think it does him honour; now that the temporal power of Rome is in danger, the more assured it is of his vehement support. The more likely it is to lose the small remnant of the authority it once possessed, the more honourable is the zeal he manifests in his defence. Like Cato he prefers the falling cause—

"Victrix causa Deis placuit, sed victa Catoni."

The temporal power of Rome is a falling cause. It is, therefore, a fair subject of personal compliment to the hon. Baronet that in spite of the calamity that now surrounds it he is still its friend, champion, and advocate, as he was in its days of greater prosperity. I think, however, the hon. Baronet has not done that cause much good by the manner in which he has brought it under discussion in the House; because, whatever service he may have thought he was rendering to the temporal power of the Pope and to the cause of the fallen Sovereigns of Italy by the statement he has made, I think, if he had known beforehand what replies would be made by my hon. Friend the Under Secretary of State and my right hon. Friend the Chancellor of the Exchequer, his own prudence would have counselled him to be silent and to abstain from bringing down a description of the real state of the Italian question. Sir, it is manifest that Italy has been greatly benefited by the changes that have taken place. I will not now go into a repetition of the immense advantages Italy has gained by the change in its Governments. I do not, on the other hand, want to dwell on the enormities committed by those who were sent from Rome under the sanction of the head of the Roman Catholic religion, and under the sanction of their unhappy and exiled Sovereign, who lives under the protection of the Pope. I will not go into these atrocities; I will simply say that they were such as ought to deter any one from advocating a cause stained by such cruelties. If the Southern part of Italy is disturbed, it is disturbed not by internal insurrection—not by the people themselves—but totally and entirely by emissaries, the scum of the earth, sent there on purpose to murder, to plunder, to destroy by fire, and even to burn people alive. The hon. Member for Maldon (Mr. Peacocke), if I understand him, says he does not wish that Italy should revert to its former condition, but that there should be a federation; and a federation, no doubt, was the plan proposed originally at Villafranca and afterwards at Zurich. But it has been stated that the people of Italy were of opinion that a federation would have been impossible—that if it had been established, it could not have held good. However that may be, the time for it has gone by; it is now an impossibility. Italy is now united, with the exception of Rome and the small portion of territory attached to it and of Venetia. The hon. Baronet says that the King of Italy will never get Rome, that the Pope will continue there for ever; and the hon. Member for Dungarvan—the expounder of the decrees of Providence—

says it is destined by the Almighty that the Pope should be for ever the Sovereign of Rome. As a humble individual—as a simple mortal, neither being a prophet, nor an expounder of the Divine intentions—I think it is impossible that the temporal power of the Pope can continue. My opinion is, that, sooner or later, his rule will come to an end; and, depend upon it, every year, every month of its continuance will alienate the people of Italy more and more from his spiritual authority. It is the interest of the Head of the Church to divest himself of that temporal power which has been so grievously abused by those who have exercised it under his authority and in his name. The two events are not incompatible. The hon. Member says that the Pope will for ever remain at the Vatican. I say that the temporal power of the Pope will cease, and that Rome, sooner or later, will become the capital of Italy; but the Pope might maintain his dignity as head of the Church, occupying the Vatican, and Rome at the same time being the capital of the kingdom of Italy. There is nothing incompatible in the two prophecies; and it is not impossible that we may see the realization of both. It has been stated by one of my hon. Friends that the destinies of the Pope, as regards the temporal power, are in the hands of the Emperor of the French. There is no doubt of the fact. No doubt the temporal power of the Pope, such as it is, depends entirely on the presence of the French troops in Rome. I have heard it said by Roman Catholics that it is essential that the Head of the Church should be an independent Sovereign. Is the Pope an independent Sovereign? He is maintained in his temporal authority simply by 20,000 French troops, against the will of almost the whole of his subjects. Is that the position of an independent Sovereign? Why, it is the most dependent position that an unhappy Sovereign can possibly occupy; and, depend upon it, that condition of things cannot be permanent. I will not say that the occupation of Rome by French troops is a violation of international law; because it exists at the desire and demand, and with the consent of the Sovereign of what remains of that country; but, no doubt, it is a gross violation of that principle of non-intervention which has been proclaimed by France as well as by England; and it is also at distinct variance with those declarations with which the war in Italy was commenced, the object of which war was stated to be to restore Italy to herself, and to make her free from the Mediterranean to the Adriatic. Italy has not been restored to herself; Italy is not free from the Mediterranean to the Adriatic; but, on the contrary, a most important part of Italy is occupied by foreign troops for the purpose of keeping from Italy that government which it most wishes, and also maintaining a system repugnant to all the feelings of the people and inconsistent with the principles of political and civil government. Well, Sir, I cannot think that will last for ever; I cannot think the policy of France requires it; I cannot think it is for the interest of France that it should be maintained. There are persons who say—I think I heard it stated in the debate to-night—that it would be against the interest of France to have a united Italy. On the other hand, I have heard it said as a reproach to England, that in wishing for a united Italy she wished for that which would be beneficial to France. It has been urged by those who are opposed to the policy of Her Majesty's Government that a united Italy would be an advantage to France. Well, it would be an advantage to France; not that a united Italy would be an ally of this Power or that; but as a country which would take a leading part in the extension of civilization and commerce, it would be the friend of all European Powers and the enemy of none. As to France, a united Italy would be useful to her not only as a friend, but it would also serve as a barrier to France against any hostility from Powers on the other side of the Italian frontier. Therefore, I say it is a short-sighted policy of France to view with dislike or apprehension, if she really does so, the consolidation of Italy as a united kingdom. Then, as to England, it must be an advantage to this country to have knowledge diffused, commerce extended, and commercial relations established as far as possible among the various countries in Europe. I must say, therefore, that I think the hon. Baronet, with the best possible intentions to serve the cause of which he is so devoted an advocate, has made a mistake in bringing on this discussion, and giving my hon. Friend the Under Secretary, my right hon. Friend the Chancellor of the Exchequer, and others, an opportunity of so completely demolishing the fragment of the case which he has made against the existing state of things. Nevertheless, as I before observed, I compliment him on his fidelity and zeal; and I also thank him, on the part of the Government, for his compliment to us, which I feel is greater than that which we deserve, in respect of those great, and, as we think, important and advantageous changes which have been effected in the condition of Italy. If those changes be of that character, I am happy to accept the compliment. We are proud to be thought to have contributed, in the way the hon. Baronet says we have done, to an event which every person may consider a happy one. He overrates our merits; but I am not the less thankful for the kindness which he has shown us. We have preserved a strict neutrality, and adhered to the principle of non-intervention. As has been well said by one of my hon. Friends (Mr. Stansfeld), that principle does not consist in apathy and indifference, in having no opinions, no sympathies. Non-intervention consists in abstaining from action—in not interfering by force of arms in a contest in which, notwithstanding, you may feel a deep interest, and in which as between the parties you may feel a partiality towards one rather than the other. We have never disguised our sympathy with the Italians in their struggles to obtain liberty and independence. We are proud of our feeling in that respect; and, so far from considering it as any reproach —which the hon. Baronet feels it to be— that we should have contributed by our advice, as the organ of the sentiments and sympathies of the British nation, to bring about the results that have been achieved, we are proud of any success that may have attended our efforts in that direction, and should be happy to see them still more successful in contributing to the perfect consolidation of Italy. Therefore, so far from feeling angry with the hon. Baronet for making what he considered to be a charge against us, we are proud of that charge. I think we have given expression to what are always the feelings of the people of this country towards those who are struggling for their independence, for their liberty, and for their political freedom, when those struggles are conducted—as the struggles of the Italian people have been—with moderation, without violence, with wisdom, and with a most happy attainment of the objects in view. Twice in the history of the world Rome has exercised most extensive sway over a large portion of the human race. In the days of the old Romans that influence was exerted by military conquest, and the nations were subdued by force of arms. At a later period the Pope, when his authority was at its height exercised a power almost supreme over the minds of men in nearly every part of Europe. The military rule was annulled by the force of the barbarians. The spiritual power has gradually waned under the influence of European enlightenment. I trust that Rome, when it becomes the capital of Italy, will again be destined to exercise, not an arbitrary power, but a great and distinguished influence over Europe, by the development of intellect, the progress of arts and sciences, the commercial activity, the political wisdom, and the general tendencies towards improvement which will there be witnessed. When that time arrives—and I trust it may not be so distant as hon. Gentlemen opposite expect—posterity will judge between those who may have contributed to that result by the wisdom of their counsels, by their advice, their knowledge, and their influence, and those who have doggedly resisted all improvement, and have been champions and defenders of everything that was corrupt, tyrannical, and oppressive in the former institutions of Italy. Posterity will judge between them, and we shall fearlessly appeal to that tribunal for a decision in our favour.

INSPECTORS OF ROMAN CATHOLIC SCHOOLS.—QUESTION.

Sir JOHN ACTON said, he wished to ask the Vice President of the Committee of Council on Education, Whether he has reason to suppose that the Inspectors of Roman Catholic schools fail to report the actual condition of the Schools inspected by them?

Mr. LOWE said, he thought it rather hard that he should be called on to answer questions arising out of charges which he had never made. To suppose that the heads of the Education Department would continue in the service of the Committee of the Privy Council any gentleman who reported otherwise than truthfully the condition of schools which came under their observation, was to bring a far heavier charge against his noble Friend and himself than was implied in the question as regarded these Inspectors of Roman Catholic Schools themselves.

Mr. ADDERLEY said, he wished to explain that the words which he had used in debate on a previous evening did not fairly deserve the construction which appeared, from the question of the hon. Baronet, to have been put upon them. Nothing had been further from his intention than to assert that the Roman Catholic Inspectors made unfaithful reports.

Motion *agreed to.*

House at rising to adjourn till *Monday,* 28th April.

DISTRESS IN IRELAND.

POSTPONEMENT OF MOTION.

Mr. MAGUIRE said, he should postpone the Motion on the subject of the distress in Ireland standing in his name; but he wished at the same time to call the attention of the Chief Secretary for Ireland to the fact that twenty-five deaths from starvation had lately taken place in that country.

Sir ROBERT PEEL in reply to the statement that twenty-five deaths had occurred from starvation, begged to say that such was positively not the case. Unfortunately, a number of deaths had occurred in Ireland, but he was prepared to show that the hon. Gentleman had been misinformed as to the cause; and that those unhappy circumstances were not to be attributed to the positive want of food.

EDUCATION (SCOTLAND) BILL.

SECOND READING DEFERRED.

The LORD ADVOCATE, in postponing the second reading of the Bill until after Easter, said, the impression which had prevailed that the financial results of the measure would be to put £1,000,000 of money into the pockets of the landed proprietors was an entire mistake; on the contrary, the Bill would raise from £35 to £80, the absolute burden on the heritors.

Mr. G. W. HOPE said, the landowners objected to the parochial schools being made stipendiaries of the Government.

Second Reading *deferred* till Thursday, 8th May.

House adjourned at a quarter before Two o'clock, till Monday 28th April.

HOUSE OF COMMONS,

Monday, April 28, 1862.

Minutes.]—New Writs Issued.—For Lambeth, *v.* William Roupell, esquire, Manor of Hempholme; for Oldham, *v.* William Johnson Fox, esquire, Manor of Northstead.

Public Bill.—3° Charitable Uses Act (1861) Amendment.

Mr. Adderley

FORTIFICATIONS AT PLYMOUTH.

QUESTION.

Mr. BENTINCK said, he rose to ask the Secretary of State for War, Whether it is true that an artificial island is being constructed in Plymouth Sound by sinking stones, for the purpose of building on it a fort similar to those which are under construction at Spithead?

Sir GEORGE LEWIS replied, that it was intended to construct a fort behind the breakwater, not upon it, as originally designed. The foundation was not in the nature of a breakwater, consisting of stones thrown down, but there were walls which would be nearly perpendicular, and the plan of the fort was in accordance with the recommendations of the Defence Commission.

THE INTERNATIONAL EXHIBITION.

QUESTION.

Mr. SOTHERON ESTCOURT said, it would be for the convenience of the House, if some member of the Government would state whether or not it is intended that the House shall sit on Thursday.

Sir GEORGE GREY said, it was intended that the House should sit on Thursday, but not at the usual hour. He believed the time of the opening of the Exhibition had not yet been fixed. If it should be at one o'clock, which he believed would be the case, the House would meet at six. But to-morrow notice would be given for a Motion for Wednesday to fix the time at which the House might meet on Thursday.

CUSTOMS AND INLAND REVENUE BILL.

SECOND READING DEFERRED.

Order for Second Reading read.

The CHANCELLOR of the EXCHEQUER said, he should be glad to know how the matter stood, as he wished to be guided in taking the second reading of the Bill by the convenience of the House. Due notice had been given of the second reading of the Bill, and no notice or intimation appeared of any intention to question the Bill in that stage; but he had received intimation that the right hon. Gentleman the Member for Buckinghamshire was under the impression that Supply would come on, and that the Bill would not be taken that evening. So far as the collection of the revenue was concerned, it would, no doubt, be convenient that the

Bill should go forward with despatch; but there was no such urgency as to render it necessary to pass the second reading then if it were inconvenient to the House, or if any misunderstanding existed on the subject. Perhaps the right hon. Baronet opposite could inform him how the matter stood.

Sir STAFFORD NORTHCOTE said, he believed he could state what was the impression on the mind of his right hon. Friend the Member for Buckinghamshire. He had some conversation with his right hon. Friend on Saturday; and though there was not the slightest intention on the part of the right hon. Gentleman to throw any impediment in the way of the second reading of the Bill, it had been his intention to offer some remarks on the general financial position of affairs, and he (Sir S. Northcote) had himself intended to make other remarks, partly having reference to the speech of the right hon. Gentleman the Chancellor of the Exchequer at Manchester last week. That morning he had heard from the right hon. Member for Buckinghamshire that he had been informed by the noble Viscount the First Minister of the Crown that it was not intended to proceed with the Bill that night; and the right hon. Gentleman was, at that moment, he believed, dining with the Lord Mayor. There would not be the slightest intention of opposing the passing of the Bill; and if the Government thought it desirable to proceed with it to-night, he was quite sure, speaking as far as he was entitled to do for his right hon. Friend, there would be no objection to that course.

Mr. SPEAKER: This conversation cannot go on. There is no question before the House.

Major EDWARDS wished to know whether Committees would sit on Thursday.

Sir GEORGE GREY said, he thought it would probably be for the convenience of Members serving on Committees that they should not meet on Thursday.

Mr. BASS said, he wished to express a hope that before proceeding with the second reading of the Customs and Inland Revenue Bill, the Chancellor of the Exchequer would obtain that information which was so necessary with regard to the stock of hops on which he would have to pay drawback.

The CHANCELLOR of the EXCHEQUER said, he would postpone the second reading of the Bill till Thursday next.

Second Reading *deferred* till *Thursday.*

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the chair."

THE RESERVED FUND.

QUESTION.

General PEEL: In the notice which I gave of my intention to ask the Secretary for War, if any decision had been arrived at in regard to the Reserved Fund, I purposely reminded the House that its attention had been specially called to this fund, in the Report of the Committee on Military Organization; and, I did so, in the hope that hon. Members would refer to the report and the evidence on which it was founded, for the purpose of obtaining some information about it. On looking at it, however, I do not think that either the Report or the evidence conveys a sufficiently strong impression of the importance of this fund as affecting the system of purchase in the army. The Committee express no opinion of their own as to the propriety of continuing this fund, they leave it entirely to the decision of the House. They quote the opinion of the then Secretary for War, Mr. Herbert; but as there may be many Members who have not read the Report, and others who having read it may have forgotten it, I will take the liberty of reading three short paragraphs from page 12 of the Report.

> "The Secretary of State contends, that in practice this fund is of eminent advantage both to the army and to the public. He argues, that it stimulates promotion, and relieves the dead weight without any charge to the public. He admits, however, that Parliament, in the strict sense, is not cognizant of the existence of this fund: it is not voted; no account is rendered; no constitutional checks are imposed; the Secretary of State may apply it to any purpose he thinks fit; and Mr. Herbert says "that in principle there is no doubt the existence of this fund is wrong." Your Committee have endeavoured to discharge their duty by calling the attention of the House of Commons especially to this subject. It will be for the House to determine whether a large sum of money, raised by the sale of the commissions, shall be applied even to useful purposes at the present moment, without Parliamentary sanction or direct Parliamentary knowledge. If this Reserve Fund be permitted to continue for the sake of the useful purposes to which it may be applied, at least an account of the receipt and expenditure should be laid before Parliament every year, when the Army Estimates are presented; and this account should be submitted year by year to an independent official audit."

Of this I think there can be no doubt, but the question still remains—Shall this fund be continued? Are the purposes to which it is applied so useful as to justify the continuance of a fund, which its warmest advocate admits to be wrong in principle? I think the objections to the principle may be obviated by the adoption of the recommendations of the Committee. I do not object to the existence of the fund, or to the purposes to which it has been applied; my objection, and it is a very strong one, is to the manner in which the fund is raised. There is very little in the evidence taken before this Committee to show how this fund originated, or to what purposes, until recently, it has been applied. A much fuller account of it is given in the evidence taken before the Royal Commission on the system of Purchase and Sale of Commissions, that sat in the year 1856-7. From that it appears, that up to the year 1825, his Royal Highness the Duke of York, who was then Commander-in-Chief, and it is believed his predecessor, Sir David Dundas, was in the habit of occasionally directing an Ensigncy to be sold, for the purpose of making a charitable donation to the widows and orphans of officers who had died in the service. If the amount given was less than that produced by the sale of the commission, the balance was paid to a small fund entirely under the direction of the Commander-in-Chief. He gave no account of it to anybody, and it was used solely for charitable purposes. In the year 1825 another fund was created. In consequence of the great reduction that had taken place in the army after the peace in 1815, the half-pay list, or dead weight, was exceedingly heavy, and there had been great stagnation in the promotions in the army, in consequence of officers being brought in from the half-pay list, when opportunities occurred of doing so. It was, therefore, decided to permit the officers on half-pay who wished to retire from the service to do so; receiving a commuted allowance for their half-pay. This was effected by selling their half-pay commissions; and the difference between the sums paid to the officers as commuted allowance, and that produced by the sale of their commissions, amounted to £80,000. This is the first occasion on which the Government derived any apparent advantage from the sale of commissions. I say apparent, because the officers who purchased these half-pay commissions were so much younger than the officers who retired that it was substituting younger lives for the half-pay annuity; and in the following year, 1826, the sale of half-pay commissions was put an end to, and the noble Lord the Member for Tiverton, who was then temporarily Commander-in-Chief —it may not be known to many Members that, amongst the numerous offices which the noble Lord has filled with so much credit to himself and advantage to the public is that of Commander-in-Chief— directed that this sum of £80,000 should be paid over to the Treasury, and it was placed to the credit of the Consolidated Fund. Lord Hardinge, when Secretary at War, made many attempts to recover this sum from the Chancellor of the Exchequer, in order to make use of it for army purposes. But we all know the difficulty of recovering money from a Chancellor of the Exchequer. You might as well attempt to get back the taxes you paid last year; and, of course, Lord Hardinge failed. The money was appropriated to the public service, and there was an end of that fund and the system by which it was created. A new plan was adopted with regard to the half-pay officers, and those who were permitted to retire were brought upon full pay, when clear vacancies occurred, and sold the full-pay commission. If they had received the difference on going upon half-pay, they were called upon to repay it; and these repayments formed a fund which was under the control of the Commander-in-Chief, and was employed in cancelling half-pay. It never could have been of any great amount, because in 1841, when Lord Hardinge (more fortunate in rescuing the fund from the Commander-in-Chief than he had been from the Chancellor of the Exchequer) directed that it should be paid over to the Paymaster General of the Forces, it only amounted to £3,090. In 1851 Lord Panmure, then Secretary at War, took possession of the Fund, and it has remained ever since under the control of the Secretary at War or Secretary for War, both offices being held by the same individual. A far more extended operation, however, has been given to this fund —an extension by no means to be measured by the amount of £160,000 which it had arrived at when the Committee inquired into it, because that only represents the difference between the sums paid to officers who have retired and the amount produced by the sale of their commissions, a difference which varies in every instance, according to the length of the services of the officer who retires. A practice has sprung up of giving to officers who have not purchased their commissions, an allowance of £100 a year for their services, provided the sum given in no instance exceeds the price of the commission they hold. The commission is sold; and if the officer's services do not entitle him to the whole amount, the balance is paid over to the fund: for instance, if a captain of twelve years' service retires, his commission is sold for £1,800, he receives £1,200, and the remaining £600 goes to the fund. When this practice commenced, or by whom it was originated, nobody appears to know. It appears to me to have been the very ingenious suggestion of some civil officer of the War Department for the purpose of raising this fund, for on no other grounds can it be accounted for. His Royal Highness the Commander-in-Chief, when examined before the Committee, said, he could not conceive why it was given. His answer would imply even something more for the Chairman, Sir James Graham, says—

> Q. 3920. "Your Royal Highness, from the answer which you have just given, would raise a doubt whether that gift of £100 a year is founded in equity, or not?—A. I never could understand why it was given."

By the regulations of the service, which have been in force since the reign of Queen Anne, and are founded on an Act of Parliament, an officer who has not purchased is not entitled to sell his commission until he has served twenty years, or to go upon half-pay until he has served twenty-six years. This practice of giving £100 a year entirely overrules the Act of Parliament, because an ensign of four and a half years' or a lieutenant of six and a half years' service, may retire and receive the whole price of his commission.

The right hon. Gentleman the Member for Coventry, who had himself been Secretary at War, and knew more of the regulations of the service than anybody, remarked—

> Q. 4007. "But, it is now clearly only a matter of indulgence to the officer, and he has no right to this allowance on retirement?"—A. (Duke of Cambridge:) "I think, that if an officer had not misconducted himself, and did not get it, he would consider that he was an injured man; I should consider that he had as much right to it as that."

The Secretary for War, Lord Herbert, acknowledged the right in still stronger terms, for in answer to a remark of mine—

> Q. 6800. "But every officer you compel to purchase, will afterwards have the power of selling, will he not?"

He says—

> "And so also will officers who do not purchase."
>
> Q. 6801. "Not until after a certain number of years' service?—A. Yes, they may sell, and get a hundred pounds for each year they have served."

The right, however, is clearly recognised by a general order from the Horse Guards issued in the course of the present year, to which I shall allude presently; and if the practice is to be discontinued, it will be necessary to give notice to those who may consider themselves entitled to this allowance. Now, let me call the attention of the House to the very unfair distinction that this creates between the officer who has purchased his commission and the one who has obtained it without purchase. This is shown by the questions put by the Chairman to His Royal Highness the Commander-in-Chief, from Question 3894 to Question 3905; but as the result is summed up in the latter, it will only be necessary for me to read the first and last—

> "I will take the case of an ensign serving for four years, who bought his commission, and the case of an ensign to whom a commission was given, also serving for four years; their qualifications and services being exactly the same. The difference therefore is, that the one officer who has purchased his commission receives only £72 a year for his four years' service, and the officer to whom a commission is given, receives £190 a year?—Certainly, there is no doubt of that."
>
> "That is the accurate state of the account between the two?—Yes; that is the practical working of that system."

Bad as this makes the case appear for the purchasing officer, I deny that it is an accurate statement of it; because in the calculation by which this result is arrived at, there is only deducted interest at the rate of 4 per cent on the amount vested in the purchase of the commission; but it must be recollected that the officer is risking the capital all the time. If he were to die, the money would be lost to his family; and a further deduction, therefore, ought to be made, of whatever would be required to insure his life for an amount equal to the price of his commission; and this would reduce his receipts to less than one third of those of the non-purchasing officer. It appears, therefore, that this fund is raised by the sale of commissions contrary to the regulations of the service, in order to carry out a practice, the effect of which is to create a very unfair distinction between officers who have purchased, and those who have not. Now, let us look at the purposes to which the fund has been applied. One has been to reduce the regulation price of cavalry commissions to that of infantry, and it is effected by paying to the cavalry officer, on his retirement, the difference between the old and new prices out of the fund; but unless you can reduce, not the regulation price, but the actual or selling price, the only effect of this will be, to put into the pocket of the cavalry officers a sum of money raised at the expense of infantry officers, for I will venture to say that 99 per cent of this fund has been raised by the sale of infantry commissions, the holders of which ought to have obtained them, or at all events, might have obtained them without purchase. If the cavalry officer can still obtain the sum of £4,000 or £5,000 for the troop which has only cost him £1,800, instead of the old regulation price of £3,225, it is evident that you are giving him a great advantage at the expense of the fund. The value of his commission, like everything else for sale, is not what was given for it, but what it will fetch. Now, I freely admit that the reduction of the price for cornetcies from £850 to £450 had a very beneficial effect, and enabled you to fill up the numerous cornetcies that were vacant. Officers were induced to purchase at the lower price, and a first commission is never sold for more than the regulation price, because nobody knows who will be appointed to it; and therefore no bargain can be made for it; but if these cornets are obliged to pay the old selling prices for their lieutenancies and troops, they will be no gainers in the end—they will have to pay for these so much more than the regulation. Now, that more than the regulation is paid is matter of notoriety. The Royal Commission, at page 21 of their Report, say—

> "The practice, therefore, of paying sums exceeding the regulation price must be considered to be an accompaniment of the purchase system, which it appears impossible to prevent."

And at page 23—

> "The regulation price of commissions is a fiction, and the large sums which officers are compelled to pay for promotion aggravate the evil effects of the system."

But if a more recent proof be required, it is furnished by the evidence taken before that extraordinary Court Martial that has recently been held in Dublin. It appears in that evidence that the senior lieutenant was not for purchase—that is, he was not prepared to give that price beyond the regulation without which nobody would sell; but no sooner did it appear probable that a captain would be compelled to send in his papers and sell his commission for the regulation price, than he instantly returned his name for purchase, and thus put an end to the arrangements made by the senior purchasing lieutenant. It is clear, therefore, that the selling price of cavalry commissions is not yet reduced. Another purpose to which this fund has been applied is that of purchasing up the commissions in the corps of Gentlemen at Arms and Yeomen of the Guard. These are no longer to be purchasing corps; and the appointments, for the future, are to be given to half-pay officers. A third purpose, and one by which the country is more directly the gainer, has been that of purchasing half-pay commissions, by which, I understand, a saving of £8,000 a year has been made.

Now, I think my noble Friend, Lord Herbert, having this £160,000 to dispose of, did very wisely in getting rid of it by these means. There was the Report of the Committee hanging over it, and the precedent of its being transferred to the Treasury, and the sooner he made use of it for army purposes the better; but if he had not had the fund in hand, I do not think he would have been justified in selling a single commission to carry out any one of these purposes. I do not see why an infantry commission should be sold to pay a cavalry officer, or why the system of purchase in the army should be extended in order to put an end to it in the corps of Gentlemen at Arms and Yeomen of the Guard. There are, besides, conditions attached to the appointments to these corps, which deprive many officers of any chance of obtaining them. A subaltern officer is not eligible, and then every candidate must be so many feet so many inches high. A little hero (and there are many of them) has no chance. As to purchasing up half-pay commissions, I consider you have no right whatever to sell a commission for the purpose of doing so. The practice of giving £100 a year to officers who have not purchased has extended the system of purchase to every commission in purchasing regiments. If an officer has purchased, he has a right, or, at all events, a strong claim, to sell; if he has not purchased, his commission is sold to pay him the £100 a year. When the Government became dealers in commissions, and sold those that were not naturally for sale, as in the case of first appointments in 1854, and the commissions of the officers who had not purchased. The system of purchases was extended, as I have shown, to every commission. This was not only not denied, but was defended by the Secretary for War (Mr. Herbert). He was asked by the hon. and gallant General the Member for Westminster (Sir De Lacy Evans), Q. 6,804, whether the practice of giving £100 a year to the non-purchasing officers did not extend the system of purchase; and he answered, "Not the system, but the action of the system." And in answer to Q. 6,802, he stated it as his opinion, that as long as you have the system of purchase, you should make the most of it. As long as officers buy, others must sell.

Why, this is what the officers themselves say who sell their commissions for more than the regulation. As long as the system of purchase exists, make the most of it; buy in the cheapest market, sell in the dearest; or, better still, do not buy at all, and sell in the dearest; for every one of these commissions that have not been purchased are just as liable to be sold for more than the regulation as the commissions of the officers who have purchased. The officer who is going to retire knows who is the senior officer for purchase, and may say to him, "I will retire if can get so much money. I shall only receive so much for my services, and unless you make up the difference, I will remain." Now, I have always taken a different view of this question. I am not an advocate of the abolition of the purchase system, and I do not think it would be practicable, even if it was desirable; but I am totally opposed to the Government becoming a party to it. I do not deny that the operation of this fund has had the effect of stimulating promotion, but amongst those only who have the means of purchasing, to the total exclusion of those who have not, or that it has had the effect of relieving the dead weight, when applied to cancelling half-pay; but these officers who retire and get the allowance of £100 a year are not entitled to go upon half-pay. If it is thought that their services have entitled them to some allowance, the country, to whom those services have been rendered, ought to pay it, and not to throw the burden upon others. It is wonderful how generous we are at other people's expense, we give these officers an allowance of £100 a year for their services, but we make the purchasing officer pay it, and put something very handsome besides into our own pockets. It is exactly the same system as that adopted at Woolwich and Sandhurst. We generously educate a certain number of orphans, sons of officers, free of all expense, and the sons of all officers at less than the absolute cost; but then we make the other cadets pay for it by charging them more than the actual cost. So long as this fund was used for only charitable purposes, to give to those who were dependent upon officers who had died in your service, but had themselves no claim upon the public purse, I do not think there would be any objection to a limited application of it, or that anybody would grudge having to purchase for such a purpose, but when it is raised for the purpose of relieving the public at the expense of individuals, it is quite a different thing. A circumstance has occurred since the Committee reported, which renders the continuance of this allowance of £100 a year more objectionable than ever. Twelve non-purchasing regiments have been added to the British Army by the amalgamation with the Indian Army. Now, what do you intend to do with the officers who will hereafter be appointed to these regiments? Do you intend to give them this allowance or not? A general order has been issued from the Horse Guards which, in my opinion, leaves this very doubtful; but the right to the allowance of £100 a year in purchasing regiments is so clearly recognised (except in the case of misconduct), that so long as that order remains uncancelled any officer entering the service may fairly claim it. The order is—

"GENERAL ORDER, No. 807.

"Horse Guards, S.W., 19th February, 1862.

"With regard to the addition of twelve non-purchase Regiments of the Line to the British Army, His Royal Highness the General Commanding-in-Chief is pleased, with the concurrence of the Right Honourable the Secretaries of State for War and for India, to establish the following regulations:—

"1. In non-purchase Corps of the Line, no Officers can sell their Commissions.

"Those who enter from the Indian service retain their claim to Indian pension, and all others are entitled, with Her Majesty's approval, to retire on full or half-pay, according to the terms of Her Majesty's Warrants of the 14th October, 1858, and 28th March, 1861.

"2. An officer joining a purchase Regiment from the Indian Service will be placed on the same footing in all respects with the rest of the officers of that Regiment.

"Having forfeited all claim to Indian pension, he will become entitled to retire on full pay or half-pay, under the Warrants above specified.

"Non-purchase Officers of such Regiments have the privilege of receiving, subject to the consent in each case of the General Commanding-in-Chief, and of the Secretary of State for War (which is liable to be withheld if the retirement results from misconduct), an allowance, on retirement, of £100 for each year's service, whether in the British or Indian Army, provided the total amount does not exceed the price of the Commission resigned.—By Order of H. R. H. The General Commanding-in-Chief." "JAMES YORKE SCARLETT, Adj. Gen."

I was informed at the War Office where these orders are interpreted, that it was not intended to give the allowance to officers in those regiments. Now take the case of two cadets, both obtaining their commissions by competitive examination at Sandhurst, one appointed to a purchasing regiment in this country, the other to one of these non-purchasing regiments, which is quite a matter of accident depending upon the vacancies at the time. If, at the end of six or seven years, they should both wish to retire on account of ill health, or any other cause, do you give to the officer who may have been at home the whole time £100 a year for his services, and give the officer who may have seen active service in India, nothing? Surely, this would be a great hardship, and yet I do not see how you could give him anything without committing an equal injustice. You cannot sell his commission, because he is in a non-purchasing regiment; and if you bring him into a purchasing regiment on a clear vacancy, and sell his commission, you are committing a great injustice towards the officer in that regiment who would have obtained his promotion without purchase. This system of selling commissions in order to pay this allowance of £100 a year for services must materially affect the number of commissions to be given without purchase. I do not know upon what basis the calculation was made that enabled the Secretary for War to state that there would be 230 commissions to be given away annually, of which 170 were to competed for at Sandhurst; but I am sure, that if this practice continues, there will be nothing near that number. You will not be able to keep faith with the young men whom you have induced to go to Sandhurst on the understanding that there are to be 170 commissions to be competed for every year. On the other hand, if this practice is abolished, there will be more commissions to give away, and the system of purchase will be materially diminished. I think I have said quite enough to show the importance of this subject, as bearing on the purchase system. If you do away with the practice of giving the non-purchasing officer retiring from the service £100 a year for his services, he will, of course, be placed in a worse position than he is in at present; but why he was ever placed in that position, except for the purpose of benefiting the fund, I am equally at a loss with His Royal Highness the Commander-in-Chief to conceive. It is not a reward for length of service, for the Ensign of four and a half years' service gets just as much as the one of eight or nine, and the Lieutenant of six and a half years' service as much as the one of fourteen or fifteen. So far from its being a reward for long service, it is an inducement to the officer to retire as soon as he has served long enough to entitle him to the price of his commission, because he can gain nothing more by serving in that rank. It is exactly contrary to the principle you adopt with regard to the men. You cannot enlist a man to serve for more than ten years; but at the expiration of that time you do all in your power to induce him to remain. You offer him a new bounty and kit, and he becomes entitled to a pension at the end of the second term of service. But instead of encouraging the officer to remain until he is entitled, by the regulations of the service, to sell his commission or to go upon half-pay, you bribe him, by this allowance, to retire. It is not given for distinguished or good service, for the nature of the service has nothing to do with it. The officer who may have been at home all the time is as much entitled to it as the one who may have seen the most active and arduous service. It is sacrificing the interests of the non-purchasing officer who wishes to remain in your service, for that of the one who retires from it; because the former is instantly purchased over to provide for the latter. This allowance is not given to the officers of the Engineers, Artillery, Marines, or the twelve new regiments; and yet the services of officers in these corps may have been quite equal to that of those who receive it. If it is given as an acknowledgment on the part of the Government that the officers have been miserably underpaid during the time they were serving, I am afraid I could not deny the justice of it; but then it would be surely better to give them an additional £50 a year when they are serving, which would induce them to remain, than to give them £100 a year when they leave. My attention was not drawn to this fund during the time I was Secretary for War, or I am sure I should have proposed some alteration in the working of it. I do not wish to see the fund abolished, and should be very sorry if the Commander-in-Chief was deprived of the power of providing for a meritorious officer, who had risen from the ranks, or one who had performed distinguished service; but, I object to that being made the rule which ought to be an exception, for which reasons ought always to be given, and the sanction of the Secretary for War obtained for it. Unless the Secretary for War has fully and duly considered the subject, and is prepared to give a decisive answer, I have no wish to press for one now. I shall be quite satisfied by his saying that he will take into consideration what I have stated; at the same time, I must remind him, that it is now nearly two years since the Committee reported, and that the only thing that has been done has been to confirm the practice, by the recognition of it in an order from the Horse Guards.

SIR GEORGE LEWIS: Sir, there are two questions to be considered with reference to this fund—one is the mode in which it is created, and the other the mode in which it is appropriated. The point which principally attracted the notice of the Committee upon military organization, and to which the right hon. and gallant Gentleman has especially called attention, is the existence of the fund and its appropriation. Undoubtedly, as he has correctly stated, grave constitutional objections may be urged against the existence of a fund not voted by Parliament, but arising from the sale of commissions, and subject to the discretion of the Executive Government. It is to that part of the case that my attention has been principally directed. An account was, for the first time I believe, laid upon the table last Session, showing how the fund had been appropriated, and the balance in the hands of the Government; and a similar account will be shortly laid upon the table, and will exhibit the annual statement since the last account was presented. With regard to the question of an independent audit, which was adverted to in the Report of the Committee, it is clear that this fund could not be audited by the Commissioners of Audit; but I should be quite ready to assent to any mode of auditing it which may be likely to meet with the approbation of this House. Considering the purposes to which the fund is applicable, as stated at the foot of the return on the table, it appeared to me that these purposes are generally advantageous, and I think the right hon. and gallant Gentleman himself did not materially except to the manner in which the fund is appropriated. He stated the whole case with great clearness, and it is unnecessary, therefore, for me to describe the purposes to which the fund is applied. The general character of its application is, undoubtedly, to facilitate and remove the friction from the working of the system of purchase. That is a correct description of the objects of the appropriation; and assuming that the War Department and Horse Guards act with good faith in the application of the fund, it is then for this House to consider how far they wish that that system should be facilitated. Those persons who are generally hostile to the purchase system with regard to military commissions would, no doubt, be unwilling to see any facilities given to the working of that system. On the other hand, those persons who may be, on principle, favourable to that system, or who may be of opinion that, as it exists and is the law of the country, its working ought to be rendered easy, would desire the maintenance of the fund, always assuming that it was administered with honesty and discretion. It does not appear that the right hon. and gallant Gentleman impugns the administration of the fund, but he says that serious objections may be urged to the manner in which it was created. Well, he certainly showed that the question is, at all events, open to consideration. I confess that that part of the case has never been fully presented to me before, and I have learned much as to the objections which, I admit, may, with a fair show of reason, be made to many points connected with the creation of the fund. As the right hon. Gentleman brought forward this question upon going into Committee of Supply, it was not incumbent upon him to propose any specific alterations. He has called the attention of the House fully to the subject; he has had an opportunity of laying his views before them, and I can only undertake, on the part of the Government, that the arguments which he has urged shall receive careful consideration.

SIR DE LACY EVANS said, he thought that the House was very much indebted to the right hon. and gallant Gentleman for the lucid and able manner in which he had brought forward a very intricate subject. The Committee which had considered the matter included several ex-Secretaries of War, but nobody seemed to know anything about it. In point of fact, the "Reserve

Fund" was not the proper name for the fund; it ought to be called "A Fund for the Extension of the Purchase System." One point was clearly explained by the right hon. and gallant General. Some years ago the War Office were alarmed lest certain cavalry regiments should be without cornets, the fact being that those regiments were so expensive that parents would not place their sons in them. The War Office thought the cornets could be provided by a system of the sort, which was in fact levying a contribution upon officers in the mass for the purpose of introducing cornets into the cavalry. The Secretary for War now said that the effect of the fund was to remove friction from the purchase system. That was a new phrase; but the case made out by the right hon. and gallant General was so strong that it would be impossible to permit a continuance of the present practice. It was not merely the equitable distribution of the fund which was in question, but the serious precedent which it established. It was an entirely new principle that a fund should be created and distributed according to the pleasure of the Executive, and such a principle was one which the House ought not to sanction.

LORD HOTHAM said, he had been much disappointed by the answer of the Secretary for War, and the entire absence of any explanation upon the subject under notice. That only convinced him the more that the same unwillingness to explain the nature and the application of the Reserve Fund still existed which had formerly been shown. On three different occasions he had sought unsuccessfully for information. On the first occasion the late lamented Lord Herbert said that the subject was about to be brought before a Royal Commission, and that therefore it would be better to wait. In another Session he was told that the matter was actually under inquiry; and on the next occasion that it had been inquired into, and that a Report would shortly be made. Last year a Return which he moved for as to the disposition of the fund was granted, but it gave little information on some points on which information was most required. The Secretary for War seemed to think that nobody objected to the application of the fund; but he (Lord Hotham) strongly objected to some of the purposes to which it was devoted, such, for example, as the application of a considerable proportion to the purchase of the commissions of members of Her Majesty's household. That might be a desirable object, but it ought not to be effected through the instrumentality of that fund. It appeared that part of the fund was used to buy up commissions in the Corps of Yeomen of the Guard and Gentlemen at Arms. That nominations of deserving officer should be made to these corps by the Secretary for War or any responsible authority might be desirable enough, but they constantly saw announcements that the Queen, on the nomination of Lord Foley, had been pleased to appoint such and such officers to commissions in those corps. On that ground he objected to the fund. Another ground on which he objected to it was the entire secrecy with which it was managed. It was contrary to constitutional usage that a Minister should have at his disposal a large sum of money of which he gave no account. He also objected to the indiscriminate sale of commissions which had been introduced. According to the plan followed out by the Secretary of War, there was no reason why there should not be a system of competition for the purchase of commissions, and that the commissions should be knocked down to the highest bidder. He objected, also, to the allowance of £100 a year to which his right hon. and gallant Friend had alluded two or three times. It was perfectly monstrous the great injustice which the system perpetrated. Reference had been made to the case of lieutenants. He would direct attention to the case of officers holding the rank of captain. Suppose two captains of the same regiment who had entered the army on the same day and had passed a term of eighteen years of equally meritorious service—suppose that one had purchased all his commissions, the other had been so fortunate as to obtain all his without purchase—now, if both those officers, who had entered the army on the same day, quitted it on the same day, the officer who had obtained his commissions without purchase would receive £1,800 as a bonus for his services, while the captain who had purchased his commissions would only receive back the sum he had paid, £1,800, and nothing more, besides having been liable to have his life cut short, with the entire loss of the money to his family. Could it be just to give one man such a bonus for his services and nothing to another, whose service was of the same length? It was a system in which some alteration was required. He hoped the House of Commons would not lose sight of the working of the system, and that the right hon. Gentleman would inform the House fully of the course he intended to pursue for the future. He trusted that some alteration would be proposed to do away with the inconsistency and injustice of the existing practice.

FINANCIAL ACCOUNTS.—QUESTION.

Lord ROBERT MONTAGU said, he wished to ask the Secretary of the Treasury, For some information with regard to an item in the last financial accounts presented to the House. He would not have troubled the right hon. Gentleman had he not already sought for information from the best financial authorities on his own side of the House, and failed to obtain it. There appeared, both on the debit and credit side of the account, the following entry:—"To balance due from Messrs. Duncan and Hutchinson, £2,212." He had compared all the financial accounts for eleven or twelve years back, and found the same entry in them; he supposed, therefore, that the money had been due to the State for more than eleven years, and had never yet been received. In the thirty-ninth report of the Woods and Forests he found the same sum entered as an "available balance;" and some time ago there appeared a note in the accounts stating that Messrs. Duncan and Hutchinson were "late receivers at Glasgow." Would the Secretary of the Treasury explain the nature of the entry?

Mr. PEEL said, he had had no notice of the Question.

Lord ROBERT MONTAGU stated, he would repeat his Question on Friday.

INDIA—THE LOCAL ARMIES.

QUESTION.

Colonel SYKES said, he wished to ask the Secretary of State for India, Whether officers of the local Armies of India are liable to be removed against their consent from the regiments to which they belong, and to be sent to any station for the performance of general duty; whether compensation will be granted to officers so taken from their regiments and sent to general duty for the loss of regimental, troop, or company command allowances; whether compensation will be given to officers who have subscribed to Regimental Retiring Funds, in the full confidence of their subscriptions being returned to them on their own retirement; and whether the East India Company's late European Artillery and Engineers have become integral portions of the Royal regiments of Artillery and Engineers respectively, with the advantages of seniority, succession, augmentation, &c.? With respect to the first question, it would appear that the conversion of regular regiments of the Indian local armies into irregulars, annihilated the regimental rights of an officer. Recent instances of officers who had returned to India from furlough had come to his knowledge, being told by the Adjutant General when application was made to be ordered to join their regiments, that they had no regiments; that they existed on paper only, and that they must go to general duty. On remonstrating that they had served from their youth with their own regiments, that they had friendships with the officers and sympathies with the men, the reply was that their regiments were converted into irregulars, with a limited number of officers, and that they were not required, and they must go to general duty. He (Colonel Sykes) could not believe that such injustice was contemplated by his right hon. Friend in his changes in the Indian armies. The second part of his question was whether any compensation would be granted to officers so taken from their duty. The right hon. Gentleman had stated that the House did not guarantee allowances, but only the gradations of rank. The clause in the Act, however, which referred to pensions and allowances, provided that the allowances should be maintained; and the officers prevented from joining their own regiments lost their troop and company allowances contrary to the guarantees of the House. With regard to the Regimental Retiring Funds, a practice had prevailed for many years of junior officers making a purse in order to upset their seniors, and that practice had been permitted by the Court of Directors. The officers who had not retired when the amalgamation of the Royal and Indian armies took place lost the large sum which they would have received on their own retirement under the old system, and he wanted to know whether the Government would give them some compensation? His fourth question needed no explanation.

Sir CHARLES WOOD said, that the interpretation which his hon. and gallant Friend had put upon the guarantee given by the House would prevent any reduction whatever in the Indian army. Orders had been given to reduce several of the native regiments, and therefore the officers who had no longer command of companies were not entitled to the allowances due to officers in command to cover certain expenses. His hon. and gallant Friend was one of those who most pressed upon the Government and the House the necessity of reducing the expenses of India. The great source of expense was the military expenditure; and if regiments were to be kept up merely in order that captains might have allowances for being in command of companies, reduction would be impossible. The effect of the interpretation which the hon. and gallant Gentleman put upon the words of the Act would be this—that until the youngest cadet had gone through all the grades and received the allowances due to each grade, as they stood before reduction was contemplated, no reduction of the Indian army could take place. Perhaps to the proposition, put in plain terms like those, his hon. and gallant Friend himself would object. Some Indian regiments had been reduced. What was to become of the officers? said his hon. and gallant Friend. Well, what became of the officers of the English army when a reduction took place? They were put upon half-pay. But to Indian officers whose regiments were reduced, the same pay and promotion was given as if their regiments were in existence. In answer to the first question of his hon. and gallant Friend, he had to say that in the Indian army, as in the case of the English army and the English navy, every officer was bound to serve under his superior authorities wherever they thought it best for the public service he should be employed. In answer to the second question, he must say that he was not prepared to give compensation to officers who had ceased to have the command of companies. But the pay and promotion of these officers remained utterly unchanged. They would be promoted as rapidly and would receive the same pay as they received when in command. The next question was somewhat difficult to answer. The House had always been told that one of the great merits of the Indian army was that there was no purchase in it; but it now turned out that in every portion of the Indian army there was a system of purchase different from that in the English army, but just as illegal and irregular. In fact the substantial injury to the Indian army of which its officers complained, would arise from their being deprived of the benefit of that system of purchase which they disclaimed. No doubt, a certain loss would be entailed upon some Indian officers by the extinction of an irregular and illegal system of purchase; but the Government had endeavoured to mitigate the evil by liberal offers of retirement. With regard to the last question, the Bengal, Madras, and Bombay Artillery had become as it were a part of the Royal Artillery, and no change was made in the pay, promotions, and pensions.

Colonel GILPIN said, that as to purchase in the Indian army being illegal, it was sanctioned by a minute of the Indian Council. It was perfectly right not to give allowances for expenses out of pocket to captains of companies who had ceased to hold commands. But the Government might consider the propriety of increasing the amount of bonus on retirement to certain officers who had passed the best part of their lives in the service.

Sir CHARLES WOOD explained, that purchase in the Indian army had been declared illegal by a court of law, but he was aware it was as common as payments in excess of the regulation price of commissions in this country.

Colonel SYKES insisted that purchase was legalized by the order of 29th of November, 1837.

Motion *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

House in Committee.

Mr. Massey in the chair.

(1.) £450, New Consular Offices, &c., Constantinople, *agreed to.*

(2.) £2,500, Westminster Bridge Approaches.

Mr. W. WILLIAMS said, he was surprised that any further sum should be required, seeing that £173,000 had already been granted, and that a large balance remained unexpended.

Mr. COWPER said, that the balance had been reduced to £65,000, which would quickly be exhausted.

Lord ROBERT MONTAGU said, he understood that the Vote of £173,000 passed last year was to include all charges for the approaches to the bridge. As the gross sum already expended upon the work up to the 31st of December, 1861, was £54,748, there ought to be a balance remaining of £118,252. He did not see why the additional Vote was necessary.

Mr. COWPER explained, that the term "approaches" last year referred to the roadway. The present Vote was required for the stairs and wing-walls, and other works not included in the original Estimate. As to the balance in hand, he could only say that it did not exceed £65,000; and that when all the demands of the householders had been satisfied, it would be reduced to *nil.*

Mr. AYRTON asked, whether it was intended to carry out a suggestion which had been made of carrying a subway under the existing road, for the convenience of Members of Parliament and others landing from the steamers. He understood that the opinion of the engineer of the bridge was favourable to the construction of such a subway.

Colonel SYKES said, he would remind the First Commissioner that hon. Members could not now get to the House without much inconvenience and even risk to their limbs.

Mr. COWPER said, that a tunnel under the existing road was not part of the original plan, and he feared it could not now be made without considerable expense. Perhaps the object of the hon. Member could be accomplished when the embankment should be constructed.

Mr. AYRTON said, he would remind the right hon. Gentleman that the embankment of the river was not to extend beyond the east side of Westminster Bridge. He believed the subway could be constructed in a very simple manner.

Mr. LOCKE said, he would call attention to the fact that there was already a doorway in the structure of the bridge; and although he could not precisely tell what purpose it served, or where it led to, yet it was to be presumed from the fact that there was a hollow under the bridge. Well, if people could go in by that door under the bridge for one purpose, they could go in for another, and therefore a ready means was afforded of overcoming the difficulty and meeting the suggestions of his hon. Friend.

Mr. CHILDERS wished to know whether the present Vote would be wholly expended before the 31st of March next.

Mr. COWPER said, there was no doubt that the whole of the money voted by Parliament would be ultimately required, although it might not all be paid away before the 31st of March next?

Mr. CHILDERS said, he must protest against that breach of the arrangement upon which the Chancellor of the Exchequer had laid such stress, that no money was to be voted on the Civil Service Estimates which was not required within the year.

Mr. COWPER said, that it was intended that the sum of £2,500 should be spent within the current financial year. There was a sum voted last year which might not be so expended, but he thought that it would be inexpedient to take from the Government the power of spending it if an opportunity were offered of settling with any of these leaseholders.

Mr. CHILDERS said, that after this explanation he should not oppose the Vote.

Mr. HENNESSY said, he wished to know from the right hon. Gentleman the exact amount the Government had in hand?

Mr. COWPER replied, that there was a sum of £65,000 in the Exchequer, but that might be diminished to morrow or next day.

Lord ROBERT MONTAGU said, the right hon. Gentleman appeared to forget that the whole of the sums hitherto voted were unexpended; and that the balances now in the Exchequer for the purpose were £118,000.

Vote *agreed to.*

(3.) £1,231 Westminster New Bridge, *agreed to.*

(4.) £15,000 New Foreign Office.

Mr. AYRTON asked, whether the sum of £200,000, at which the cost of erecting the Foreign Office was fixed in the Vote, was a guess estimate, or whether it was an amount which had been settled by careful and deliberate inquiry, and within which it was intended that the cost of this building should be kept; and also whether steps were being taken for carrying out any particular design.

Colonel FRENCH said, he wished to know what kind of stone was to be used. He trusted it would not be a stone which would turn into sand, like that of the Houses of Parliament?

Mr. BAILLIE COCHRANE said, that he intended on the following evening to call attention to the general question of our public buildings, and he hoped that the right hon. Gentleman would postpone the Vote until after the discussion of that subject had taken place.

Mr. COWPER said, he did not see that the voting of the sum of £15,000, in addition to the £60,000 voted last year, would alter the position of the House towards the Motion of the hon. Member, and he could not consent to postpone the Vote. The estimate of £200,000 was made by Mr. Scott, the architect, deliberately, and upon his responsibility. The estimate which would be most satisfactory to the Government and to the House would be that for which contractors would tender to complete the work. Mr. Scott was preparing working drawings and specifications, and in order to secure the completion of the work for a certain sum he intended to make a definite contract without reserving to the architect power to make alterations which might increase the expense. The design according to which the building would be erected was that which was exhibited last year, and met with general favour. Regarding the stone to be used, he thought the report of the Commission which had examined the stone of the Houses of Parliament showed that it would not be wise to use that description of stone; and it was intended to employ Portland stone, the material of which St. Paul's Cathedral and many other of the public buildings were constructed.

Sir MORTON PETO remarked, that the quarries in that part of the Island of Portland from which the stone for St. Paul's Cathedral was taken had been scarcely worked since that period, and there were at present various portions of stone intended for St. Paul's which had never been used. That stone was much harder than any other stone in the island. In the time of Sir Christopher Wren the architects were good geologists, and care was then exercised, which had not been exercised since, in the selection of materials. He understood the right hon. Gentleman to have pledged himself that the plan should not be altered, and in that case a satisfactory result might be obtained. But unless the right hon. Gentleman set his face against any alterations he would be continually asked to change the plans according to the whims of the individuals for whom the offices were required.

Sir JERVOISE JERVOISE said, he wished to know whether the architect was to be paid five per cent on the cost, or whether he was to receive a fixed sum?

Mr. WHITE remarked that he was not satisfied with a random estimate of a couple of hundred thousand pounds, and he hoped the right hon. Gentleman would give a distinct and categorical statement that the probable expenditure on the Foreign Office would not exceed that sum. They ought not to imitate the example of despotic countries in lodging our public servants in public palaces.

Mr. LOCKE said, he wished to know upon what data Mr. Scott proceeded, in returning the estimate for the Foreign Office at £200,000. Unless the architect knew the material which would be used in the building, his estimate must be of little worth. To work a hard stone like Portland must be very expensive, and that item must enter into any correct estimate.

Colonel FRENCH said, he held, that as the style of the building was to be Grecian, the point raised by the hon. Member was not of as great importance as it would have been had the style been mediæval, as there were only round columns to be worked, instead of statues and armorial bearings. Seeing how well Somerset House and St. Paul's Cathedral had stood, there ought to be little difficulty in selecting the proper stone.

Sir MORTON PETO said, it was not his intention to convey that there would be any difficulty in obtaining suitable stone. His only object was to warn the First Commissioner of the necessity for proper precaution in the selection of the stone in the Island of Portland, the stone in one part of the island being of a very inferior description. He trusted that the House would agree with him that a hard stone ought to be used. In that, as in many other things, the first expense was the least.

Mr. WHALLEY asked the right hon. Gentleman whether he had taken into consideration the opinions of the Commission of scientific gentlemen appointed to investigate the qualities of stone fitted for the Foreign Office.

Lord ROBERT MONTAGU said, he wished to remind the Committee of the opinion expressed by the Committee of which Mr. Laing was a member, against the system of balances which when drawn into the Exchequer might be paid out again for any purpose foreign from that for which they had been originally voted. He should be glad to discover the purpose for which the Vote of £15,000 under consideration was demanded. It appeared from the Estimates that though the sum of £30,000 had been voted last year, and the sum of £20,000 the year before, for the Foreign Office, only £3,100 had been expended of the entire amount. For what object, then, could the additional sum be required?

Mr. AYRTON said, he wanted to ask whether the £200,000, when expended, would make the new Foreign Office fit for occupation, or whether that amount would merely cover the architectural work on the shell of the building? He condemned the system of presenting the Estimates by small instalments. The circumstances ought all to be fairly stated, and a sum taken that would enable the work to proceed energetically.

Mr. W. WILLIAMS observed, that he did not see why that money was required. Orders had been given to Mr. Scott to make the necessary preparations for the contract, but until the contract was entered into, the right hon. Gentleman could have no need for the Vote. He also wished to know in what way the £3,100 said to have been already expended in connection with the building had been laid out?

Mr. COWPER said, it had been thought better to divide the contracts, and to intrust the foundation to one contractor and the superstructure to another. The former contract had already been entered into, and the work was in progress; but the difficulties in the way of laying the foundations were great. It was necessary to sink to a depth of eighteen feet, in order to get a solid basis, and that portion of the work would, therefore, cost about £20,000. Matters were nearly ready for entering into a contract with regard to the superstructure, and the sum proposed to be voted was as much as was likely to be required in the course of the financial year. He would remind the Committee that when a building of the kind was once commenced it was very desirable on economical and other grounds to push it forward rapidly. He did not remember the passage alluded to by the noble Lord (Lord R. Montagu), but he believed balances in the Exchequer were at least as safe and well looked after as money anywhere else. Certainly, he had never heard of any instance where they had been improperly disposed of. The Committee was perfectly safe in voting the money now asked for, as it was appropriated to that particular purpose, and if not applied before the 31st March next, would then be returned to the general fund, and the department would cease to exercise any control over it. Mr. Scott's estimate was one made in the ordinary way for a building with fittings, but not with furniture. It had been made on plans very carefully prepared in reference to the amount of accommodation required; but of course he could not pledge himself that the amount of £200,000 would be adhered to exactly. An estimate differed from an account, and it depended on the price of the labour market, on the amount of competition for the contract, and on many other circumstances which it was impossible to foretell. But there was no reasonable ground for supposing that the estimate was erroneous, and he did not know that they could have a better authority to rely on than an architect of Mr. Gilbert Scott's ability and eminence. Happily there had been one good result of the long delay which had occurred; the plan had been so carefully gone into and examined that he did not think any alterations were likely to be required. An opportunity of expressing its opinion had been afforded to the department, and it had declared itself satisfied with the arrangements. He should consider it his duty to provide that the contract should be made in gross—a security which, if it had been adopted in the case of the Houses of Parliament, would have prevented much of the expenditure. There could not be a less effective control than that of Parliamentary Committees. If the architect had been responsible to any member of the Government, he would not have been able to make such arrangements as those which had led to the various alterations; but his masters were so numerous that, in reality, he had no master at all. When the Committee of the House of Commons expressed an opinion with respect to the works, the architect elicited from the Committee of the House of Lords another opinion. With regard to the stone, he thought they had so much light thrown on the subject by the Report of the Commission which was then on the table, that it was not probable they would fall into the same mistakes as had been made on former occasions. It was quite clear that no stone ought to be used which would be affected by the sulphurous acids in the atmosphere of London. Portland stone had stood the effects of this atmosphere; and it would be the duty of the architect of the new Foreign Office to take care that the best sort of stone for the purpose was taken out of the Portland Quarry. There might be other stones, such as silicious sandstone, which would have advantages as regarded durability; but the labour required in cutting them would greatly enhance the cost of the building. Mr. Scott, he might add, had prepared his estimate on the assumption that Portland stone would be used.

Sir STAFFORD NORTHCOTE said, he wished to say one word on the subject of cash balances, not particularly with reference to the Vote under consideration only, but with reference to all the Votes; and, perhaps, the Secretary to the Treasury would tell them whether all the Votes were framed upon the same principle as the one before them. That was the first year of the new system. The previous practice had been to take Votes for the service of the year; and if any portion was not expended within the year, then the balance was in each case held over, as applicable to the same service in any future year; and that led to large balances in the Exchequer, and the system was open to abuse. Now, it was understood that Votes were taken for payments to be made in the course of the year, and if the money were not expended by the 31st of March next, then the balance remaining would certainly be surrendered. There was no doubt about that, but there was a doubt as to the surplus which existed on the 31st of March last; and it would certainly have been more convenient in many respects if the large surplus amounts in hand on the 31st of March last had been surrendered, and full Votes taken for all the money intended to be spent during the present year. That, however, had not been done; and whilst he supposed that it was intended to spend the whole £65,000 during the year, he wanted to know whether, if the whole of that sum were not spent, the balance upon that amount, and not that simply upon the sum voted this year, would be handed over? He wished to ask whether all the Votes were to be taken upon the same principle. He was afraid that one of the effects of the change was to make the Estimates for the year 1862-3 appear less than they really were. That, however, could not be helped, for it was very desirable to make such a change as that now introduced; but he thought the Estimates would appear much larger next year, in consequence of the new system.

Mr. PEEL said, that no doubt the balance to be handed over at the end of the financial year would be any sum which remained unexpended, whether it accrued from the sum voted in that or in previous years. That year the balances remaining in hand were very much smaller than they had been in previous years, and the whole sum deducted from the Estimates on that account was only 50,000. As to the particular Vote before the Committee, the Government had been informed, that though there was a large balance in hand, yet that the sum actually spent in the year would be more than the whole amount of the balance; and it was expected that it would be about equal to that and the amount now proposed to be voted.

Mr. WHITE said, he was not satisfied with the reply of the right hon. Gentleman the First Commissioner. It was quite clear that the system of undefined expenditure was still being pursued with reference to the proposed new building. He believed that before the Foreign Office was completed the sum of £200,000 would be only about one-half of the total amount which would have to be expended. He should have been much better satisfied if the right hon. Gentleman had said that £200,000 and no more should be appropriated to this purpose. He did not think the answer of the right hon. Gentleman on the subject of the stone satisfactory, or that there was any more guarantee for their obtaining the right quality than there had been in the case of the New Houses of Parliament. In that case a scientific commission had given an opinion as to the best stone for the purpose, but, either from parsimony or ignorance, the proper means had not been adopted for providing that only the best stone should be selected, although be believed a competent person might have been employed on the spot to watch the selection at an expense of not more than £300 a year.

Vote *agreed to;* as were the following:—

(5.) £1,250 Temporary Foreign Office.

(6.) £10,000 Industrial Museum, Edinburgh.

(7.) £903, Aberdeen University.

Lord ROBERT MONTAGU said, there was a balance of £3,000 on the Vote of 1859-60, and of £6,870 on the Vote of 1861-2, both of which sums were unexpended and available for the present year. He wished to know why a Vote of £327 was required that year for Marischal College?

Mr. COWPER said, it was necessary to alter some of the class-rooms, and to provide further cases for the museum. The Moral Philosophy class-rooms were altered last year, and the present Vote was for the Botanical class-rooms.

Vote *agreed to.*

(8.) £10,000, Probate Court and Registries.

Mr. CRAWFORD said, that he had been requested about two years ago by some gentlemen who wished to take notes and extracts from wills for antiquarian purposes to obtain a renewal of the privilege formerly allowed in the case of wills of ancient date. He had, however, been told by Mr. Laing, who was then Secretary to the Treasury, that from want of room it was not in the power of the officers of the Court to grant the facilities asked for. Three or four months ago, however, he saw by a paragraph in the newspapers that the privilege of making extracts from such wills could now be conceded to the public, and he was anxious on behalf of the gentlemen to whom he had alluded to ask whether the privilege which they requested could be granted to them?

MR. PEEL said, there was no unwillingness to grant the desired accommodation, the only difficulty having arisen from the want of sufficient room in the premises occupied by the Registry of the Probate Court. On the recent enlargement of the premises, however, the judge of the Probate Court had made a rule permitting the public to consult and take notes of ancient wills under due regulations, and in the Estimates provision had been made for the necessary staff to assist the public in the search.

LORD ROBERT MONTAGU said, that a balance of £8,000 remained over from 1859-60, and a balance of £5,000 from 1860-1. He wished to know whether that balance had been all expended?

MR. COWPER said, there was at present a balance of £12,000 unexpended. There were forty district registries in various parts of the country, the rents of which amounted to £1,800, and the repairs to £1,000. Considerable works and repairs were necessary for the offices of the Probate Court in London. A house had been taken on a lease in Knight Rider Street to enable one provision of the Probate Act to be carried out—namely, that persons not of the legal profession should be enabled to go before the registrars and prove wills. The whole arrangement of the Probate Court and its offices was, however, unsatisfactory; because the buildings were but temporary. It was intended by the Courts of Justice Bill to have provided permanently for the Probate Registry elsewhere; but the present rather inferior accommodation must now be continued. No more money, however, would be spent on the buildings in Doctors' Commons than would be absolutely necessary.

LORD ROBERT MONTAGU said, he wished to know what the entire expenditure during the present year would be?

MR. PEEL said, that the sum available for the present year was £23,000. The cost of the Principal Registry of the Court of Probate and of the district registries in the country would be £7,800. The greater part of the district registries were leased by the Government for five years, and these leases all contained a clause that the Government should have the power to purchase the premises at a certain sum. It was found by experience that in some of the towns it was advisable to build premises. It was proposed to purchase houses at Manchester, Chester, Lewes, Exeter, and Taunton, for which a sum of £5,600 would be wanted, and to build, during the coming year, registries at Manchester, Wakefield, and Oxford.

MR. NEWDEGATE said, he wished to inquire in what manner the fees connected with the court and its registries were applied, and if they were not available for the purposes of the Vote?

MR. PEEL said, that the Treasury had the power to levy the fees by stamps. Provision was made last year to pay the officers by salaries instead of fees, and all the fees were carried to the Exchequer.

MR. FREELAND said, the Vote, as it appeared in the Estimates, was perfectly unintelligible; for the charges for rent, repairs, alterations, and a variety of other matters were lumped together without any detail whatever.

MR. COWPER said, he agreed it was always desirable to give as much information in detail as possible, but in that instance the arrangement of the balances rendered it impossible to give more than was given.

Vote *agreed to.*

(9.) £1,705 National Gallery (Increased Accommodation).

MR. CAVENDISH BENTINCK said, he wished to ask for some explanation. If he recollected rightly, the noble Lord at the head of the Government and the Chief Commissioner of Works had stated that the sum of £15,000, which had been voted two years ago for the alterations and repairs in the National Gallery, would have been amply sufficient; and now £1,705 more was asked for.

MR. SLANEY said, he would suggest that upon one day of the week a trifling sum should be paid for admission in order to enable ladies to enjoy a visit to the

National Gallery without suffering from the inconvenience arising from overcrowding. That plan was acted upon in the case of the Kensington Museum and of galleries abroad, and had been approved by the late Mr. Hume when it had been suggested some years ago.

Mr. COWPER said, he regretted very much that it should be necessary to ask the Committee for any money in addition to the original Vote. The fact was, Mr. Pennethorne's estimate had been made in February of last year, and the Vote was taken at the end of August. It was necessary that the work should be completed before the opening of the Academy Exhibition on the 1st of May, and very little time was consequently disposable for the alterations. According to the practice of the office, nothing could be done until after the Vote was passed, and when the Vote was passed it was too late to make such specification as was requisite for a contract in gross. In order that the work might be done in time, it was necessary to have it done by day-work, and not only that, but it was carried on by candle-light. A great increase of the cost had been caused in consequence of the long hours of work and the difficulties of the season, which was very inclement. Mr. Pennethorne had made several improvements in details as regarded the staircases and the entrance, and had thus obtained more space for hanging the pictures. He had also given satisfactory reasons why the actual cost had exceeded the estimate presented to the Government. If the Vote had passed at as early a period last year as the present, he believed that the excess might have been avoided. As it happened, however, the matter was beyond the control of the Government, for they did not know that there would be an excess until the work had been completed, and the expenditure already incurred. The estimate of £15,000 which Mr. Pennethorne had sent in was the closest that he could make at the time.

Lord HENRY LENNOX said, he had not the slightest objection to the payment of those who had worked overtime, but he wished to point out that the Vote had been asked in 1860, at a time when only a section of the House, known as the "Janissaries" of the Government, remained behind. When the hon. Member for Surrey and himself objected that the Vote was an under-estimate, they were met by the Chief Commissioner of Works and by the noble Viscount with a jocose "Pooh, pooh!" They were told they knew nothing about the matter, and the Vote was passed in 1860; but in 1861 it was not known that the estimate was exceeded. He objected to its having been concealed from the public that the work should have cost nearly £2,000 more than had been originally asked. The sum was a trifling one, but the whole thing was an example of the manner in which the House was treated in such matters.

Vote *agreed to.*

(10.) £2,500 National Gallery, Dublin.

Lord ROBERT MONTAGU said, they had been informed last year that the total estimate for the work was £24,000; £19,000 had been already voted, and £5,000 had been paid towards its erection out of the Dargan Fund. He should therefore like to know on what grounds they were now asked for £2,500 additional?

Mr. PEEL said, the building had been erected by trustees named under Act of Parliament, and they, not the Government, were responsible for an excess. It had been estimated that the building would be completed for £24,000, but in the beginning of the year a representation had been made to the Government that £26,500 would be required. He regretted that such was the case but he might add that the building was finished, and was admirably adapted for its purpose.

Vote *agreed to.*

(11.) £78,000 Harbours of Refuge.

Mr. PEEL said, as some hon. Gentleman might be taken by surprise if the Vote were taken that night, and one hon. Member who was not present had given notice of an Amendment, he, would if it were for the convenience of the Committee consent to the Vote being postponed.

Mr. AYRTON would suggest that before going on with the Vote the engineers' report should be before the Committee.

Vote *postponed.*

Motion made, and Question proposed,

> "That a sum not exceeding £101,221, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for Works and Expenses at the New Packet Harbour and Harbour of Refuge at Holyhead, and Portpatrick Harbour."

Mr. H. A. HERBERT said, he wished for some information as to what was proposed to be done with the packet pier at Holyhead. A very large sum, it would be remembered, had been voted for the packet service between London and Dublin. Certain arrangements had been entered into. The Dublin Steam Packet Company and the London and North Western Railway had completed their part of the contract, and put on some very fine vessels at a great expense, but the Government had done nothing whatever. He believed that none of the improvements promised by the Government had been carried out, and he wished to know what was now proposed to be done.

Mr. W. WILLIAMS said, that a most extraordinary deception had been practised on the House with regard to the Holyhead Harbour. The first estimate of Mr. Rendel amounted to little more than £800,000; and now the estimated cost of the works reached within a small amount of £2,000,000. He wished to know whether the last sum would be sufficient to complete the harbour, which, he was told, would never be a proper harbour of refuge after all?

Mr. PEEL observed that the subject of pier accomodation in Holyhead harbour had been a source of difficulty and embarrassment to the Government, who, though they might not appear to have proceeded with all the desired alacrity, nevertheless had done as much as it was in their power to do. Some years ago it was thought that the harbour would be used not only by vessels passing between England and Ireland, but by Transatlantic steamers, and permanent stone piers were proposed to be built in a position to allow vessels of any size to go alongside of them. A plan was accordingly prepared which would have cost £500,000. It was approved by the House of Commons, a Vote on account was taken, and a contract was entered into, though within a month afterwards notice was given to the contractor not to proceed under it. Since then circumstances had altered. It was found that no Transatlantic steamers went to Holyhead harbour; the captains of all the Dublin Steam Packet Company's steamers preferred the position of the temporary pier to that assigned for the permanent stone piers, and the professional officers of the Admiralty suggested that vessels lying alongside the latter might in certain states of weather be exposed to risk. Under these circumstances the Government came to the conclusion that it would not be desirable to complete the permanent stone piers, and turned their attention to see what might be done elsewhere for the convenience of the postal and passenger service to Ireland. With respect to the passengers, the complaint was that they were not provided with shelter in embarking in and disembarking from the steamboats; and, upon communicating with the engineer of the harbour, it was suggested that the temporary wooden pier should be so strengthened as to be able to support a roof, which would remove the objections made to the present arrangements, as far as concerned the convenience of the passengers. With regard to the contract with the North Western Railway Company and the Dublin Steam Packet Company, he wished to remind the Committee that that contract was entered into in 1859, and that under it a payment of £100,000 and upwards was to be made for the conveyance of the mails from London to Kingstown in eleven hours, a penalty of 36*s.* being provided for every minute of overtime. The penalty, however, was to be held in abeyance until the Government found the necessary pier accommodation of the character, contemplated at that period. The packet company preferred the position of the present wooden pier; but as that pier was not sufficiently strong, it had been proposed to strengthen it, and also to give some shelter from the direction of the north, without providing a breakwater, which was thought to be immediately. It was anticipated that the strengthening of the pier would cost £10,000, and provision was made in the Vote for that particular service. With respect to the railway company, what they complained of chiefly was the sharpness of the curve between their station at Holyhead and the pier; and the engineer of the harbour suggested that the curve might be reduced by filling in a portion of the harbour, and laying down a line in a straighter direction. The cost would be £20,000, and that expenditure was also included in the present Estimate; but the Government before incurring that additional outlay, thought it necessary to stipulate with the two companies that they should consent to the re-establishment of the penalties for overtime. The Dublin Steam Packet Company demurred, but he believed that upon full consideration of the matter there would be no difficulty in arriving at a satisfactory arrangement with respect to the sea part of the service. The North Western Railway Company made great objection to the exaction of any fine for overtime, and to the abandonment of the proposal for permanent stone piers, stating that their motive for entering into the contract was not so much for the sake of their portion of the subsidy, as because they anticipated an increase to their general traffic upon the completion of the permanent piers. Such was the present state of the question; but he did not think it would be necessary to deal with the companies conjointly. It would be necessary, however, to have further correspondence with them, and he trusted that it would result in their both agreeing to the arrangements proposed by the Government.

Sir MORTON PETO said, that the Vote before the Committee was only another of the numerous instances of an enormous excess of expenditure over the original estimate. As the hon. Gentleman had truly said the Estimate for the harbour was at first only £800,000, whereas the cost, together with that of the extension works, was put down then at £1,198,000. Whenever such an objectionable proceeding occurred, the Government must be blameable. In a neighbouring country, where there was a responsible Minister of Public Works, nothing of the kind was known; and there would be no amendment in this country of the evil of which he complained until the House had appointed a really responsible Minister of Public Works. For the last sixteen years he had been in connection with that functionary; and he must say that nothing could exceed the searching and comprehensive manner in which the business of the department was transacted. In the present case, however, the work had been intrusted to the Admiralty; but he did not believe that that office had any suitable machinery for conducting works of this description. Unless they had a properly responsible department to undertake such matters, the House would never have the slighest guarantee that any Estimate presented to them would be really sufficient.

Lord ROBERT MONTAGU said, that in point of fact the Admiralty never had any estimates of any kind submitted to it. The engineer on the spot reported that so many hundred tons of stone had been thrown into the sea, and then the Controller of the Navy wrote a cheque for so much money. He might refer to the evidence of Colonel Greene to show that no sufficient check was exercised over the expenditure. It appeared to him that there was a clerical error in the Estimates, and he would therefore move to reduce the Vote by the amount—namely, £2,219.

Motion made, and Question proposed,

> "That a sum, not exceeding £98,923, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for Works and Expenses at the New Packet Harbour and Harbour of Refuge at Holyhead, and Portpatrick Harbour."

Mr. PEEL explained, that the error pointed out by the noble Lord merely reduced the apparent balance, and that it had no bearing upon the actual Vote.

Mr. H. A. HERBERT remarked, that there were unforeseen circumstances connected with Holyhead, the very success of the scheme having led to the harbour being made a harbour of refuge, and an immense addition to the expense was thereby rendered necessary. He believed there was no manner in which money could be more humanely or more advantageously expended than in constructing harbours of refuge. He crossed the Channel eight or nine times a year, and he was able to bear testimony that in bad weather the harbour was literally crammed with vessels which had run in for refuge.

Mr. BRADY said, he was surprised to hear the right hon. Gentleman's statement, for he had always heard the harbour described as entirely useless. He would ask whether there was not some difficulty in taking anchor in the harbour, owing to the rocky nature of the bottom? He advised the Committee not to vote another farthing for Holyhead until further information was obtained.

Mr. BENTINCK said, he thought some misconceptions prevailed with regard to the circumstances of this harbour. He could undertake to say that the impression which appeared to have been formed by the hon. Member (Mr. Brady) was quite erroneous. There was excellent holding ground in the harbour, and that was almost the only merit it had. The only way in which he could account for the impression was, that in some parts of the harbour some shingly ballast had been thrown down, over which the anchors of ships sometimes slipped. But he was surprised to hear his right hon. Friend (Mr. Herbert) say that the harbour at Holyhead had been so useful that it was found necessary to add to it. The origin of the case was this. Some years ago it was admitted on all hands that a harbour of refuge at Holyhead was necessary; but in order to gratify the economical freak of the moment, a very inadequate sum was asked for, and thus it was afterwards found necessary to grant a large additional sum to make the harbour something like what it ought to be. As originally constructed it was quite useless except for small coasting vessels, and the northern pier had to be extended in order to give shelter to large ships. Another noticeable point was, that while Parliament had spent about £1,000,000 in constructing a harbour of refuge at Holyhead, it was still found necessary to use the old harbour, which the new one was meant to supersede. The packets all used the old harbour, and, in fact, the Government ignored the existence of the new harbour altogether. When the Channel squadron was at Holyhead two years ago, the vessels could not go into the new harbour, but were obliged to bring up under the extended breakwater, outside the harbour as originally constructed. The amount of the first or cheap Vote was £800,000; and now, after £390,000 over and above the money originally expended had been voted, another sum of £102,000 was asked for. He hoped the Committee would learn from the case of the Holyhead harbour a lesson not to trust to Estimates as an index of the ultimate cost of any scheme proposed by the Government. He wished to know whether it was the intention of the Government to carry out a plan to utilize the new harbour for the purposes for which it was originally intended; or whether they intended to go on voting sums, wholly ignoring the existence of the new harbour, merely for the purpose of keeping up the old harbour.

LORD CLARENCE PAGET said, he could not understand how hon. Gentlemen could have arrived at the conclusion that Holyhead was not a useful breakwater. He could assure the Committee that during the heavy gales of wind which took place in winter the harbour was, if anything, overcrowded with vessels. He therefore begged it to be understood that, as a refuge for the merchant service, Holyhead breakwater was a most useful work. He thought his hon. Friend (Mr. Bentinck) did not quite understand what the Government proposed to do with regard to the piers. The breakwater at Holyhead, which was planned some eighteen or twenty years ago, was originally intended to accommodate a much smaller class of vessels than those which now used it; and it was only when it was completed up to a certain point it was found that there were not sufficient capabilities for the wants of the public. Hence the extension of the pier, making a breakwater behind which line-of-battle ships could ride with perfect safety, as was proved by several vessels of the Channel squadron some years ago. The Government were spending money on the old harbour because they wanted to complete the communication with Ireland within the shortest possible period. It had been suggested that the packets might use the breakwater, but the construction of a railroad along that work would cost more than to make the existing small harbour thoroughly available for the steam-packet service. He had every reason to believe that the present Estimate would not be exceeded, and he hoped the House would agree to it. His right hon. Friend had stated with great clearness the facts precisely as they stood. The Government had given the whole subject mature consideration, and the manager of the Dublin Steam Packet Company and several of the captains of their steamboats had been called upon to attend at the Admiralty to give their opinion as to what was wanting. They all concurred in this—that the erection of a costly stone pier would be disadvantageous rather than advantageous to them; they preferred, infinitely, that the Admiralty should make the present a substantial pier, that they should be enabled to bring their steamers alongside at all times, that their vessels should have shelter within it, that it should be covered over, and that a refreshment room, with certain other conveniences, should be erected. With that accommodation they would be perfectly satisfied. His own belief was that at the present time the companies had no justification for not keeping their time; and he trusted, with his right hon. Friend, that the penalties would be enforced. Delays had occurred, not always in consequence of any defective arrangements at the pier, but because the companies had been saving their fuel. He therefore hoped the Irish Members would support the Government in forcing the companies to keep their time. There remained only the question with the London and North Western Railway Company. That company, it appeared, thought that the stone pier as originally intended to be constructed would be of great advantage to them. If they thought it would be of advantage to them, why did they not expend their money in erecting it? The public could not be expected to provide funds to make piers for the benefit of the London and North Western Railway Company. They only proposed to provide accommodation for passengers to and from Ireland, not to improve the circumstances of the London and North Western Company. The Government would be prepared to put the present pier to rights, make it convenient to passengers, and lessen the curve on the line, so as to enable the London and North Western to bring their trains down to the pier without stopping at Holyhead station to change their engine, &c.; thus saving a certain amount of time now lost at the station at Holyhead; and if the companies did not keep their time, the penalty would, he trusted, be enforced, in order to procure that extent of accommodation which the Irish Members and the public had a right to require at their hands.

Mr. BENTINCK said, he did not wish it should be supposed that he had given an opinion to the effect that there was not good and secure anchorage in the outer harbour for ships of the line. On the contrary, he knew that six line-of-battle ships had brought up there. But when his noble Friend said that the necessity for increased dimensions in the harbour arose from the increased dimensions of ships, he was fighting a most chivalrous battle for those who originally planned the works. The fact was, that the entrance was so small and so difficult of access in certain winds, that merchantmen, particularly crippled vessels, were unable to work into the harbour; so that it was virtually not a harbour of refuge at all. Hence the necessity of the greatly extended and most expensive works that had been projected since.

Lord FERMOY said, he had no interest, direct or indirect, in the London and North Western Railway Company or in the Dublin Steam Packet Company, but he felt a great personal interest in the attainment of this object, that the passage from London to Ireland should be made in a moderate time, conveniently, and in safety. Now he confessed he did not think, if the Government were very particular in exacting penalties, that the journey would be performed in safety. What was the state of the case? Formerly a great loss of time took place in the course of the passage between London and Dublin. An arrangement, however, had been made between the companies, and things had been placed on a better footing than formerly. The journey had been shortened immensely and it was done with safety. The Dublin Steam Packet Company had put a number of boats on the station, unrivalled for comfort, regularity, and reasonable speed. The Government, before enforcing penalties, should show clean hands and perform their own part of the contract. The noble Lord had made a feeling appeal to the Irish Members; but, if these penalties were imposed, the result would be some day that one of the Dublin Company's boats would be driven under the water altogether; and if the Irish Members should then be crossing the Channel in her, perhaps the Government would not suffer much. The subsidy paid to the company was not so excessively liberal that they should be always called upon to drive the last half-mile at the top of their speed. If the company in all cases kept to the letter of the law, he was sure there would be a great waste of human life.

Mr. PEEL said, that he would remind the noble Lord that no penalties could be exacted from the company for over-time caused by storms or fogs.

Sir STAFFORD NORTHCOTE said, he must apologize for again recurring to the question of the balances, but he was not quite satisfied with the explanation that had been given on that important and vexed question. The right hon. Gentleman the Secretary of the Treasury said that a sum of about £50,000 would be applied out of the balances to the expenditure of the current year. It would appear that there were balances of a much larger amount than that. By the Vote under consideration he saw that on the 28th February last there were balances of £31,000, and running through the whole of these accounts the aggregate balances were £700,000 on the 28th of February, one month before the close of the financial year. It was not to be supposed that the whole of that sum had been spent between the 28th of February and the 31st of March. Was there any portion of the £31,000 in the Exchequer on the 31st of March. Alluding to the first four Votes in the class before the Committee, the Secretary of the Treasury spoke of the surpluses on former grants. Those surpluses amounted to £55,000; but if there were any surplus on other Votes, then there had been larger balances than £55,000, which would come in aid of the services of the present year; and by the amount of those balances the amount they were going to expend during the year exceeded the sum they were asked to vote. If they had surrendered the whole of these balances on the 31st of March, and then taken a re-vote for all that was wanted for the services of the year, they would, he supposed, have had to take a Vote for a much larger amount than they were now about to do. It was very important that year, when the revenue and expenditure ran so very close upon each other, that they should know how the matter really stood. And, perhaps, the Secretary of the Treasury would explain whether he adhered to the statement that only £50,000 of the balances of last year would be applied to the services of the current year.

MR. AYRTON said, he hoped they would receive a clear explanation on the question of the balances. It ought to be brought up as a distinct question, and he hoped that at no distant day it would be placed on some definite footing. Sometimes these balances were taken as a reduction of subsequent Votes; at other times they were surrendered into the Treasury, but no uniform rule was observed. The Treasury used the balances on separate Votes at their own discretion. Were these balances, he would ask, to be surrendered, and dealt with entirely on the same principle as was followed in the case of the Army and Navy Estimates?

MR. PEEL said, that, whatever the real difficulties of the question were, they would settle themselves by the change of system which had been adopted in the Estimates for the present year, those Estimates being voted not for the services of the year, but for the payments within the year. Therefore, on the 31st of March next, whatever sums were not actually disbursed for the services of the year would have to be surrendered into the Exchequer, and the same principle as applied to the Naval and Military Estimates would be adopted. They had stated in each Estimate the amount of the balances remaining on the 28th of February, 1862. Those balances were altogether much less than those of previous years, because for a long time past the Government had been gradually reducing them. The hon. Baronet opposite seemed to suppose that in consequence of the introduction of a change of system they would spend in the current year not only all the Votes of the present year, but all the balances of previous years. He himself anticipated nothing of the sort. where had always been balances from previous years, which, added to the Votes of the current year, gave an opportunity of spending more than the Estimates of such current year. But it never happened that the actual expenditure within the year exceeded the Estimates for the year, and there was no reason to suppose that the expenditure of 1862-3 would exceed the Estimates of the year, although, no doubt, in the case of certain Votes, there were some balances available for expenditure, supposing that expenditure should be incurred in the present year.

SIR STAFFORD NORTHCOTE said, he understood that the objectionable system would still continue as regarded the balances of previous years. As to the balance on the Vote under consideration of £31,000 on the 28th of February, supposing £21,000 of that amount were still in hand, was it to be spent in the course of the year, with the £100,000; or, if not spent, was it to be surrendered, or to be held in the hands of the Treasury, applicable to any services for which it had been voted in former years?

MR. AYRTON said, he wanted to know whether it was intended to frame the Appropriation Act in such a manner as would put an end to the question. If the Appropriation Act were to be drawn in respect of the Civil Service supplies as for the military services, it would combine not only every balance, but each item would be surrendered at the end of the year. If all the balances, including old balances, were surrendered, the financial statement next year would present a better appearance by five millions.

SIR FRANCIS BARING said, he thought the Government were entitled to credit for taking steps to correct the Estimates for the Civil Service. It was not an easy task, but the Government had undertaken it, and the consequence was that matters were now in a transition state. He understood it to be the intention of the Government that at the end of the financial year all surpluses remaining over should be carried into the Exchequer, and that next year these Estimates should be placed upon the same footing as the Army and Navy Estimates.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(12.) £96,342 Public Works (Ireland.)

MR. W. WILLIAMS said, that he wished to call attention to the fact that seventeen items of the Vote, making in all £66,000 related to buildings for the purposes of education in Ireland, and he would ask why those items were not included in the Vote to which they properly belonged—the Vote for education in Ireland.

Mr. PEEL said, the sums only amounted to £26,000, and they appeared in the Estimates of the Board of Works because it was thought convenient that the expenses of all the buildings under the superintendence of the Commissioners of Public Works in Ireland should be included in one Estimate.

Mr. H. A. HERBERT said, he wished for some explanation of an item £376 for repairs at Howth Harbour, which he could not understand, as he believed that harbour had been given up.

Mr. KINNAIRD said, there was a sum £2,174 for furniture and fitments of Dublin Castle. As the abolition of the Lord-Lieutenancy had been once agreed to by the House, and would probably some day be carried out, he thought it unwise to expend money upon furniture.

Mr. PEEL explained that the Vote was rendered necessary, in consequence of certain fittings upon the occasion of Her Majesty's visit to Ireland.

Mr. CHILDERS could not understand the answer, as there was a balance of £38,000 applicable to the expenditure.

Mr. PEEL said, there was no authority to apply that balance.

Vote *agreed to;* as was also

(13.) £5,000, New Record Buildings, Four Courts, Dublin.

(14.) £11,994, Light-houses Abroad.

Mr. MOFFATT said, the Vote comprised a charge of £4,000 for light-houses at Ceylon and in Australia. Those light-houses were for the benefit of trade in those places, and he could not see why those charges should be borne by the revenue of this country.

Mr. MILNER GIBSON said, it was of great importance to British trade that these lights should be maintained; and unless a grant for that purpose were made from Imperial sources, there would be no light-houses.

Mr. CHILDERS said, he wanted to ask who was responsible for the light-house sent out for erection on the Basses Rocks near Ceylon? That light-house turned out a failure, and he did not know what had become of it. It had since been determined to send out a light-ship, to be moored close by; and he wished to know whether the Board of Trade were satisfied that the light-ship would be more successful than the light-house?

Mr. W. Williams

Mr. MILNER GIBSON said, the Board of Trade were responsible for advising the Treasury to sanction this expenditure. He was afraid that the outlay upon the light-house had been wasted. The engineeer employed had under-rated the difficulties of erecting a fixed light, and after a considerable expenditure the project had been abandoned. A new plan of lighting had been adopted, and those who were competent to form an opinion had no doubt it would be successful. He alluded to the placing of a floating light-ship near the rocks. That light-ship would give intimation of these rocks to the passing trade. He hoped that the unfortunate endeavour to erect a fixed structure upon the rocks would be a warning to engineers not to attempt so hazardous an experiment in future.

Vote *agreed to.*

(15.) £5,000 Highland Roads and Bridges.

Mr. W. WILLIAMS said, it was high time that the Vote should be put and end to, and he should divide the Committee against it. Those Highland roads and bridges had been maintained by the State for considerably more than 100 years, and though there might have been a period when such an expenditure was necessary, it was quite unnecessary now, and the country ought not to be called upon for a Vote which was really for the benefit of the Scotch landed proprietors.

Mr. CAVE regarded the Vote as a perfect anachronism, originating at a period when the Highlands were so unsafe that it was necessary to hold military possession of the district, and wondered that the Scotch Members themselves did not protest against it, as a libel upon their country. Nor was it really in the interest of the Highland proprietors, for one of these gentlemen had told him that the Government inspection was so costly a thing that they would rather not have the grant at all, as then they would be left to manage these roads themselves, which they would do at a much cheaper rate. This he could easily understand, as they had lately been informed that Government superintendence of roads in India cost 3*d.* for every shilling expended.

Mr. PEEL said, that all these roads had been constructed (wholly or partially) out of public money. The annual cost of maintaining them was £21,500, which was in part defrayed by the annual contribution, voted by the House, and in part by an assessment of equal amount upon the northern counties, the remainder being collected by tolls. Of course, it was quite open to the Committee to refuse their sanction to the Vote. Nothing would be lost, but the advantage of having these roads kept in order by a general Commission, instead of by the respective counties. But the Committee ought to know that the Government were not without some compensation for the grant. The mail carts were at present exempt, and he was informed that the tolls upon the Government conveyances would be £2,500 a year. It should be borne in mind also that the Commissioners had power to increase the rate of toll. The saving, therefore, to be effected by rejecting the Vote would be very little. He hoped that the Committee would pass the Vote for the year. He would undertake that the subject should be fully inquired into, and would endeavour to effect some arrangement by which any future application would be unnecessary.

Mr. WHITE said, he rose to protest against the Vote, and express a hope that it would be withdrawn. The Vote might have been necessary when the Scotch were semi-nude savages, but there was no place where the value of property had been so enhanced as in the Highlands of Scotland; and the time had now arrived when the expenditure on the roads there should be thrown on the districts through which they ran. He regretted to find that whenever there was a Commission, something more than superhuman energy was necessary to get rid of it.

Mr. BRADY said, he thought the Vote ought not to have been proposed at all. The grant was one that would not be allowed in this country, and he should support the hon. Member if he divided the Committee upon it.

Major HAMILTON said, he believed the Vote was really a saving to the country. In consequence of the grant the mails were free from tolls. A better system of management or more perfect roads could not be found. They were well described in the words of, he presumed, the Irish Gentleman, who said—

"Had you seen these roads before they were made,
"You would hold up your hands and bless General
Wade."

Mr. KINNAIRD said, he thought the Committee ought not to attempt to cut off the grant by a surprise, in the absence of almost every Scotch Member.

Sir MORTON PETO said, the Secretary for the Treasury had given the strongest argument against the continuance of the Vote. Any district which could command £2,500 a year by mail-tolls ought to be in a position to maintain its own roads, and not come begging to the doors of the House of Commons.

Mr. CAVE said, in reply to the Secretary of the Treasury, that mail carts were exempt from tolls in all Highways in England as well as Scotland, and that the opposition to the Vote could not be regarded as a surprise, since a similar discussion took place last year.

Mr. BARROW said, he thought, as the mails were carried on the roads for the convenience of the inhabitants of the district, tolls ought to be charged on those roads, as in every county in England.

Mr. COWPER said, the expense of repairing these roads was formerly charged on the Consolidated Fund. That charge had by an Act of Parliament been transferred to the annual Estimates. A Commission was appointed to execute the repairs and administer the funds. That Commission would expire in 1865. He did not think the Committee would act wisely in suddenly withdrawing the grant. By doing so they might, perhaps, stop all communication, between different parts of the Highlands. It would certainly cause great inconvenience to the persons employed on the roads. He thought the Commission ought to be allowed to continue for the period allowed by law.

Sir STAFFORD NORTHCOTE said, that on the 28th February, a balance of £5,000 remained in hand from the sum voted last year, so that the inconvenience would not be as great as was contemplated, if the Commitee, on full consideration of the subject, thought fit to reject the Vote.

Mr. CAIRD said, speaking as a Scotchman, he thought a Vote of the kind did them little credit. Every year in a similar discussion the whole of Scotland was found fault with for asking an aid that was confined only to one district. A very large sum had been expended on these roads; so much the better for that part of the country; but surely it could now afford to undertake the expense itself. In no part of Great Britain had the rent of land more improved than in that district. After the very inadequate defence of the Vote they had heard, the sooner it was cancelled the better.

Motion made, and Question put,

"That a sum, not exceeding £5,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for the Grant to the Commissioners of Highland Roads and Bridges."

The Committee *divided:* — Ayes 24; Noes 48: Majority 24.

The following Votes were then *agreed to:*—

(15.) £20,000, Local Assessments, Government Property.

(16.) £69,646, Salaries, &c. Houses of Parliament.

(17.) £52,363, Treasury.

(18.) £25,856, Home Office.

(19.) £64,319, Foreign Office.

(20.) £30,748, Colonial Office.

(21.) £20,566, Privy Council Office.

Mr. W. WILLIAMS, said, he questioned the necessity of paying £1,500 a year for a medical adviser to the Privy Council.

Mr. PEEL said, the Privy Council had succeeded to the powers of the late Board of Health.

Vote *agreed to;* as was also

(22.) £52,787, Board of Trade.

(23.) £2,760, Lord Privy Seal.

Mr. W. WILLIAMS said, he should like to be informed what were the duties of the Lord Privy Seal.

Mr. PEEL said, that the Lord Privy Seal was a Member of the Cabinet, and it was of advantage to the Cabinet to have amongst their members a Minister whose time was not wholly employed with the duties of his own deparment. He did not think the sum proposed to be voted could be considered too much for the salary of a Cabinet Minister.

Mr. W. WILLIAMS said, the duties were defined to be those of a Member of the Cabinet. How then, could the services of a chief clerk and assistant clerk be necessary?

Sir GEORGE LEWIS said, that some years ago he was Member of a Commission which inquired into the office of Lord Privy Seal, and one question which arose was whether it was desirable that the office should be maintained. It could only be defended upon the ground that in a body in which the duties were so various as those of the Cabinet it was an advantage to have a person whose time was not entirely engrossed by the duties of a laborious department. At one time the Privy Seal was a high constitutional office, and it was an historical fact that the Lord Privy Seal had been Prime Minister of this country. Lord Chatham was Prime Minister at the time he was Lord Privy Seal. Every patent passed through the Privy Seal Office in order to reach the Great Seal, and there were duties of examination which it was utterly impossible for the Lord Privy Seal himself to discharge. It was necessary, therefore, that he should have some small clerical assistance. Formerly there were one or two sinecure offices—Clerks of the Signet. Those offices were abolished, and the staff was now reduced to the lowest possible point consistent with a discharge of the duties which he had mentioned.

Mr. BRADY said, it appeared, then, that the Lord Privy Seal did little, and yet required clerks to assist him.

Vote *agreed to;* as were also

(24.) £6,992, Civil Service Commission.

(25.) £19,800, Paymaster General's Office.

(26.) £6,565, Office of Comptroller General of the Exchequer.

(27.) £30,839, Office of Works and Public Buildings.

Sir MORTON PETO said, he desired to know how far the First Commissioner held himself responsible for works carried on through Votes of the House.

Mr. COWPER replied, that he deemed himself responsible for the expenditure of all money which Parliament placed at his disposal. He was never disposed to shrink from that responsibility.

Mr. WHITE said, he wished to ask whether it was true, that notwithstanding the right hon. Gentleman (Mr. Cowper) was at all times able to command the services of a most able solicitor as the regular permanent law agent of his department, he had found it necessary to call in the assistance of Messrs. Baxter, Rose, and Norton, the solicitors of the Carlton Club, to aid him in passing the Thames Embankment Bill. A more respectable firm than that of these gentlemen did not exist; still it would be as well if it were made perfectly clear why it had become necessary to invoke such extra assistance.

Mr. COWPER said, that the business on which the firm was engaged did not properly belong to his department. They were simply employed as Parliamentary agents in procuring the passing of a private Bill. As time pressed, and as Messrs. Baxter and Co. possessed special knowledge and experience in regard to the subject, through having conducted a somewhat similar measure, it was found convenient to employ them.

Mr. AYRTON observed, that he believed the right hon. Gentleman had not satisfactorily explained the matter. The question really was why, having so expensive a staff attached to the office, it had been necessary to call in the assistance of those gentlemen. He had no doubt as to the perfect wisdom of enrolling the aid of the Parliamentary agents of the Carlton Club upon such an occasion. No selection could have been more judicious, although it might involve some reflection upon professional gentlemen addicted to Liberal opinions. Still the question stood thus—the right hon. Gentleman said he employed Messrs. Baxter and Co. because the Bill had nothing to do with his department. Well, but if the Bill had nothing to do with his department, what had he to do with the Bill? The position of matters was most extraordinary. Time did not press with reference to the Thames embankment, for it had already waited during twenty years, and that got rid of the right hon. Gentleman's first excuse; while with regard to the second, that Messrs. Baxter and Co. had been employed because in a previous Session they had been the promoters of a similar Bill, so far from that justifying the appointment, it operated directly the other way, as, according to the ordinary rule, they were thereby disqualified from undertaking the conduct of a Bill for the public.

Mr. COWPER explained, that he had only followed the custom of the department. The issue of notices and other arduous duties connected with the passage of a Bill through Parliament did not form part of the regular business of the solicitor to the office. The work had to be performed in a short time, and as Messrs. Baxter and Co. had a large staff and every appliance for conducting the Bill, it was very natural that their services should be secured. It was most convenient to employ these gentlemen to give the notices for a Bill which would cover nearly the same ground as that of which they had previously had charge.

Mr. LOCKE said, he was delighted to hear the eulogistic terms in which the Messrs. Baxter, Rose, and Norton were spoken of. No doubt these gentlemen merited such a reference; but the right hon. Gentleman should recollect that they had introduced a Bill of an entirely different character from that introduced during the present Session with respect to the Thames embankment. In addition to being the agents of the Carlton Club, he believed Messrs. Baxter, Rose and Norton also enjoyed the confidence of the railway interest, and that their object was not to carry out an embankment scheme similar to that now before Parliament, but rather to form a Railway along the river from Westminster to Queenhithe. Now he did not wish to say anything harsh of Messrs. Baxter, Rose, and Norton, but it had been suggested to him that they, having as it were surrendered their first line and taken to a second, had still a yearning after the first. That consideration had been pressed upon him by persons materially interested in the rejection of the plan. Certain sections of the Thames Embankment Bill were altogether inconsistent with the carrying out of such a scheme, although they were entirely consistent with the making of a railway in the vicinity of that House. His object was to put the right hon. Gentleman upon his guard, so that he might take care the Bill when it came out of Committee was practically the same as when it went into Committee. He must say the employment of these Gentlemen was very extraordinary. He had never heard of a solicitor objecting to carrying a Bill through Parliament, and no case had been made out for the employment of these Gentlemen as Parliamentary agents upon the present occasion. However, his main object was to impress upon the right hon. Gentleman the necessity of seeing that Messrs. Baxter, Rose, and Norton carried out his object, and not their own.

Vote *agreed to.*

(28.) £26,138 Office of Woods, Forests, and Land Revenues.

Mr. CAIRD said, he wished to draw attention to the large sums which were not shown in this Vote, but which were annually paid to Mr. Clutton, of Whitehall place, as poundage and commission. That Gentleman received last year from that source about £10,000, while he was convinced that the work would be better performed by a responsible officer, whose services might be obtained for a salary of £800 or £1,000 per annum. He also wished to have some explanation of the large charge for solicitor's expenses in Scotland, which amounted to no less a sum than £2,200, while in Ireland, from which a large revenue was derived, they were only £250.

Mr. PEEL said, that when the hon. Gentleman complained of the sum paid to

Mr. Clutton, he ought not to leave out of sight the advantage which the country had obtained from employing the services of that gentleman. During the last nine years, during which time the Office of Woods had been separated from that of Works, a great part of the Crown property had been re-let and great improvements had been made principally by concentrations; and nine-tenths of the property which had been purchased or sold had been bought or sold on the recommendation of Mr. Clutton. Those sales and purchases involved about one million of money, and while the Crown had purchased at twenty-nine years' purchase it had sold at thirty-six. Mr. Clutton collected for twenty-six counties, from which he received about £80,000. His allowance was four per cent, which would amount to a sum of about £3,200; but out of that he had to pay his travelling expenses and keep up his office. The sum received by that gentleman on the 31st of March, 1861, was £5,200, but it was possible that in previous years, when larger transactions had taken place, his receipts might have reached the amount stated by the hon. Member. Some years ago the Crown revenues of Scotland fell into great disorder, and the property did not produce more than £15,000 a year. Since then, by great exertions, the larger portion of the arrears had been recovered, and the revenues now amounted to £26,000, notwithstanding that considerable portions of the property had been sold in the interval. It was, of course, a question whether the officer charged with the management of these funds ought to be paid by salary or by fees, but it was considered better to pay him by fees, as a proportion was thereby maintained between the amount of work and the amount of pay.

Mr. W. WILLIAMS said, he thought that the Government ought to submit to the Committee a statement of the whole charge in respect of the Woods and Forests Department, which figures, however, they had always refused, because they would show an enormous expenditure. Here was £160,000 for management of property producing £400,000 a year. As for asking for the paltry Vote of £26,000 from the House when the real cost was £160,000, it was absurd. It was said that it was Crown property, and could not be submitted to the investigation of the House. But the Crown had surrendered it by Act of Parliament to the public, and it received in return a civil list. If the Crown property were properly managed, the Crown would cost the country very little, for the revenues of the property would be almost sufficient to defray the whole expenses of the Crown; but the enormous outlay in the management of the property threw a corresponding burden on the civil list.

Mr. CAIRD said, he did not dispute the ability with which these estates were managed, though on a former occasion he had alluded to the fact that the conversion of 1,900 acres of land in Essex involved an expenditure of £67,000. But, as the gentleman in question was employed not only by the Woods and Forests, but by the Treasury, the War Office, and almost every other Department as occasion arose, he thought it would be more economical to place him upon a salary, and to make him responsible for the advice which he gave. He believed that the true reason why the property had sold for thirty-six years' purchase was, because the public saw that it had been grossly underlet, and therefore that the rental was no criterion of its value.

Viscount PALMERSTON said, the matter was easily explained. The lands sold were small detached lots, lying in the immediate neighbourhood of larger estates, and every one knew that the desire to possess land contiguous to their own, frequently induced persons to give for it more than its real market value.

Vote *agreed to.*

The following Votes were also *agreed to:*

(29.) £20,042, Public Records.

(30.) £226,123, Poor Laws.

(31.) £62,734, Mint.

(32.) £26,025, Inspectors of Factories and Mines.

(33.) £6,315, Queen's and Lord Treasurer's Remembrancer (Scotland).

(34.) £6,431, Lord Lieutenant's Household (Ireland).

(35.) £16,535, Offices of Chief Secretary for Ireland.

(36.) £3,587, Office of Inspectors of Lunatic Asylums (Ireland).

(37.) £24,301, Board of Public Works (Ireland).

(38.) £32,931, Audit Office.

(39.) £19,818 Copyhold Enclosure and Tithe Commission.

Mr. W. WILLIAMS observed, that he did not think there was business for three Commissioners. Two had been able to get through the Tithe Commutation work, and that was at an end long ago.

MR. PEEL said, he was informed that the business of the Commission was on the increase. By an Act of last Session the duties of the Commissioners had been made more onerous.

MR. W. WILLIAMS said, that nevertheless he did not think that any case had been made for the employment of three Commissioners.

SIR GEORGE GREY said, he would remind his hon. Friend that additional duties had been imposed on the Commissioners. They now, in fact, performed duties formerly done by five Commissioners. He did not believe less than three could do this duty.

SIR GEORGE LEWIS remarked, that when he filled the office of Home Secretary a vacancy occurred by the death of one of the Commissioners; and, on inquiry, he found it to be the opinion of the other two that it was necessary to have the vacancy filled up.

LORD HOTHAM said, he could bear testimony to the satisfactory manner in which the Commissioners discharged their duties, and expressed his opinion that there was work enough for three.

Vote *agreed to;* as were also—

(40.) £12,090, Imprest Expenses under Inclosure and Drainage Acts.

(41.) £47,578, Departments of Registrars General of Births, &c.

(42.) £14,669, National Debt Office.

(43.) £4,120, Public Works Loan and West India Islands Relief Commissions.

(44.) £6,958, Office of Commissioners in Lunacy and Board of Lunacy in Scotland.

MR. DILLWYN said, he had to complain that the Lunacy Commissioners did not work with the county magistrates. Owing to the way in which the Commissioners conducted business, a lunatic asylum in South Wales, which was decided on years ago, had not been opened yet.

SIR GEORGE GREY said, that instead of matters in dispute between the Lunacy Commissioners and the county magistrates being discussed by correspondence, it was desirable they should be settled in a personal conference, and this course had been taken in some cases with good results. He believed that some delay had been caused in Wales by the difficulty of obtaining an agreement between the different counties. He believed that generally the Commissioners were disposed to act in concert with the magistrates and the ratepayers.

MR. DILLWYN said, that all the ratepayers were unanimously in favour of the erection of an asylum, but the Commissioners by their objections frustrated the ratepayers' intention.

Vote *agreed to.*

(45.) £1,223 Superintendent of County Roads, South Wales.

SIR JOHN SHELLEY said, he could not understand why a charge of the kind should be made for South Wales, when it had been refused for Scotland. Recollecting that the toll-gates in South Wales had been abolished as the result of the "Rebecca Riots," he was at a loss to understand why the Government maintained a Superintendent of Roads.

SIR GEORGE GREY said, that the office was created under an Act of Parliament, and his hon. Friend must repeal that if he objected to the Vote.

SIR GEORGE LEWIS said, when the Rebecca Act was passed, a Loan was granted by the Exchequer Loan Commissioners, by which the debt on the counties was at once paid off, and the repayment of the debt was distributed over a number of years. An annuity was charged on the county rate, or revenue of the six counties, and the object of the appointment of the Superintendent was the audit of the accounts of the turnpike roads of South Wales, for the purpose of seeing that the debt was punctually discharged.

Vote *agreed to;* as were also the following Votes:—

(46.) £2,294, Office of Registrars of Friendly Societies.

(47.) £17,743, Charity Commission.

(48.) £6,955, Office under Local Government Act and Inspection of Burial Grounds.

(49.) £3,232, Agricultural and Emigration Statistics (Ireland).

(50.) £2,268, Office of Land Revenue Records and Inrolments, &c.

(51.) £3,044, Quarantine Expenses.

(52.) £32,000, Secret Services.

(53.) £342,649 Printing and Stationery.

MR. CHILDERS said, that there was an item of £2,200 for Stationery for the Irish Constabulary, and a Vote in another class of £3,400 for Stationery for the same body.

MR. PEEL said, he had explained last year that the item in the present Vote was for Stationery supplied by Her Majesty's Stationery Office for the Constabulary Office in Dublin, while the other item was to cover allowances in lieu of stationery made to the subordinate officers of Constabulary in the country.

Vote *agreed to;* as were the following Votes:—

(54.) £115,580, Postage (Public Departments).

(55.) £30,510, Law Charges.

(56.) £167,678, Prosecutions at Assizes and Quarter Sessions.

(57.) £228,475, Police (Counties and Boroughs), and in Scotland.

(58.) £3,098, Crown Office, Queen's Bench.

(59.) £11,540, Admiralty Court, Dublin.

(60.) £5,501, Insolvent Debtors' Court.

(61.) £78,330, Courts of Probate, &c.

(62.) £165,000, County Courts.

(63.) £21,430, Police Courts (Metropolis).

(64.) £140,443, Metropolitan Police.

(65.) £3,564 Queen's Prison.

In reply to a question from Mr. WILLIAMS,

SIR GEORGE GREY was understood to say that he should, on an early day, bring in a Bill authorizing the removal of this prison.

Vote *agreed to*, as were also the following Votes:—

(66.) £18,092, Revising Barristers (England and Wales).

(67.) £3,675, Divorce Court Compensations.

(68.) £24,237, Bankruptcy Court Compensations.

(69.) £3,342, Lord Advocate and Solicitor General (Scotland).

(70.) £18,200, Court of Session (Scotland).

(71.) £11,076, Court of Justiciary (Scotland).

(72.) £5,000, Criminal Prosecutions (Scotland).

(73.) £1,620, Exchequer (Scotland).

(74.) £38,231, Sheriffs and Procurators Fiscal, &c. (Scotland).

(75.) £23,475, Procurators Fiscal Salaries (Scotland).

(76.) £14,330, Sheriff Clerks (Scotland).

(77.) £2,300, Tithes, &c. (Scotland).

(78.) £15,941, General Register House (Edinburgh).

(79.) £1,305, Commissary Clerk's Office (Edinburgh).

(80.) £1,490, Accountant in Bankruptcy (Scotland).

(81.) £61,134, Law Charges (Ireland).

(82.) £5,536, Court of Chancery (Ireland).

(83.) £19,052, Courts of Queen's Bench, Common Pleas, and Exchequer (Ireland).

(84.) £5,932, Registrars to Judges, &c. (Ireland).

(85.) £2,000, Manor Courts (Ireland).

(86.) £2,314, Registration of Judgments (Ireland).

(87.) £300, High Court of Delegates (Ireland).

(88.) £6,893, Court of Bankruptcy and Insolvency (Ireland).

(89.) £10,330, Court of Probate (Ireland).

(90.) £11,472, Landed Estates Court (Ireland).

LORD ROBERT MONTAGU said, he understood that the Landed Estates Court was to have been self-supporting, and that there were even surplus funds belonging to it. He wanted to know, therefore, why a Vote of £11,472 was now asked?

MR. PEEL said, the court was called self-supporting. Under a recent Act a certain duty was imposed upon sales effected in it; but that duty did not attach to any estates sold in the court at the time of the passing of the Act. The full amount, therefore, that would otherwise have been realized in the court had not accrued. The income of the court, however, had been diminished, for Parliament had thought proper to pass an Act last year which reduced the rate of duties chargeable in that court.

LORD ROBERT MONTAGU inquired, whether the right hon. Gentleman could tell him what amount of duty had been received in the court. He understood that it had reached several thousand pounds.

MR. PEEL said, the amount received during 1861 was £7,512, the whole of which had been taken into the Exchequer.

MR. W. WILLIAMS said, he must contend that it was unreasonable to ask for £4,000 to make up the deficiency. The court had done vast good to Ireland, and no money could be better laid out by the people of that country than in defraying the costs.

Vote *agreed to*, as were also the following Votes:—

(91.) £1,150, Consolidated Office of Writs, Dublin.

(92.) £420, Revising Barristers, Dublin.

(93.) £50,600, Police Justices, Dublin.

Motion made, and Question proposed,

"That a sum, not exceeding £777,368, be granted to Her Majesty to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for the Constabulary Force in Ireland."

Colonel DICKSON said, he rose to express a hope that the Vote would be postponed. He had given notice of a Motion in reference to the enormous increase which had taken place upon the Vote. In 1842, when Ireland was in a disturbed state, the whole expense of the police force was somewhere about £440,000, and in the present year, when they were told that everything was quiet, the Vote amounted to £777,000. He should be able to show that with this enormous increase of expenditure the efficiency of the police had greatly deteriorated. He did not mean to say anything against the police as a body of men. He was merely referring to the manner in which it was endeavoured to make them a military force instead of a police force. He relied, however, on a return which he had moved for two months ago, but had not yet received, and he therefore trusted that the Vote would be postponed.

Sir ROBERT PEEL said, he trusted that the hon. and gallant Member would make his Motion at once, and not ask for the postponement of the Vote. The Irish constabulary, so far from being an expensive body, were cheaper than the police force in this country or Scotland.

Mr. W. WILLIAMS said, he found that the charge for the year was £80,000 more than in last year.

Sir ROBERT PEEL explained that that was principally owing to the alteration of the arm used by the constabulary.

Colonel DICKSON said, that that was the very reason why he found fault with the force. Formerly the men were supplied with a very useful weapon, but the Government had taken it away to give them the Enfield rifle. A policeman generally used his piece to knock down persons with the butt end of it; and it was therefore absurd to spend £40,000 in giving him a weapon so delicate, that the slighest touch would derange its sighting and render it useless. He also objected to the way the men were clothed—they were made, in fact, to resemble second-rate hussars.

Sir FREDERICK HEYGATE said, that though differing in some degree from what had fallen from his gallant Friend, and bearing testimony to the good conduct of the Irish constabulary, he thought that they had had too military a character given them. Not only had they been supplied with Enfield rifles, but a number of them had actually been sent to Hythe and taught to make bull's-eyes at a thousand yards. He was of opinion that the time had arrived for considering whether, instead arming the police with Enfield rifles, it would not be advisable to have a body of men who would be more useful as detectives.

Sir ROBERT PEEL remarked, that every Government had maintained the necessity of giving to the Irish constabulary a military training; and with regard to their efficiency, he believed it to be as great as ever.

Colonel DICKSON said, he was ready to admit that when the constabulary force was first instituted it was necessary to have a military man at the head to bring it to a certain degree of order and regularity; but the force was assuming a still greater military character, and he doubted the policy of making it keep up that character. He repeated that he did not mean to say that the constabulary as a body of men had deteriorated, but they had deteriorated in respect to the discovery of crime and the performance of police duties.

Viscount PALMERSTON said, he understood the hon. and gallant Member objected to arming the constabulary with the Enfield rifle. Now, he could quite understand a person saying that they should not have firearms, but should be only armed like the police in London; but if they were to have firearms, surely they ought to have good ones. With respect to the general efficiency of the Irish constabulary, everybody seemed to be agreed. They constituted a most valuable force, performed their duties admirably, and not the less so on account of the military instruction they received. If the hon. and gallant Member desired an opportunity of going at length into his objections, he would have one on the bringing up of the report.

Colonel DICKSON said, he would admit that to a certain extent the constabulary should be armed with firearms, but he should like to see a certain portion of them armed with another sort of weapon which they might use more freely. At any rate, it was absurd, when they had an arm suitable for them as a police, to incur increased expenditure for the purpose of giving them the Enfield rifle. With regard to the deterioration of the force in the discovery of offenders, he noticed that the Irish Judges had made remarks on the great number of crimes lately committed in Ireland as to the perpetrators of which no clue had been obtained. In his own county (Limerick) a learned Judge had pointed out that in the last year forty-eight of such cases had occurred. The learned Judge said, that the fault must lie in the magistrates, in the people, or in the police. He (Colonel Dickson) did not admit that it was in the magistrates, or, to more than a certain extent, in the people. He should, under the circumstances, move that the Vote be reduced by the sum of £80,000.

Mr. BRADY said, he was present when Baron Fitzgerald made similar remarks in the county of Leitrim to those the gallant Colonel had referred to. The truth was, an order had issued from the Castle at Dublin directing that every incident of a criminal nature should be reported by the police. The result had been the collection of a mass of crime which appeared to be perfectly horrible; but it turned out, on inquiry, that most of the things the police had set down were so trivial that they ought never to have been reported at all. It was generally considered in Ireland that the force had too military a character to be perfectly useful as police.

Mr. M'MAHON said, he was gratified at finding so many hon. Members express the opinions which he had always held, and which he had many years ago expressed. He confessed it shocked him to see the courts attended by men with guns and bayonets, for it appeared to him that that was the best way that could be devised of keeping up the idea amongst the people of Ireland, that their country was in the possession of a foreign power. Things had entirely changed since the constabulary was established, and the police might well now be armed as they were in England. The Irish constables lived together in their barracks, and seemed to consider themselves above their business as thief-takers.

Mr. HENNESSY said, he wished to take that occasion to call attention to the item of £2,000 for extra expenses on account of elections. The sum could have relation only to the Longford election. He must express his surprise at the largeness of the amount.

Colonel DICKSON said, that the sum might be accounted for by the attendance of bands at the elections. He condemned the profligate increase which had taken place of late years in this Vote.

Sir ROBERT PEEL said, the item had nothing to do with the bands, which were provided by the men themselves, nor had it any special reference to the Longford election. That election, no doubt, was a very expensive affair, but the sum of £2,000 was to cover contingencies at elections and other disturbances.

Motion made, and Question,

"That a sum, not exceeding £696,947, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for the Constabulary Force in Ireland,"

—put, and *negatived.*

Original Question put, and *agreed to.*

The two following Votes were then *agreed to:—*

(95.) £2,717, Four Courts, Marshalsea Prison, Dublin.

(96.) £17, 410, Inspection of Prisons.

Motion made, and Question proposed,

"That a sum, not exceeding £350,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for Government Prisons and Convict Establishments at Home."

Sir GEORGE GREY said, that there were many items in the Vote, and one might have been overlooked by some who would object to it. He referred to the item of £550 for the provision of religious instruction for Roman Catholics in convict prisons. A similar Vote was proposed in 1854 and rejected; and he was happy now to find, that although the Vote had been some time in print, no one had given notice of an objection to this item. About 14 per cent of the convicts in prisons in England were Roman Catholics, but there was no power to expend a single shilling in providing religious instruction for them. Facilities were given for the admission of religious instruction; but it was impossible to secure the regular attendance of unpaid Roman Catholic chaplains. In some cases the prisons were twelve miles from the residence of the priests. Under these circumstances he had felt it his duty to submit the item, believing that if hon. Members were consistent in the professions they made of a desire to see all persons placed on an equality, they ought to make some provision for the religious instruction of

Roman Catholic convicts. Since the item was previously brought under their notice the House had repeatedly sanctioned a similar provision in the case of military prisons. Under those circumstances, he hoped hon. Members would feel that the Vote was one which they could sanction. In view of the care taken in Ireland to instruct the Protestants, who were the minority, it was indefensible to allow Roman Catholic prisoners in this country to remain without religious instruction.

Mr. WHALLEY said, that he had not anticipated that the Vote would come on this evening, and therefore he had not given notice that he would call attention to it. The item to which attention had been called was small—only £550; but it was one of others, which together formed a substantial endowment of the Roman Catholic system to the extent of £250,000 a year; and it involved a principle—namely, that if Roman Catholic Dissenters—for Roman Catholics were dissenters from the system of religion recognised by the Constitution of the country—were entitled to such provision, there was no reason why other classes of Dissenters should not be similarly privileged. There was no other class of religionists of whom it could be said, as it was of the Roman Catholics, in the words of the Coronation Oath, that their religion was a system of idolatry and superstition. He did not use that term offensively; but it was a fact that under the Roman Catholic system in Ireland the cost of the police was increasing to an enormous extent. In 1846 it was little more than £400,000, and this year it was near £800,000. If £550 were given to Roman Catholics immured in prisons, how could the House resist the granting of a much larger sum to those Roman Catholics who had not violated the laws? No public advantage could be secured by encouraging the visits of priests to our prisons. He was prepared to prove that, as a general rule, the teaching of the Roman Catholic priests would be found at variance with the teaching of the laws. There was scarcely an offence for which a man could be imprisoned but that the priest could suggest such consolation as would encourage the prisoner to violate the law, and would defeat entirely the object of punishment. A priest who discharged his duty as a priest would tell a man that there were circumstances under which embezzlement or robbery from a master did not amount to criminal guilt, but were perfectly justifiable. [Question!] If questions arose as to appropriation of public monies for these purposes, they were bound to consider the doctrines of the Roman Catholic Church, and what it was the priests taught. Was the House willing to grant money to Roman Catholic priests to teach such a doctrine as this to prisoners?—"He does not steal who takes any just compensation if he cannot obtain what is due to him; for instance, if a servant cannot otherwise obtain his lawful wages, or is unjustly compelled to serve for an unjust remuneration." Here is another Roman Catholic doctrine—"An extremely poor man may steal what is necessary for the relief of his wants." That was not the common law of this country, for the vindication of which prisons were built. Here was another still more striking doctrine—"He who prevented another from stealing what he requires may be killed by such poor man." And, again—"If you are prepared to give false evidence against me by which I should receive sentence of death, and I have no other means of escape, it is lawful for me to kill you, since I should otherwise be killed myself." That very system was practically illustrated day after day in Italy and Spain, and they were called on to vote the means by which it should be inculcated among ourselves. In 1851 the Canon Law was introduced into this country, and the Ecclesiastical Titles Bill was passed in order to repress it; yet the right hon. Baronet, who was connected with the Government who introduced that Bill, not content with its total failure, now came forward and asked £550 to assist the priests in giving effect to that Canon Law. His hon. Friend the Member for Liskeard (Mr. B. Osborne) had given him emphatic warning not to indulge in those quotations, but there was one more he would offer to the House; it was this—"If you endeavour to ruin my reputation before men of dignified rank," such, he supposed, as Members of that House, "and I cannot avert that injury to my character unless I kill you, I may lawfully do so. Still, the calumniator should be first warned, that he may desist from his slanders"—as his hon. Friend had, no doubt, warned him—"and if he will not desist he should be killed—not openly, on account of the slander, but secretly." Suppose, then, that having made these quotations, and received that warning, he went to Ireland and was shot; if his assailant was by mere chance secured, the priest might say he was undoubtedly justified in shooting his man; the only offence he committed was in not doing it secretly. There was no exaggeration in what he had stated. Such was the actual practical living doctrine inculcated by these priests to the full extent of their power, and he objected to giving it a Parliamentary imperial sanction by means of the Vote.

LORD ROBERT MONTAGU wished to ask if any change had taken place in convict labour. The amount asked for transport service was twice what it was last year.

MR. CHILDERS said, the Government were providing altogether for 11,060 prisoners this year, or for about 1,500 in excess of the actual number. There was a balance of £100,000 in the Exchequer on that account, and the Estimate appeared considerably more than could possibly be expended during the year.

SIR GEORGE GREY said, he was sorry to say there had been some increase of crime during the last year, and the Estimate had been prepared after careful consideration. The prisons were inconveniently full, and it had been found impossible to remove many prisoners from the county gaols. No change had taken place with regard to convict labour.

MR. WHALLEY said, he feared that the item of £1,820 for the maintenance of 100 Irish female convicts in refuges was only another means of encouraging establishments intended for exclusively Roman Catholic purposes. He should move that the Vote be reduced by the sum of £550, to which he had already referred.

Motion made, and Question,

"That the Item of £550, for Religious Instruction of Roman Catholic Prisoners in Convict Prisons in Great Britain, be omitted from the proposed Vote,"

—put, and *negatived.*

Original Question put, and *agreed to.*

(98.) £227,604, Maintenance of Prisoners in county gaols, &c., *agreed to.*

(99.) £30,510, Transportation of Convicts.

In reply to a question from Mr. CHILDERS,

SIR GEORGE GREY said, that no convicts were sent to Bermuda last year, and none would be sent this year.

(100.) £142,683, Convict Establishment (Colonies), *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again on *Wednesday.*

Mr. Whalley

SUMMARY JURISDICTION (IRELAND) BILL.—COMMITTEE.

Order read, for resuming Adjourned Debate on Question [4th April], "That Mr. Speaker do now leave the Chair."

Question again proposed.

Debate *resumed.*

MR. M'MAHON said, he should move that the Committee be deferred for six months. He regarded the Bill as a most extraordinary measure, especially after the great attention that had been paid in former years by distinguished men of all classes to the subject of a consolidation of the criminal law. Instead of a consolidating measure for the criminal law, he was surprised and disappointed at finding such a measure proposed, which was intended only to apply to Ireland.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"

—instead thereof.

SIR ROBERT PEEL said, he assured the hon. Member that the general feeling in Ireland was in favour of the Bill, and the Irish law officers were strongly in its favour. It had become necessary to change the law of last year by re-establishing in some form the Summary Jurisdiction Act of 1851, and this Bill was thought to be the best mode of attaining that object.

MR. BRADY said, the Bill gave power to make an accusation upon suspicion, and threw upon the accused the burden of proving his innocence, a principle which would never be sanctioned for England. He could not admit that such a proposition would be popular in Ireland.

MR. HENNESSY said, he would like to know if such a Bill would be tolerated in England. Clauses 4 and 5 appeared to be intended to punish poor persons for picking up fuel and sticks on the road, while Clause 6 threw the onus upon an individual suspected of a crime, of proving his innocence.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 44; Noes 4: Majority 40.

Main Question put, and *agreed to.*

House in Committee.

Clauses 1 to 3 *agreed to.*

Clause 4 (Stealing Trees).

Mr. HENNESSY said, he objected to a provision which made the stealing of trees anywhere punishable. No such law existed in England.

Sir ROBERT PEEL said, it was a re-enactment of the old law.

Mr. BRADY said, he should oppose the clause. It was most unwise to have one law for Ireland and another for England,

Mr. LOCKE observed, that there was precisely the same law in England—the 24 & 25 *Vict.*, c. 27, s. 22.

Mr. M'MAHON said, the Act the hon. and learned Gentleman referred to applied to Ireland. There could be no necessity for re-enacting that Bill for Ireland.

Mr. AYRTON said, he could not understand the object of re-enacting the law. He thought the Secretary for Ireland would do well either to withdraw the clause altogether, or to refer the Bill to a Select Committee.

The ATTORNEY GENERAL observed that the clause was merely a re-enactment—a return to the state of the law which preceded the Consolidation Act of last session. With the exception of Clause 4, they were additional enactments; and if it were asked why there should be additional enactments for Ireland, the answer was, that these enactments were made to meet the circumstances of the country. With regard to Clause 4, there was this difference between the proposed clause and the law of England, that in England it must be declared on oath that the tree destroyed or stolen was of the value of one shilling, whereas that proof was not required in Ireland.

Question put, "That the Clause stand part of the Bill."

The Committee *divided:*—Ayes 30; Noes 12: Majority 18.

Clause *agreed to.*

Colonel DICKSON said, he would move that the Chairman report progress.

Sir ROBERT PEEL said, he must oppose the Motion.

Viscount PALMERSTON said, he thought the result of the last two divisions showed the opinion of the House.

Colonel DICKSON said, he thought the presence of forty-two Members only at that hour of the night (twenty-five minutes past one) showed that the sitting ought not to continue.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee *divided:*—Ayes 8; Noes 35: Majority 37.

Mr. BRADY said, he should then move that the Chairman leave the chair.

Sir ROBERT PEEL said, it was impossible for the Government to resist the opposition to further progress to-night; but it was necessary to go on with the Bill.

Mr. M'MAHON said, he hoped the House would allow the question to be postponed till Thursday, when other Irish measures were on the papers, and Irish landed Members would be present.

Viscount PALMERSTON said, the Government was so far in the hands of its opponents, because, though there were but eight of them, they might defeat it by beating a retreat. The Government must therefore yield.

Mr. BRADY said, he would withdraw the amendment.

House *resumed.* Committee report progress; to sit again on *Thursday.*

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Tuesday, April 29, 1862.

Minutes.]—Public Bills.—1ª Exchequer Bonds (£1,000,000); Bills of Exchange (Ireland) Act (1861) Amendment.

3ª Crown Suits (Isle of Man); College of Physicians (Ireland).

Royal Assent.—Protection of Inventions and Designs, 1862; Woolwich, Plumstead, and Charlton, &c. Gas.

Their Lordships met; and having gone through the business on the paper, without debate,

House adjourned at a quarter past Five o'clock, to Friday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Tuesday, April 29, 1862.

HIGHWAYS.—QUESTION.

Sir GEORGE GREY said, he rose to postpone the Highways Bill till Thursday week, adding that, as some other business preceded it on the Paper, he was not sure it would come on upon that day.

Mr. FREELAND said, he wished to

ask the hon. Member for Merthyr, Whether he will send Copies of the Returns from the Surveyors of Welsh Highway Districts in Glamorgan, which he has sent to the hon. Member for Leominster, to the Home Office, in order that they might be moved for as a Return; whether he will also send Copies of the Questions addressed to the Surveyors; and if he can state whether the Welsh Surveyors generally include footpaths and mountain tracks in their Returns of Highways, on the mileage of which the average expense of £6 per mile for annual repairs is calculated?

Mr. H. A. BRUCE said, the Returns and Questions referred to had, as stated, been sent to the hon. Member for Leominster, and he (Mr. Bruce) had not the slightest objection that the hon. Member should furnish them to the Home Office if he thought proper to do so. With respect to the last question, he could give no specific answer; but he presumed that footpaths and mountain tracks, not being Highways, were not included by the Welsh Surveyors in their Return.

PROTESTANT WORSHIP IN SPAIN.

QUESTION.

Mr. KINNAIRD said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether any information has been received respecting the alleged prohibition of Protestant Worship, conducted by a Clergyman of the Church of England in the British Vice Consul's House at Seville; and whether any and what measures have been taken to secure for British subjects in Spain the free exercise of their religion?

Mr. LAYARD regretted to say that information had been received by the Government that owing to the interference of the Spanish authorities at Seville the English Vice Consul had been compelled to suspend the celebration of Protestant worship in the Consular premises, which had been conducted by a Clergyman of the Church of England in accordance, it was believed, with the spirit of the treaties existing between the two countries. As soon as the British Minister at Madrid was made acquainted with the fact by the Vice Consul, he remonstrated with the Spanish Minister of Foreign Affairs, who at once stated that he would direct inquiries to be made. The hon. Member was doubtless aware that according to international usage Consuls were allowed to hold Protestant worship on the Consular premises; and upon Her Majesty's Government becoming acquainted that an interference with that right had taken place, they also wrote to the British Minister at Madrid, directing him to obtain full information on the subject and report to them the result of his inquiries.

PUBLIC BUILDINGS.

COMMISSION MOVED FOR.

Mr. BAILLIE COCHRANE said, that he rose to move,

> "That an humble address be presented to Her Majesty, praying that She will be graciously pleased to issue a Commission to inquire into the state of the Public Buildings erected by means of Parliamentary Grants within the last twenty years, and also of the Houses rented for the Public Service; and to inquire whether, by adopting more comprehensive plans of building, greater public convenience, greater economy, and unity of design may not be attained."

He felt less diffidence in bringing this matter before the House because questions connected with the improvement of the metropolis had of late excited, not unnaturally, considerable interest, in proof of which statement he need only mention the Motions brought forward by the noble Lord the Member for Haddingtonshire (Lord Elcho), the hon. Member for Galway (Mr. Gregory), and by his noble Friend the Member for Chichester (Lord H. Lennox), whose ability and eloquence had attracted the attention of the whole House, and who had achieved thereby a great Parliamentary success. The question was becoming every day of more importance; and he had the less disinclination to introduce it at the present time because he was able to do so without at all reflecting on the conduct of any one of the First Commissioners of Works—whether the late lamented Sir W. Molesworth, Lord Llanover, his noble Friend the Member for Leicestershire (Lord J. Manners), or the right hon. Gentleman opposite (Mr. Cowper). He was certain that every one of those Gentlemen had done his best for the general improvement of the metropolis; but, in his opinion, the chief obstacle to any progress was the system at present adopted, and it was therefore to that system and its operation that he wished to direct attention. If the House would extend to him their kind indulgence, he should be able to satisfy them that the present mode of proceeding was most prejudicial to the interests of the metropolis and the most expensive that could be adopted. The

House might not be aware of the curious development of that system, nor how long an anxiety for a comprehensive plan of improvement, more especially as regarded the immediate neighbourhood of the House, had been felt. It dated as far back as 1782. Previously to that year the entire power of making any improvement in the metropolis was vested in the Crown. So large a debt had, however, been created, and so little responsibility was felt in relation thereto, that an Act was past precluding the Sovereign from undertaking any such improvement, the cost of which should exceed £5,000, unless with the sanction of Parliament. A Board was then appointed. But very little amelioration of the system followed. The Surveyor General enjoyed the chief benefit of the change, that officer actually having four houses of residence—two in London, one at Kensington, and another at Hampton. The Sovereign still had the almost entire control of the public works. In 1828 a most important Committee sat, and so faulty was the then existing system proved to be, that it was found necessary to reconstruct it, and the present Board of Works was appointed in 1831. The Surveyor General, representing the First Commissioner, then Mr. Arbuthnot, had full power to pull down any public edifice, and build another on his sole responsibility. In the evidence given before the Committee the importance of having some comprehensive plan, instead of the piecemeal system of improvement, was strongly urged. The Report of that Committee contained a most entertaining account of the extraordinary manner in which the public works were conducted. One of the surveyors proposed to erect a building after a model at Tivoli; another on the model of the temple of Jupiter Stator in the forum of Rome, although he admitted that he had never seen it. Mr. Wyatt, when examined, said that nothing could be more extravagant and expensive than such a mode of proceeding. What was wanted was a comprehensive system. The practice which prevailed was said to resemble the representations of George III., always on horseback and never advancing. In spite of all that evidence and the report of the Committee, the system had never been changed. Only last night there had been a discussion about the Foreign Office; when he asked his right hon. Friend the First Commissioner of Public Works (Mr. Cowper) to postpone the Vote for the new buildings until after the present debate. It was the intention of the Government to erect the Foreign Office close to Downing Street, and the site had been purchased. The House was probably not aware that so far back as 1839 a Committee sat on that very question, and that the evidence taken before that Committee as to the state of the Foreign Office was quite extraordinary. It was then proved that there were great sinkings in the centre of the Foreign Office, and that the party-walls had sunk down considerably in consequence of the unevenness of the floor. The architect stated that he had put bars under the floor, and beams above, and other beams bolted through the front and back walls, and that the floors were all supported on iron girders. It was thus that the Foreign Office was "hung up." It also appeared that, during a very animated conversation between the Secretary of State and a foreign Ambassador, a portion of the ceiling fell in upon them. Such, then, was the condition of the Foreign Office twenty-three years ago, and yet up to the present hour not one stone of the new Foreign Office had been laid. Everybody must have noticed the piece of waste ground close to Downing Street, which was purchased in 1825, at a cost of about £40,000, for the purpose of enlarging the present site. The ground was still unoccupied, and the whole of the purchase-money had consequently been wasted. He would next instance the case of the Record Office. On one occasion he heard an hon. Gentleman express his approbation of that office; but any one who visited it would be astonished at the manner in which the records were kept. It was true that Mr. Pennethorne built a part of a large structure, but it was only a small portion of it, and the consequence was that all the most valuable records of the country were crowded together in a number of small buildings round the Record Office, and at any time a fire might destroy the greater part of them. He perceived from a letter written to *The Times* by a gentleman who was in the habit of visiting this office, that the records were thrust into pigeon-holes in every nook and corner; and, though each pile of papers seemed ready to fall to the floor on the least addition being made to it, fresh contingents of colonial, naval, Chancery, Welsh, and other records were daily poured into this overstocked and overstacked receptacle. And what did the right hon. Gentleman opposite propose to do? The State

Paper Office was built about thirty years ago, and in 1855 it was proposed to add a story to the building. The right hon. Gentleman now told them that it was intended to pull down the State Paper Office; and he believed that already the whole of the records of the State Paper Office had been sent to the miserable hovels, as he might almost call them, surrounding the new Record Office. He understood that only three weeks ago a great part of the wall of the Record Office fell down, from the weight of the documents there. Of course, it might be said that Parliament would not give sufficient money to build adequate offices; but he would reply to that remark presently. The next case to which he would refer was that of the new Inland Revenue Office. An expense of £100,000 odd had been incurred in its erection, and the money had been appropriated without the consent of Parliament by diversion from other Votes. Notwithstanding this, so deficient was the accommodation, that ninety rooms in Somerset House were still occupied by the officials of the Inland Revenue for carrying out the duties of the office, which ought to be conducted under one roof. These instances proved the very erroneous method in which the business of the Department of Public Works was conducted. Another striking instance of mismanagement was furnished by what had happened in regard to Buckingham Palace. When that question was discussed in the House of Commons in 1857, Earl Russell, in a powerful speech, pointed out the inconsistent and unwise course adopted with respect to that palace. The original Estimate was £240,000; but wings were afterwards added to the building, then a front, and then a ball-room, the result being that £1,200,000 had been expended on Buckingham Palace. The Government did not, as advised by Mr. Nash, at the outset, buy up the surrounding house property at Pimlico, and the consequence was that every subsequent purchase cost five times the amount it might have been necessary to give in the first instance. But, perhaps, the most glaring illustration of the defects of the system was presented by the War Office. Not long ago there were no fewer than seventeen different departments connected with the army scattered all over London; and even now, including the establishments at Pall Mall and at the Horse Guards, there must be ten or twelve. He admitted that much of this evil had been remedied by purchasing houses in the vicinity, but this had been done at great expense. People having business to transact at the War Office complained that they could not find their way through its many dark and miserable passages. Only the other day he heard an amusing account of a colonel who was ordered to embark with his regiment at Southampton; but having to make some previous arrangements with the War Department, he went to the Horse Guards. The Horse Guards referred him to the Admiralty, the Admiralty to the department in Pall Mall, and the department in Pall Mall referred him back again to the Horse Guards. He was thus bandied about from office to office ten hours, and the result was that when he got to Southampton the transport had sailed. That was only one instance of the inconvenience which arose from the nonconcentration of the public offices. The Inspector General of fortifications had been shifted about every year. In 1857 his office was in Pall Mall; in 1858 it was in Whitehall Gardens; in 1859 it was in Whitehall Yard; in 1861 it was in Pall Mall; and in 1862 it was in Victoria Street, at a rent of £1,312. He now came to the main question—namely, the remedy for so unsatisfactory a state of things. And first he must refer to the evidence taken before Committees of that House in 1856 and 1858, and also before the Committee on the Miscellaneous Estimates in 1860. Every witness examined by those Committees, without exception, spoke strongly against the erroneous manner in which the business of the office of Public Works was conducted. The right hon. Gentleman told the House last night that the estimated cost of the new Foreign Office was £200,000; but if, instead of being erected as an isolated building, the new Foreign Office were made part of a great plan, one-half of this amount might be saved to the country. There were to be eight façades; and if there had been a comprehensive plan several of these might have been saved. The piecemeal system of executing these public works not only led to great inconvenience, but was also very extravagant. Sir C. Barry, a high authority, stated in his evidence before the Committee that his "great object was to carry out most perfectly the principle of centralization, and no other method presented itself which seemed to him so advisable upon that point as that of concentrating the whole of the public offices in one mass of building." He was then asked, "Then, both on general principles and with a view to the ground with which you have to deal, you conceive that the most sensible course would be to build one palace of Administration as a whole mass?" and Sir Charles answered "I am clearly of that opinion." He afterwards added that the Administration of the country, like its Legislature, ought to have its own building. Mr. Hunt, another important witness, thought it a most inexpedient mode of going to work to buy ground piece by piece as it was wanted, for the owners of property required by the public would never fail to ask extravagant prices for the sites; whereas, when a mass of property necessary for the erection of a scheme of buildings was purchased at once, there was no difficulty in procuring good tenants for such portions of property as would not require to be immediately demolished. Sir C. Trevelyan, also had expressed himself in favour of a concentration of the public offices in the vicinity of Whitehall. Lord Llanover, of course, entertained similar opinions, and the right hon. Gentleman opposite who was, perhaps, the best authority he could quote, had stated that the present system of hiring buildings for public offices was both expensive and inconvenient. That was the opinion of the right hon. Gentleman in 1858, and therefore it was not likely that he would oppose the Motion for a Royal Commission. The Committee of 1858 reported that the cheapest course in the long run would be for the Government to purchase the freehold of such adjacent property as probably might from time to time be required for the erection of additional public offices, and in the mean time there would be no difficulty in obtaining tenants, so that the outlay need not be unremunerative. The Committee of 1856 had also reported in favour of purchasing all the buildings in the neighbourhood of the public offices. Mr. Hunt, in a very elaborate estimate, was of opinion that for the sum of a million sterling all the land from George Street to the Thames, from Parliament Street to Richmond Terrace, could have been purchased, and that buildings affording sufficient accommodation for the public offices, and adding greatly to the beauty of that part of the metropolis, could have been erected for a further sum of a million-and-a-half. Of that amount of two-and-a-half millions about £500,000 had been already expended, or was being expended, in the purchase of land and the construction of the new Foreign Office. The House was, perhaps, not aware of the large amount now paid for the hire of buildings, and for repairs and furniture for those buildings—it was no less than £82,000 a year. Thus it would be seen that the money which was now being paid for the hire of buildings would actually pay the whole interest upon the £2,500,000 which he hoped it would be proposed to expend. Since 1851, independently of the Houses of Parliament, and the Royal Palaces, there had been expended for additional public offices no less a sum than £900,000, and he now asked the House to sanction the appointment of a Committee to investigate those figures. The right hon. Gentleman, perhaps, was not aware of a circumstance which had come to his knowledge, that it was the intention of the owners of the miserable houses that would face the new Foreign Office when completed to make extensive alterations in them, so as to increase the value of the premises, knowing well that before long the Government would have to purchase them, when they would be able to obtain more than four or five times the present value. A great additional expenditure would be thus imposed upon the public by reason of the want of courage on the part of the Executive to deal with the whole subject boldly and at once. He did not advocate the adoption of any extravagant scheme, and he thought it was a mistake in 1856 to have received estimates which, if carried out, would have involved an enormous outlay—one alone being for £12,000,000, while another contemplated the conversion of the bed of the Thames into a flower garden, and the diversion of the stream on either side. He wished for a plan which would meet the public wants, and by its unity and symmetry contribute to the beauty of the metropolis without causing an unreasonable outlay. The subject should be dealt with at once, because the right hon. Gentleman was now proposing to expend £200,000 or £300,000 upon the Admiralty, and the House might be assured that every sixpence laid out in patching up old buildings would tend to prevent the adoption of a comprehensive plan for the rebuilding of public offices, and would in consequence retard the general improvements of the metropolis. Earl Russell had in 1857 thus stated his opinion—

> "The best course will be to fix upon some site, and then to require the preparation of plans suited alike to the site and to the purposes of the build-

ings to be erected, at the same time stating the cost you are prepared to incur. By so doing you will obtain real practical information. What I hope, however, is that the Government will consider what accommodation it is they want, what sum of money they are prepared to propose to Parliament, and then let them obtain plans suited to the expenditure they propose."

His right hon. Friend the Member for Oxfordshire (Mr. Henley), upon the same occasion, said—

> "The only safe course is this—let the Government state, This is the accommodation we want, this is the plan intended to provide for it, and this is the area of ground on which we want to put it. The House will then have the whole question before it, and will be able to give a fair answer to it."

It might be asked what did he propose that the Royal Commission should do in this matter. He would propose, that if the House agreed to his Motion, the Commissioners should first decide upon the quantity of ground that would be required for the concentration of the public offices, then that they should appoint an architect to give an estimate of the probable cost of buildings, handsome and of superior character, but not unnecessarily expensive. There should also be a competition to limit the cost to £1,200,000 or £1,500,000, and the Commissioners could then report upon the plans they had received and the amount of money that would be required to carry them out. They should also report as to which plan appeared to be the most conducive to the public advantage. He thought there was nothing unreasonable in those propositions, and he hoped the House would accede to his Motion. He should also propose that the Government should raise the required amount upon the same principle as that upon which it granted advances, so that in twenty-two years the whole would be paid off, and the metropolis would possess handsome and convenient public offices at no greater cost than the £80,000 a year now paid for the hire of incommodious buildings. When thousands and tens of thousands of pounds were being spent, and rightly spent, in the attempt to improve the public taste by erecting picture galleries, and by other means, surely it was desirable that in the centre of the metropolis there should arise some handsome public buildings of which the country need not be ashamed? The cultivation of the public taste was an object which ought not to be discarded by the House of Commons; and he contended that the adoption of some grand and comprehensive scheme of buildings for public offices would do much for the cultivation of the public taste. Even Spain could spend £20,000,000 on such works, payment being spread over a number of years; and that being the case, was it too much to ask that England should devote a much smaller sum for the purpose of effecting such improvements? If it were true that "a thing of beauty is a joy for ever," the converse was equally true, and it was of the utmost importance that the public buildings of this metropolis should be such as reflected no discredit on the Government as caring less than did the authorities of Paris, Vienna, and Munich, that the splendour of the capital city should be commensurate with the importance of the nation. It was the opinion of the late lamented Prince Consort that the site to which he had referred was one of the finest that could be selected for the purpose, and he had always urged them to take advantage of it. The Thames was a river finer—with the exception of the Tagus and the Neva—than was possessed by any other metropolis; the Parks, the Houses of Parliament, and the venerable Abbey were close at hand; and when he had shown that the plan which he proposed would be economical—at least, that the sacrifice involved would be very small—he hoped that the House would not refuse a Royal Commission to inquire into the subject. He asked the Government to act as a gentleman in private life would do. Would any one build a wing of a house without knowing where the centre was to be, or would he commence building in the centre of a populous village without knowing what houses he would require to buy? The right hon. Gentleman, in speaking lately of the Thames embankment, which had been a mooted question for more than two hundred years, said, that it would, if carried out, be the glory of his ædileship. He hoped that the right hon. Gentleman would add another glory to his ædileship by carrying out a work which would so materially add to the beauty and the grandeur of the metropolis.

MR. KINNAIRD seconded the Motion.

MR. COWPER said, that although he quite sympathized with the motives which had induced his hon. Friend to bring this subject before the House, and agreed with him in desiring to see the metropolis adorned and embellished by public buildings worthy of the nation. He did not think that the proposition he had made was either reasonable or advantageous. First of all, he objected to any such Commission as was proposed, because it would supersede the responsibility of the Executive Government, and because the only security which the House possessed for the observance of due economy in the erection of public buildings was the fixed and definite responsibility of the Government who proposed the expenditure. If a Commission were appointed with the general object of inquiring what comprehensive plans should be adopted, the proposals of such a body, far from being based on considerations of economy, would probably submit some of those grand schemes of which the public had often heard, which would involve an expenditure of five or six millions of money. That course would produce a reaction against such proposals, and the attention of Parliament would be diverted from that which was really useful and practicable. Then again, in his opinion, the present was an exceedingly inopportune moment for such an inquiry, for it would only lead to delay. The hon. Gentleman had argued as though the Government had no complete or comprehensive plan upon which to act, whereas the very contrary was the case. They were now occupied in carrying into effect part of a very comprehensive plan which had been under consideration for a great many years; and although the hon. Member was quite right when he spoke of the slowness with which these proceedings had advanced, yet the appointment of a Commission would only increase the difficulty of coming to a conclusion, and greatly retard the proper progress of the subject. But this was not the main ground upon which he relied for asking the House to refuse the Motion. The proposed Commission would really have before them no work deserving the attention of a body so formally constituted. The Motion was for a Royal Commission "to inquire into the state of the buildings erected by Parliamentary grants during the last twenty years." He was unable to find more than one such building—namely, the Record Office, in Chancery Lane. It was true that Somerset House, had been enlarged within the period, but then it would not come within the order of reference, because the wing had not been erected by Parliamentary grant. Then, with regard to the Record Office, he believed it to be in a good state, and to be well managed; and he might say the same with regard to the houses rented for the public service. The third point for inquiry was, "whether by adopting more comprehensive plans of building greater public convenience, greater economy, and unity of design might not be attained." In reply to this, he would remark that the present plans were comprehensive, and were founded upon the inquiries of the last twenty or thirty years. Even before the Committee of 1839, Sir John Soane in 1822 prepared plans for the erection of public offices on the site now mentioned. The Committee of 1839 recommended that the Foreign and Colonial Offices should be rebuilt to form part of a general plan, and that recommendation was the foundation of the plan which was at present being carried into effect. In 1854 Mr. Pennethorne prepared a plan to provide for the building of public offices upon the Downing Street site. In 1856 there was another Committee, and in 1862 they were actually laying the foundations of the building which had been discussed during so many years. This at least showed that there had been no precipitancy, no rashness of decision, and there had been sufficient inquiry and investigation. The subject of a comprehensive block plan was fully considered in 1856, when the then First Commissioner of Works, the present Lord Llanover, invited all the architects of the world to compete as to the best mode of laying out the block of land between Downing Street and George Street—between St. James's Park and the Thames. After due consideration the first prize was given to a French architect, whose design was that upon which they were now proceeding. The buildings now being erected on the Downing Street site were portions of the comprehensive plan, which might or might not hereafter be adopted in full. If, however, the public were as liberal as could be wished, and were willing to incur an expenditure which had been estimated at £5,000,000, what was now being done would form an integral and well-harmonized portion of a grand and comprehensive scheme. But his hon. Friend had said that the Government were building on the site in Downing Street a Foreign Office which would be only a single building, and not a part of a plan; and he asked whether that office was to form a portion of a quadrangle. It was. The quadrangle would contain at one corner the Foreign Office, at another the India Office, at a third the Colonial Office; then there would be the Pay Office, and then other offices which it might be thought desirable to erect upon the vacant space. At all events, there was a disposable site of 70,000 square feet for the India and Foreign Offices, and that space was now in the hands of the public. But that was not all. There was also, to the north of New Palace Yard, a site which was now partly occupied by the houses on the south of Bridge Street, and which would give 18,000 square feet. Then before long the Law Courts would have to be removed from Westminster Hall, and that would give a site of about 30,000 square feet. Besides, it seemed to be necessary for the concentration of the Naval Department, that the Admiralty Offices should be removed from Somerset House to Whitehall. That would leave a great portion of Somerset House available for other purposes. It might, in fact, be said that the Government had sites of upwards of 110,000 square feet for building purposes, and he therefore thought it a most extravagant and unreasonable proposal to ask Parliament at the present moment to purchase any more land. There was another reason against the proposed inquiry. There were works at the present time under the consideration of the department to which he had the honour to belong which certainly deserved to be called important and comprehensive. First of all there was the erection of the Foreign Office, then of the offices for the Admiralty in contiguity with Whitehall, then of the courts of justice, the cost of which was estimated at £1,500,000, then the great works of the Thames Embankment and the street which was to run from Blackfriars to the Bank, the cost of which was estimated at £1,500,000. In short, there were at present works in contemplation which would cost about £4,250,000. It might be ten or fifteen years before those works could be completed, and it would be time enough then to ask Parliament to consider any more. When the site purchased in the neighbourhood of Downing Street had been built upon, if it were found that further buildings were required, a site, he presumed, would be taken in immediate contiguity to the existing offices—he would not say whether in the direction of Charles Street, of the Thames, or of the Park. But in his department the principle was strictly acted upon that any new offices should be erected with a view to concentration; that all new buildings should be placed as near as possible to the old offices; but that any unnecessary demolition should be avoided. Some years ago a very large and comprehensive plan, with the name of Sir R. Bromley attached to it, proposed to pull down all the existing offices—many of them well-built and convenient. The Admiralty, the Horse Guards, the Pay Office, the Home Office, the Privy Council Office, the Board of Trade, and Drummond's banks were all, according to this plan, to be pulled down, and other buildings to be erected on the present Parade in St. James's Park. That was a very comprehensive plan, but the cost of carrying out the same would be so great that no estimate could be made. He thought on that account they had better remain content with the plan on which they were at present acting. The course which he proposed to take had not come before Parliament this year, but probably would in the course of next session. With regard to the Admiralty, the object was simply to erect such buildings as might be necessary in immediate contiguity with the chief department, without altering the main offices, which were strong, well-built, and convenient. It would be perfectly easy, without demolishing the Admiralty, to take in sufficient space from the Crown lands adjoining to enable all the naval departments to be brought under one head. The advantage of such an arrangement was, no doubt, so great that it would be well worth any reasonable amount of expense that might be incurred in carrying it out. With regard to the War Office, the original intention certainly was to rebuild it upon the present site in Downing Street. The state of the War Office was one of the grounds of complaint brought against the department over which he presided. It was said that the War Office was formerly in fourteen different places, and that now it was in eleven houses. It was quite true that it was in eleven houses; but those houses were so completely concentrated that openings had been cut through the party walls, and passages extended from one house to another. Therefore concentration had been obtained, though there was not that beauty in the buildings which a man of taste might desire to see. The War Department had expressed themselves satisfied, and did not wish for any alteration. Then his hon. Friend had complained of the state of the Record Office. Now, the Record Office which had been built was as admirable and perfect in its arrangements as any one could desire. It was true that a great number of houses were temporarily required to supply the wants of the Record Establishment, the existing building not being large enough; but the Master of the Rolls, who was responsible for the keeping of the records, had always been desirous of getting more records into the present buildings; and the other day, when the determination to pull down the State Paper Office became known, the Master of the Rolls said, "Send me all your records; I have room enough for them." No doubt the proper course would be to enlarge the present Record Repository; and whenever that House was ready to vote the money, and the Chancellor of the Exchequer was willing to grant it, that building would be enlarged. If the Master of the Rolls desired it, there was ample space for the records in that House; for in the Victoria Tower they had a building with sixty-four rooms, fire proof, and well adapted for keeping the Records, at least as a temporary arrangement. He mentioned those facts to show that it was no fault of the Government that the Record Office had not been completed. The portion that had been built was constructed on a design which would admit of its being largely extended. A complaint had also been made that the portion of Somerset House which had been built not long ago for the Inland Revenue was not large enough, but no blame attached to the Government for that. His hon. Friend had said that the House ought not to consider his proposal as extravagant, but as economical. He could not understand how his hon. Friend proposed to support that argument. They were told that £26,000 had been voted this year as the rent of the buildings hired as temporary public offices; but of that £26,000 only £11,000 was paid for departments of the Government which could properly be placed in any new building in the vicinity of Downing Street. And then £2,139 was paid for purposes not strictly connected with Government offices, such as the National Portrait Gallery, the Museum of Geology in Jermyn Street, the Patriotic Fund, and other things of the kind. A portion of the money went for the Law Courts and offices. Then there were some buildings that could not be brought to the West end of the town at all, such as the Seaman's Registry Office, which must, of course, be in the neighbourhood of the districts frequented by seamen. There were also the offices for temporary Commissioners, with respect to which a very good arrangement had been made. Formerly when an office was wanted for one of these temporary Commissions, a house had to be taken for the purpose, often at a high rent. Now, by having in possession a sufficient number of houses, it was not often necessary for the Government to hire one for these temporary Commissions. He admitted it was not desirable that public offices should be lodged in hired houses; but as to the question of economy it would be found that the plan was far cheaper than building. For instance, the premises hired for the temporary accommodation of the Foreign Office were rented for £2,000 a year. New buildings for the same office would cost £200,000, and £100,000 for the site; the total amount, taking 5 per cent on the cost of the building, and 4 per cent on the cost of the site, would give an annual value of £14,000. The temporary arrangement, instead of being disadvantageous in point of expense, was cheaper than erecting permanent buildings. The hired premises were houses that had not been built for public offices, or they were houses not wanted for residences, and were thus obtained at a cheaper rate. It must necessarily cost much more to erect buildings of large dimensions, constructed, not like houses built on a terminable lease, but in a solid manner, and calculated to last as long as stone and iron endured. On the mere question of economy he did not think a commission of inquiry would gain any more information as to the comparative expense of hiring and building public offices. Another thing that increased the expense of erecting new offices was having to sink the value of the houses that were purchased and pulled down to obtain a site. They must pay the value of the houses so demolished, and in that part of London the value of houses was considerable. As far, then, as he had been able to follow the hon. Gentleman, he had not made out any case against the plan of hiring offices, to justify an inquiry. Nor had he shown any mismanagement on the part of the Government, or that they were proceeding on a piecemeal plan in the buildings proposed to be erected. He had shown that they were gradually carrying out a comprehensive plan, and they had even looked forward so far that they were actually in possession of land for which the appropriation was not yet made, as for instance the ground on the south side of Downing Street. The course taken by the Government was the one that he believed would be the most advantageous. The more important offices would be erected on the comprehensive plan proposed; the smaller offices, that were not required to be in such close contiguity, might remain in hired premises as long as might be convenient. A very magnificent pile of buildings would be erected on the ground hitherto occupied by the Foreign Office, fronting the parade in St. James's Park, which would make a very handsome termination to that long range of parks — Kensington Gardens, Hyde Park, and St. James's Park—extending nearly three miles. The building would be large in its proportions, and be a very favourable specimen of the Italian style. It would also group well with the other buildings facing the parade; and when the new offices were erected near the Admiralty, they would have in St. James's Park as handsome an effect as they could desire. When the Thames was embanked, a great deal of ground would be brought into use by the removal of houses of an inferior description, and would afford a very appropriate site for several handsome buildings. He agreed with his hon. Friend that the plans should be large and comprehensive: but he thought that any inquiry at the present moment would only produce delay, lead to greater expenditure, diminish the responsibility of the Government to the House, and really retard the object which it was most wished to promote—namely, the embellishment of the metropolis. The present state of feeling on the part of the House on the subject was satisfactory; and, he believed the House would not refuse to sanction any reasonable expenditure in order to secure the erection of public offices alike worthy of the objects to which they would be devoted and of the dignity of this great nation.

LORD JOHN MANNERS said, his hon. Friend the Member for Honiton had recommended the appointment of a Commission as a means of ensuring economy, while his right hon. Friend the First Commissioner of Works contended that the adoption of the Motion would rather lead to increased extravagance. Now, for his (Lord John Manners's) part, he regarded the Motion neither in the one light nor the other; and he hoped the House would think that the light in which he looked on the Motion was the correct one. He regarded it as a proposal for inquiry only. He did not wish to say a word as to the possible results of a Commission of Inquiry. Were the Commission granted, it might lead to a considerable diminution of the public expenditure; or it might lead to a considerable increase. But these were questions that must be met in the future. His hon. Friend, in the able speech in which he had introduced his Motion, had, as it seemed to him (Lord John Manners), shown sufficient ground for their instituting an inquiry into the subject. He had listened with great attention to the counter-statement of the right hon. Gentleman opposite. He could assure him he had not the slightest inclination to cast blame, either on his management of the business of the office he held, or its previous management by others. But when a proposal for inquiry was made, he thought it might be considered without imputing any blame on one side of the House or the other. The right hon. Gentleman seemed to have recently discovered that to issue a Royal Commission to inquire into certain important matters connected with a particular department was virtually to supersede the action of that department. He had never thought that the appointment of a Royal Commission to inquire into the subject of the concentration of the law courts implied any censure upon himself, upon the Earl of Derby who was First Lord of the Treasury, or upon the then Lord Chancellor; and the right hon. Gentleman had been foremost in urging upon the House a very large outlay to carry out the recommendations of that Commission. How the right hon. Gentleman could oppose this Motion upon the score that the Commission would supersede the action of the Office of Works he was at a loss to conceive. It was a new view of public duty, and he hoped it was one which would not find favour with the House. The right hon. Gentleman used two inconsistent arguments—first, he said the Commission would have nothing to do, and then he said it would have such a vast amount of work that the time which would be occupied in the inquiry would retard for a considerable period all public improvements. The right hon. Gentleman seemed to think, that if he could assure the House that all the hired buildings were in a decent state of repair, there was nothing for the Commission to inquire into; but, in his view, the proposal of his hon. Friend was that the question of a number of public departments being accommodated in hired houses should be considered. The right hon. Gentleman had made a very elaborate and skilful defence of the plan of locating a certain number of public offices in hired houses. That might be an expedient system or not, but there could be no doubt it was one which the authorities which had been referred to were unanimous in condemning. In spite of that general condemnation, however, he was not prepared to say that it was not a good one; and there was certainly a great deal in favour of the view which the right hon. Gentleman entertained upon that subject, especially with respect to a particular class of the public offices so accommodated. At the same time, seeing that such a difference of opinion existed, there was at least a good case for inquiry. Then, again, the right hon. Gentleman told them that it was unnecessary to embark in an inquiry of the nature suggested, because he was at that moment engaged in carrying out the details of a large and comprehensive scheme. He hoped the right hon. Gentleman would pardon him for saying that that statement rather alarmed him. They had not heard hitherto what that large and comprehensive scheme was. The various works proposed for the public offices had hitherto been rather of a single and isolated character than part of a large and comprehensive scheme. So far as the right hon. Gentleman had explained any portion of that scheme, he must confess that he heard him with regret, because it included some works which were undertaken contrary to the strongly-expressed views of the House, and of those to whom they looked for guidance in these matters. One portion of that scheme was to devote the space which would be gained by the removal of the houses on the south side of Bridge Street down to Westminster Hall to public offices. He was quite certain that that was not a proposal which found favour with Lord Llanover, who was the originator of the great and comprehensive scheme. Lord Llanover had no intention to convert into a site for public buildings that space which ought to be reserved in order to afford a good approach to the Houses of Parliament and Westminster Hall. Then the right hon. Gentleman suggested that a line of public buildings might be erected on the site of the present inconvenient and incommodious law courts. But if those buildings were removed, the space ought to be continued vacant, for it was the spot from which the Houses of Parliament and Westminster Hall could be seen to the greatest advantage. According to the suggestion of the right hon. Gentleman those buildings would be more masked than ever by the erection of a new pile of public buildings. He certainly did not think that the details of such a scheme as that afforded any ground whatever for saying that the inquiry now asked for ought not to be granted. The right hon. Gentleman astonished him still further by saying that one reason why the Commission ought not to issue was that the works which they contemplated would probably extend over something like twenty years, and he enumerated the Thames embankment and the streets arising out of it, together with the sum of money to be expended on them by Parliament.

Mr. COWPER: Not by Parliament. I spoke of the total amount of money which would be so expended. I alluded to the plan and spoke of the money without making any reference to the sources from which it would have to be derived.

Lord JOHN MANNERS said, that in that case he did not see why the right hon. Gentleman might not as well have included the cost of every new street which would be made by the Metropolitan Board of Works. He owned that when he heard the Thames embankment mentioned, the idea flashed across his mind that the right hon. Gentleman was paving the way for the House to regard the Thames embankment as a great work to be undertaken by the office of which he was the head. He thought the Motion of his hon. Friend was entitled to the strongest support; and there was a double reason for entering upon the inquiry when they reflected that portions of the works proposed to be carried out by the right hon. Gentleman had been really rejected by the House; for he could put no other construction upon the Vote to which the House came the other night on the Motion respecting the concentration of the law courts, and the way in which the money was to be provided for that purpose. That was a delicate point, because it appeared to be the opinion of the Government that, notwithstanding that decision, the plan was still to go forward. That certainly was an important statement to come out incidentally in a debate of that sort, and he should like to have a distinct answer whether the Government were prepared to consider the Vote upon that Motion (Mr. Selwyn's) conclusive, or whether they intended altogether to disregard it. At all events whether the Government took the Vote of the other night as conclusive, or whether they disregarded it and set it aside, it was no argument against the Commission of Inquiry moved for by his hon. Friend. He was himself of opinion that no great saving would accrue. He was disposed to think that a number of public offices were not inconveniently accommodated in the present buildings. But, after the strong expression of opinion by many heads of departments, he could not take upon himself to say that it was not a legitimate subject for inquiry. His hon. Friend had done good service in bringing the subject forward in a speech remarkable for its conciliatory spirit. He regretted that the Government had not met his hon. Friend with any concessions, but he hoped that this debate would be a sufficient indication of the temper and feeling of the House to induce Her Majesty's Government to change the views which they seemed disposed to take of the proposal of his hon. Friend.

SIR MORTON PETO said, that the right hon. Gentleman the head of the Office of Works had practically asserted that his department was so perfect that no inquiry into it could be of any public benefit. Scarcely any more important question than that of public works could be brought before the House; but as regarded the works which had been mentioned, the House possessed no information, either as to their design or cost. During the last twenty years large sums of money had been voted by Parliament for public works; but whether they regarded design, estimates, or any other thing connected with them, there was nothing upon which the mind could rest with any degree of satisfaction. He attributed the repeated failures of the last twenty years to the want of the application of business principles. Who was responsible for the Houses in which they were then sitting? The enormous expenditure upon them was attributed to the action of various Committees and Commissions. But surely the Government ought to have undertaken some degree of responsibility, and being at the helm should direct the course of the vessel. The proposal before the House could never be entertained unless it was entertained at that moment. He attributed much of the difficulty which occurred in dealing with the public buildings to the fact that the Government schemes were too often considered mere party questions, and, however good a particular plan suggested by one Government might be, no sooner was it out of office than it was thrown to the winds by its successor. For example, the noble Lord opposite (Lord John Manners) was at the head of the Office of Works; he selected a certain plan for the new Foreign Office, but when the present Government came into office it was completely set aside, and another and different set of plans adopted. The management of the public buildings must be of a more stable character before satisfactory results could be obtained. What was wanted was a man of business habits and experience, as the permanent head of the department, who would be responsible to the House for the estimates, designs, and execution of public works. The appointment of such an official would prevent the plans of one year from being completely overturned the next, and would secure both economy and efficiency. Putting the Motion before the House on the very lowest ground, the proposed Commission could not do any harm, and might do a great deal of good. Inquiry was always advantageous when conducted in a right spirit. Of course, it sometimes happened that the Reports of Committees and Commissions were treated as waste paper; but he hoped it would not be so in that instance, if a Commission were granted. The necessity for an investigation into the present system was illustrated by the fact disclosed on the previous evening, that the cost of a work, of which the original estimate was only £800,000, had risen in a short time to £1,900,000. He would even go so far as to suggest that the inquiry should be extended so as to ascertain the expediency of embracing all public works, and not merely the public offices, with a view to placing them under the authority of some responsible Minister of the Crown. If such a department were established, having full power and authority, they would have the satisfaction, when they voted the Estimates for public works, of knowing that the money would be expended under a regular system, and not according to the capricious views of this or that Minister.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am one of those who have expressed in this House great dissatisfaction in regard to the insufficiency of our control over the erection of important public buildings, and the absence of proper securities for unity, expedition, and economy in such great undertakings. I am disposed to regard rather the inarticulate expression of dissatisfaction conveyed in the Motion of my hon. Friend than the form of the remedy which he proposes. As a general expression of dissatisfaction, I can sympathize with the Motion; but I hope the existence of that feeling will not lead the House precipitately to adopt a Resolution of this kind without being assured that it is likely to afford a positive remedy. I do not think that the faults which give rise to complaint peculiarly belong to the Department of Public Works. I do not speak of it merely as it exists at present, in contrast with what it has been at other times; but I say that, generally, it has been administered with energy, ability, and discrimination. Faults may, no doubt, be found, but they are only such as are incidental to the whole of our general system of administration. I for one think that the mischief lies deeper—in the constitution itself rather than in the administration of any particular office. The case of these Houses of Parliament is, perhaps, a special one, because jealousies were entertained by the Houses themselves; but when we look at the history of the great questions connected with public buildings within the last twenty years we must acknowledge that their course has been most unsatisfactory. I do not stint or limit that admission. Take, for example, the case of the National Gallery. I think the Parliamentary discussion of that question began with the appointment of a Committee, which was followed by a Commission. Then there was another Committee and after that a second Commission. Thus we had three or four conflicting judgments on the site of the national Gallery. But what is the proper mode of remedy for these evils? I believe they lie entirely beyond the scope and power of a Commission. The question is a large one, involving the relations of Parliament and the Executive Government, and I believe that to appoint a Commission would only be to tempt that body to indulge in grand recommendations and the contemplation of magnificent projects and enormous expenditure, with almost the certainty that their Report would remain a dead letter. And I am sorry to say that there are a great many instances in which it is quite right that the recommendations of Committees and Commissions should remain a dead letter. The hon. Baronet (Sir M. Peto) says that an inquiry can do no harm if conducted in a right spirit. Far be it from me to say that the inquiries made by this House have been conducted otherwise than in a right spirit. We have had the best intentions and the most excellent spirit. A Committee or Commission is appointed very rarely from factious motives, but almost always with a good object. But it has often happened that they have been appointed with levity, and without due consideration of their competency to cope with the task intrusted to them. It is a melancholy fact that for the last twenty years, with only a few memorable exceptions, such as the Public Monies Committee there has been no portion of the business of Parliament in which there has been so little efficiency and so much dissatisfaction as these inquiries. My right hon. Friend (Mr. Cowper) was misunderstood when he spoke of comprehensive plans. He meant merely that he had endeavoured to give consideration to all the questions connected with public works which are afloat in the public mind, and to ascertain the simplest and most convenient method of providing for them. In that sense comprehensive plans are very good. But there are other comprehensive plans upon which I look with dread. Such was the scheme for converting into a great solitude the whole area between Bridge Street, Whitehall Place, and the Parks, and subsequently covering it with magnificent buildings, at a cost of some £4,000,000 or £5,000,000. That was a plan which was developed in the hothouse of a public office, but which withered and died when exposed to the chilly atmosphere of Parliament. Such plans are very likely to proceed from a Commission. The duty to be performed by a Commission ought to be of a definite character. But this Motion involves the entire functions of a public department, and I believe a good deal more. Judging from the observations of my hon. Friend, I suspect that not merely public buildings, in the ordinary sense, but engineering works, and perhaps even fortifications, would come within the scope of the Commission. These things go beyond the business of the Department of Public Works. The Government has every possible motive for agreeing to a Motion of this kind. If adopted, it would relieve my right hon. Friend in the executive from all responsibility. Until the Commission reported we could bring forward no plans, or make no proposals to the House; because if we did, we should be at once met with the declaration that the House had, after deliberation, appointed a Committee to consider "the state of the public buildings erected by Parliamentary grants within the last twenty years; and to inquire whether by adopting more comprehensive plans of building greater public convenience, greater economy, and unity of design, may not be attained." What proposal could we make as long as such a Committee was sitting? If you have in view a particular question—such, for instance, as the Consolidation of Offices, or of the Law Courts—which lies within certain bounds and limits, it may, under some circumstances, be wise to refer it to a Commission. In such a case, the Commission knows what it has to do, and there is a chance that it will do it; but in this instance we are asked to consent to the appointment of a Commission which is not to inquire into the merits of any definite scheme, but to consider, instead of the House of Commons, and instead of the Government, upon what principles, and according to what methods, the business of a certain department of the State is to be carried on. There would be a sinecure created by this Commission, and that sinecure would be the office of my right hon. Friend. There might be some work for the clerks, who would have to prepare returns and reports for the Commission; but until that Commission reported, my right hon. Friend might fold his arms, and might fairly have leave of absence, if the Parliamentary Secretary would give it to him, to travel abroad and improve his mind, because he certainly would not be required to take a practical part in any of the operations connected with these buildings. I want to know, too, how the adoption of this Motion would bear upon matters which are now in hand. The House may differ from us upon the particular proposals which we make, but we have done this:—We have considered the different questions one by one, have made up our minds upon them, and have made proposals to the House. The House has now got before it the question of the Law Courts, which, if not solved, has made some progress towards solution by the comparison of views and opinions which has taken place in this House. We have proposals to make which will come under the consideration of the House within not many weeks, affecting two public buildings, of the greatest importance, and likewise involving public questions of great interest—one with regard to the enlargement and re-arrangement of the buildings at Kensington, and the other respecting the transfer of a large portion of the British Museum to that part of the town. Suppose that a Commission is appointed, are we to go on with these proposals, or is the British Museum to remain in its present state, unable to accommodate important parts of the collection for some years, until the Commission has reported? There is, also, the question with reference to the Foreign Office. That, I presume, is quite beyond the scope of such a Commission. There are, also, the questions of the Consolidation of the Admiralty and the erection of a Patent Office and Museum, which must likewise remain in a state of suspense until the Commission reports. There are other questions, too, which demand the early attention and decision of the House, such as those of the National Gallery and the disposal of the site of Burlington House. Well, all these questions, as I understand the Motion—and I do not think that its terms are ambiguous—will be suspended for some years, for years it must be before a Commission can report upon these entangled and complicated questions; and when you get the Report, you will find that a Commission is much too weak an organ to deal with such complicated difficulties, and that its authority is insufficient to solve them. The solution of this question as to the mode of managing public works in this country must be worked out in the regular, practical, and constitutional method to which we are accustomed; that is to say, in the daily and habitual relations between the executive Government and the House of Commons. The executive Government must take upon itself the management and settlement of these great questions. The Cabinet must give its judgment upon them, and the House of Commons must deal with them as questions upon which the Cabinet has pronounced its opinion. I have no doubt, that if in that way the authority of the Executive is brought to bear upon this subject, these questions will receive at the hands of the Executive the consideration which they deserve, and by degrees we shall attain to a better system. But, whether that is so or not, I submit that to appoint such a Commission as this, would be to impose upon a body of gentlemen duties which it would be impossible for them satisfactorily to discharge, and likewise to interpose a practical obstacle of a most serious nature to many practical plans of great consequence and importance to the public convenience which are now in progress, and with regard to which the House of Commons will very shortly be called upon to pronounce a judgment. On the ground, therefore, that all the functions of one department of the Government, and indeed something more, ought not to be made over from the Executive to a body of independent gentlemen, thereby relieving the Executive from all responsibility, and substituting for that responsibility something of a character entirely vague and shadowy, I do hope that the House will not agree to the Motion of my hon. Friend.

SIR JOHN SHELLEY said, that one of the objections to the appointment of a Royal Commission was that a Commission would not look to economy. For one, he wished that the objection had been entertained before the appointment of the Royal Commission on the Thames Embankment, because the expenditure would be double what it would have been if the Commission had not been appointed.

MR. BAILLIE COCHRANE said, he would admit that there was some force in the objections of the Chancellor of the Exchequer, and he therefore would propose to amend his Motion by omitting the words "to inquire into the state of the public buildings erected by Parliamentary grants within the last twenty years," and after the words "public service" to insert the words "in the metropolis."

MR. SPEAKER: The Resolution being before the House cannot be altered without the consent of the House. The hon. Gentleman may, however, with the permission of the House, withdraw his Resolution and present it in an altered form.

Motion made, and Question put,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Commission to inquire into the state of the Public Buildings erected by Parliamentary Grants within the last twenty years, and also for the Houses rented for the Public Service; and to inquire whether, by adopting more comprehensive plans of building, greater public convenience, greater economy, and unity of design, may not be attained."

The House *divided:*—Ayes 49; Noes 116: Majority 67.

INLAND REVENUE AND CUSTOMS ESTABLISHMENTS.

SELECT COMMITTEE MOVED FOR.

MR. HORSFALL said, that in rising to move for a Select Committee to consider the practicability of consolidating the establishments governed by the Boards of Inland Revenue and Customs respectively, he wished to premise that he had no desire to cast any reflections upon either of those Boards, still less upon her Majesty's Treasury. On the contrary, he had to acknowledge the courtesy with which the Chancellor of the Exchequer had acquiesced in the appointment of the Committee. He would only, therefore, call attention to a few points connected with the efforts made from time to time to reduce the expenditure, reserving all matters of detail for the consideration of the Committee. According to returns presented to that House the expense of collecting the Customs and Inland Revenue for the year ending the 31st of March, 1861, was £2,317,218, of which the Customs charges were £770,314, and those of the Inland Revenue department £1,546,904. At various times changes had been made in the constitution of the Board of Customs. At one period there existed three boards—one in London, another in Edinburgh, and a third in Dublin, the latter discharging the double duty of collecting the Customs and Excise. At a subsequent period those three boards were abolished, or rather consolidated into a central board in London, the result of which operation was to save the salaries of between 3,000 and 4,000 servants of the Crown, amounting to a quarter of a million annually. A Commission was appointed some time afterwards to inquire into the expense of collecting the Customs revenue, and their labours resulted in a reduction of forty or fifty in the number of officers of Customs, and in a saving to the country of some £16,000 or £17,000. From 1849 to 1860 no material reduction had taken place. In 1841, when Sir Robert Peel introduced his Free-trade Budget there were about 1,000 articles on which duty was required to be paid, and that number was reduced to 515 in 1849; and in 1860, when the right hon. Gentleman the Chancellor of the Exchequer carried his Budget, the number was again reduced to something little over twenty. Considerable relief must therefore have been experienced by the Board of Customs from the time when the articles on which they had to collect duty amounted in number to 1,000. In the interval the Board had likewise been relieved from the administration of the Navigation Laws, which were abolished; from the charge of the Colonial Customs, which were transferred to the Colonial Legislatures; and from the control of the Coastguard, which had been transferred to the Admiralty. The House and the country therefore had a right to expect that some reduction would have taken place in the expenditure; but how did the facts stand? In 1841 there were 5,037 persons in the employment of the Board of Customs at a cost of £614,009, and in 1856 they had 5,713 persons in their employment at a cost of £687,241, being an increase of 656 persons and of £73,232 in charges upon the country. It was due to the Chancellor of the Exchequer to say that since the Budget of 1860 a reduction had taken place in the staff to the extent of 543 persons, and in money of £87,679. But bearing in mind that in 1841, while there were 1,052 articles on which duty was collected, 5,037 people were employed at a salary of £614,000, in 1861, when the number of articles on which duty was paid had fallen to twenty, there were 5,300 people employed, their salaries amounting to £646,602, being an increase between those respective periods of 263 persons, and £32,593. The Estimates for 1862–3 showed an increase which was not large, but was still an increase; it amounted to thirty-eight persons, and £4,475. He should state a few further facts to show to what extent he thought economy might still be carried in the management of the Customs Department, and of the Department of Inland Revenue. By a return presented to the House, he found that there were nineteen ports yielding a gross revenue of £73,736, and at which the cost of collection was £32,621, or 44 per cent of the gross receipts. That was startling; but an analysis of the receipts and expenses at twenty-one ports, the names of which he would state, showed how it was that such a state of things existed. In the following returns the first amount annexed to the name of the port indicated the gross revenue, and the second the cost of collection:—Aberystwith, £245, £617; Cardigan, £65, £422; Maldon, £272, £875; Milford, 645, £1,337; Padstow, £142, £574; Rye, £278, £661; Scilly, £85, £387; Teignmouth, £655, £666; Wells, £164, £500; Borrowstoness, £721, £654; Campbelton, £17, £471; Kirkwall, £93, £780; Lerwick, £51, £493; Stornoway, £43, £473; Stranraer, £79, £372; Wick, £1,138, £1,264; Wigtown, £54, £705; Strangford, £172, £369; Guernsey, £49, £1,170; Jersey, £154, £1,741; and Middiesborough, £140, £152. The total revenue from these twenty-one ports was £5,262; and the total cost of collection, £14,683, or 279 per cent. He also found that there were seventy-three ports, out of the 128 for which the House had the returns, at which the duties were collected at the rate of 27 per cent. He should, no doubt, be asked whether the trade of these ports was not to be carried on. His reply was that the trade must be carried on; but what he contended for was, that if they had officers of the Customs unemployed at those ports, they ought to employ them in the collection of the Inland Revenue. That was the point to which he would direct the attention of the House and of the Government. The principle of consolidation was not a new one in respect of public departments by which the revenue was received. In 1849 the stamps, the excise, and the taxes were consolidated; and there was quite as much difficulty in that consolidation as there would be in the one which he now advocated. He had not heard it from Mr. Wood, the late chairman of the Board of Inland Revenue, himself, but he had reason to believe that he (Mr. Wood) would have carried the work of consolidation still further. The next point to which he wished to refer was that of the multiplicity of forms now used in the Customs and Excise offices. These forms might be very easy to the officers who had each his particular department to attend to, but to the merchant or clerk who had all the forms to attend to they were a mass of confusion. He could not sit down without saying that he entirely concurred in the statement made by the Chancellor of the Exchequer a few evenings before—that if they were to look to the remission of taxation, that could only be obtained by a gradual but resolute economy in every department of the public service. The hon. Member concluded by moving for a Select Committee.

THE CHANCELLOR OF THE EXCHEQUER said, that he rose on the part of the Government to give a cheerful assent to the Motion of his hon. Friend as it then stood; but he was bound to say that it would not have been compatible with his duty to agree to a Motion which would have contemplated as a proper subject of inquiry, and probably of adoption, the consolidation of the Board of Customs with the Board of Inland Revenue. On that subject he would not pretend to give an authoritative opinion; but having had considerable experience arising from a constant connection with the heads of those departments while filling the office which he had the honour to hold, he thought he had the means of forming a judgment on the nature of their functions, and he confessed he had come to the conclusion that these functions were so weighty and so anxious that, in the case of the Board of Inland Revenue, consolidation had been carried to the very furthest point to which it was possible to carry it without great mischief to the public service. His hon. Friend said he understood it to have been the opinion of the late Mr. Wood that consolidation might have been carried further. For the opinion of Mr. Wood, in all questions relating to the administration of the public revenue, he had the most profound respect. He believed that the country had never enjoyed the services of a better officer than the late Mr. Wood; but from his knowledge of the views of that Gentleman he thought there must be some misunderstanding. Mr. Wood might have been in favour of the union of some particular offices; but as to a union of all the boards intrusted with the collection of the entire revenue of this country, with the exception of that derived from the Post Office, into one board, he must express his opinion that such was not the view of Mr. Wood. Nothing but great ability and a more than ordinarily comprehensive knowledge could qualify any man to fill the office now held by Mr. Pressley. That gentleman filled the office of Chairman of the Board of Inland Revenue with great advantage, because he brought to the performance of his duties the advantages of a most excellent capacity and of an experience of forty years. To find a successor to him, in the event of his retiring, would be no easy matter. Nearly the same thing might be said of the head of the Board of Customs. It was quite true that owing partly to wise legislation during the last twenty years, and partly to the efficient management of the department itself, the anxieties of the head of the Board of Customs had been very much lightened; but there were still heavy responsibilities attached to the office; and, on a consideration of all the circumstances, he thought it was not the duty of any Government to assent to a proposition for the consolidation of the Customs and Inland Revenue Departments. The question of consolidation was not one of principle, but of degree, and they were justified in carrying it to a certain point, but beyond that point it ought not to be carried; and that point would be reached certainly whenever the mind of man would be overstrained by its being carried further, as he thought would be the case in this instance, if they were to amalgamate the two departments. As the Motion stood, he anticipated nothing but utility from it, and he was thankful to the hon. Member for giving the House a virtual promise of his able assistance in their important inquiry. The House must not, however, understand from what had been said of the particular ports quoted by the hon. Member, where the cost of collection bore an outrageous proportion to the revenues levied, that the comparison was fair and complete, without reference to other considerations. No doubt there were several ports where it would be in one sense the interest of the State to abandon the revenue and the collection. The establishments, however, were maintained at these places, because the officers had other very important duties to discharge besides the collection of revenue. The Customs officers were the instruments of carrying out various laws that were not revenue laws, and it was also necessary to maintain establishments at these ports for the purpose of preventing the introduction of contraband goods. The figures taken by themselves would therefore be fallacious. At the same time, he agreed that the state of those establishments was a fair subject for inquiry, and that it was possible arrangements might be made advantageous both to the revenue and the establishments themselves. It would, however, be a breach of duty, while on that subject, if he permitted the assent of the Government to the Motion to be construed as implying any unfavourable opinion of the manner in which the great revenue departments in question were now administered. His opinion was that those two departments were pervaded by a spirit of energy and purity, of anxiety to accommodate the public and to discharge their duty at the smallest cost, which was highly honourable to them and a pattern to all public servants. The manner in which the revenue of the country was collected was a subject of very agreeable contemplation. In 1848 the cost of collecting the Customs Revenue was £5 15*s.* 3*d.*; in 1857, £4 12*s.* 5*d.*; in 1860, £3 11*s.* 6*d.*; in 1861, £3 6*s.* 9*d.*; and for the year ending March, 1862, £3 2*s.* 6*d.* per cent. That was a gradual and very great practical diminution in the cost of collecting the revenue. The cost of collecting the Excise Revenue was, in 1842, £6 15*s.* 7*d.*; and in 1857, £4 15*s.* 9*d.* The whole cost of collecting the Inland Revenue, including both the direct and indirect taxes, was only £2 15*s*. 6*d*. per cent. In France the cost of collecting some of the taxes was not less than 16 per cent, and the cost of collecting the Customs duties in the United States was 8 per cent. The greatest inducement to inquire into the subject was the system of receiving and paying the money, which it would be desirable to simplify and to treat as pure matters of revenue and account. He would not say whether the union at which the hon. Member hinted would be found to be practicable, but it would not be safe to suppose that the appointment of the Committee would be followed by great and sweeping changes, or that large savings would be effected. With these remarks, he gave a cheerful agreement to the motion.

Motion *agreed to*.

Select Committee *appointed*,

"To inquire whether it would be practicable and advantageous to consolidate any of the Establishments now governed by the Boards of Inland Revenue and Customs, respectively; or to unite any portion of the duties performed by their officers, with a view to economy in the collection of the Public Revenue, and to simplicity of arrangement."

And on May 7th Committee *nominated*—Mr. HORSFALL, Mr. PEEL, Mr. HANKEY, Sir HENRY WILLOUGHBY, Mr. EDWARD PLEYDELL BOUVERIE, Mr. CHARLES TURNER, Mr. MILNER GIBSON, Lord ROBERT MONTAGU, Mr. WILLIAM EDWARD FORSTER, Sir STAFFORD NORTHCOTE, Mr. HENNESSY, Sir EDWARD GROGAN, Mr. LIDDELL, Mr. LAIRD, and Sir WILLIAM HAYTER.

Power to send for persons, papers, and records; Five to be the quorum.

CHARGES ON FOREIGN TRADE.

SELECT COMMITTEE MOVED FOR.

MR. MOFFATT said, that he had placed a Motion on the Paper for a Select Committee to inquire into the operation of the petty charges on commerce imposed in 1860. He had given notice of that Motion, with a view of proposing an inquiry into the whole of the petty and vexatious charges imposed by the Chancellor of the Exchequer in the financial arrangements of 1860. These were six in number:—1. The imposition of 5*s*. per cent on every payment for Customs duties, which had proved to be a most annoying and vexatious tax, yielding an enormous amount of trouble and increased clerical labour for a revenue of £60,000. 2. The charge of 1*d*. per package on every article imported into the United Kingdom, which had proved fertile in obstruction and annoyance, while it had utterly disappointed the calculations of the Chancellor of the Exchequer. 3. The tax on bills of lading and shipping bills of 1*s*. 6*d*. each, which was also a subject of general complaint. 4. The penny tax on delivery orders. That impost was probably the cause of severer annoyance, uncertainty, and difficulty than either of the preceding; two Acts of Parliament had been passed, and still the incidences of the tax were full of uncertainty, while the amount the revenue gained by it was absolutely insignificant. 5. Tax on dock warrants of 3*d*. each, which, instead of producing the anticipated revenue of £100,000, had only produced from £8,000 to £10,000 per annum, and was now gradually declining. The tax was applicable wholly to the port of London, and was tending to throw into disuse a very valuable and important document. 6. Tax on brokers' contracts, which, although limited in its operation to Stock Exchange transactions, had proved another failure, both in its general application and in the amount of revenue derived therefrom. Under these circumstances, and feeling sure that the proposed inquiry would be highly beneficial to the general interests of the trade of the kingdom, it was with extreme regret that he narrowed his Motion to the limits which he now had to propose. Four of the subjects appertained to the home trade; the other two to the imports and exports of the country. It had been intimated to him that the Gavernment would oppose the general inquiry, but were willing to make an inquiry in regard to the import and export trade. That was a serious limitation of the original proposition, to which he assented with extreme reluctance, its main merit being that it dealt with about £180,000 of the revenue which had been raised under those impolitic and ill-advised petty taxes, leaving less than £100,000 from the other four sources to be dealt with at some future period. However, most reluctantly as he adopted the proposition of Her Majesty's Government, he would beg leave to move that a Select Committee be appointed.

THE CHANCELLOR OF THE EXCHEQUER said, the Government were willing to accede to the Motion of his hon. Friend in its altered form. His own opinion was that the charge upon goods entered inwards did not justify the practical burden which, in the shape of labour, it imposed upon persons engaged in trade. Some of the other changes, however, were useful for the purposes of statistical information, and the question for consideration was whether the statistics collected were worth the trouble involved in the collection. Upon the subject of entries inwards as well as that of bills of lading outwards different classes of persons entertained different views, and he thought the proposed Committee would afford a fair opportunity of hearing and comparing all those views, and of bringing together a mass of information bearing upon the question how far it was right or necessary to impose upon those engaged in trade the very considerable labour which the collection of statistics involved. He should have preferred an inquiry under the authority of the Crown; but being desirous to meet his hon. Friend in a spirit of conciliation, and knowing that the House always liked to have the conduct of such inquiries in its own hands, he cheerfully acceded to the appointment of a Select Committee.

Mr. NEWDEGATE said, he wished to ask whether the inquiry would embrace the colonial as well as foreign trade?

The CHANCELLOR of the EXCHEQUER said, it would have no bearing upon any trade except that to and from the ports of the United Kingdom.

Mr. NEWDEGATE: Including the trade from colonial ports?

The CHANCELLOR of the EXCHEQUER: Certainly.

Motion *agreed to.*

Select Committee *appointed,*

"To consider the best mode of obtaining statistical information respecting the Foreign Trade of the United Kingdom, and the bearing thereon of the Charges imposed on the entry of Goods inwards, and on Bills of Lading outwards, by the Customs Act of 1860, as well as the operation of the said Charges upon Trade."

SUGAR DUTIES.

SELECT COMMITTEE MOVED FOR.

Mr. CRAWFORD said, he rose to move for a Select Committee to inquire into the operation of the present scale of Sugar Duties, with especial reference to their assessment upon a classification according to the quality of the Sugar. As his Motion had not only the support of the Government, but was not opposed by any Member of the House, he would not detain them for more than a few minutes. The sugar duties were levied in 1854 upon the principle of appraisement of the quality of the sugar according to standards in the possession of the authorities. In the period which had since elapsed sufficient experience had been acquired to test the validity of the objections expressed with respect to that system when it was originally proposed. There was, however, considerable difference of opinion upon the subject. On the part of some interests with which he was himself connected—the growers and producers of sugar in the East Indies—great objection was taken to the principle of appraisement of the quality of the article. That objection was concurred in by the producers in the Mauritius, and also by some in the West Indies, more especially in the colony of Demerara. On the other hand, certain domestic interests were quite content with the present state of things. The refiners objected to any alteration, but the consumers, represented by the wholesale grocers, wanted a change. Not long ago representations on the subject, both for and against an alteration, were addressed to the Government, and it would be recollected that the Chancellor of the Exchequer, in his Budget speech, invited an examination of the question before a Select Committee. That invitation was accepted by the parties concerned, and it was at their instance that he submitted his Motion. Though closely connected with the East India trade, he did not forget that he represented, as one of the Members for the City of London, a variety of other interests, and it was therefore his wish that the inquiry should be as full, fair, and free as possible. He proposed that the Committee should inquire into the operation of the sugar duties, and by their operation he meant the effect produced by the classification according to the quality of the sugar. All parties engaged in the trade would have an opportunity of appearing before the Committee and explaining how their interests were affected. The inquiry, of course, would not embrace the general policy of the Sugar duties as constituting a large item of the revenue of the country, but it would necessarily extend to the question of refining in bond. He would conclude by moving his Resolution.

The CHANCELLOR of the EXCHEQUER said, he thought that the only objection which could be taken to their proceedings was, whilst they had negatived one Motion for a Committee of Inquiry, they had acceded to three such Motions for Committees to investigate commercial subjects. He thought, however, that the Motion before them was a very proper one, and though the appointment of such Committees would tax the strength of the House, he hoped that they would use their best endeavours to conduct simultaneously the three inquiries. It was desirable also that the country should understand that the proposed Committee was not to inquire into the expediency of reducing the sugar duties considered as an engine for raising money to meet public expenditure. All were agreed that a reduction should be made as soon as possible, but that was not a matter to be investigated at that time. Nevertheless, a very important question remained for the consideration of the Committee, and he trusted that his hon. Friend and the other Members of the Committee, whatever might be the interests with which they were connected, would contribute their joint efforts to the production of information which would be of great value upon confessedly one of the most difficult subjects within the whole range of their fiscal laws.

Motion *agreed to.*

Select Committee *appointed,*

"To inquire into the operation of the present scale of Sugar Duties, with especial reference to their assessment upon a classification according to the quality of the Sugar."

And on May 1st Committee *nominated*—

Mr. Crawford, Mr. Cardwell, Sir John Pakington, Mr. Thomas Baring, Mr. Cave, Mr. Dunlop, Mr. Crum-Ewing, Mr. Gregson, Mr. Hankey, Mr. Moffatt, Mr. Potter, Mr. John Tollemache, Mr. Charles Turner, and Mr. Vance.

Power to send for persons, papers, and records; Five to be the quorum.

SITTING OF THE HOUSE ON THURSDAY.

Mr. KINNAIRD wished to inquire what arrangement was proposed by the noble Lord at the head of the Government as to the sitting of the House on Thursday.

Viscount PALMERSTON said, he should propose on the following day that the House should on Thursday meet at six o'clock.

SUPPLY—REPORT.

Resolutions 1 to 96 *agreed to.*

(97.) £350,000, Convict Establishments.

Mr. SELWYN said, that the Vote included an item which, though small in amount, was of very great importance in point of principle, and which had been passed the evening before in a very thin House, and which was now again brought up when very few hon. Members were prepared for such a course. The item he referred to was the sum of £550 for special services for convicts in prisons, and for the religious instruction of Roman Catholic convict prisoners. It was mentioned by the right hon. Gentleman the Home Secretary last evening that the matter was before the House in 1854. A long debate then took place on the subject in a full House—one of upwards of 300 Members—and a Vote for the very same sum of £550 was then rejected by a majority of 32. He should conclude by moving the reduction of the Vote by the sum of £550; but if any Member of the Government or any hon. Member felt taken by surprise at the Motion, he should be happy to consent to the postponement of the discussion. The item was introduced for the first time for England and Scotland, though it was true there was a similar one for Ireland; and the question which had been repeatedly put, but never answered, was this—on what principle could they grant payment to these Roman Catholic priests without extending it to the ministers of all other denominations? The House had a right to know on what ground a Vote which had been considered and rejected eight years ago now reappeared in the Estimate. He was most anxious that the discussion of this subject should not be prejudiced by the use of language which could give offence to any member of the Roman Catholic persuasion. With a view to the postponement of the question, he begged to move that the item of £550 be omitted from this Vote.

Amendment proposed, to leave out "£350,000," and insert "£349,450," instead thereof.

Mr. WHALLEY said, he was extremely gratified to find the matter taken up by the hon. and learned Member for Cambridge University. If the House did not take care the, proposed grant for Roman Catholic chaplains would hereafter be made the pretext for further endowments to the Roman Catholic Church. The priests of that Church, he contended, were officers of a great political system extending itself throughout Europe, and very little less throughout this country than any other. And what were the principles by which these officers were governed? He had been able to show in the few words he addressed to the House on the previous evening, that if the priest faithfully discharged his duty in his instruction to the convict, he would counteract every principle of their system of jurisprudence, and justify every crime for which convicts were punished, and render quite ineffective the punishment inflicted. The passing of this Vote was inserting the thin end of the wedge; and he knew full well, if that were once accomplished, with what energy and perseverance it would be driven home. In justification of the view which he took, he would mention that the main ground upon which Sir Robert Peel put the Act for the permanent College of Maynooth was that Parliament shortly before had made it compulsory on grand juries in Ireland to appoint Roman Catholic chaplains to prisons upon a requisition from the judge, and had required them to make provision for the services of these chaplains from the public purse, and in fact placed them on a footing of equality with the clergy of the Church of England. He wished to express his gratification at finding the subject taken up by abler and more influential hands than his own, and he should most cordially support the Motion of the hon. and learned Member.

MR. HADFIELD said, that since the hon. and learned Member had declared that the Vote would be an excuse for more extended grants to other denominations, he took that opportunity of observing that he believed there was no danger of any such result. He believed there was no class of her Majesty's nonconformist subjects who required one shilling for purposes of the sort. Happily, they were independent of the aristocratic classes of the country, who had showed their spite against them in vain. Some short time since no less than 127 Members of that House had voted for the continuance of that odious and detestable declaration which was an insult to the feelings of nonconformists. The Government knew very well, that if the grant for Maynooth were discontinued, the Irish church would not continue for many months. He only wished that the wealthy and influential body of Roman Catholic nonconformists in Ireland would join their brethren in this country in renouncing all reliance on Government aid. He protested against its being supposed that the House would ever be led into the mistake of granting further aids to religious bodies: or that the nonconformists would accept what was given only to injure and ruin them by making them pensioners of the State. He therefore told the hon. and learned Member that he need not quote the nonconformists as expectants of state bounty, and if that were his only objection, he might withdraw his opposition to the Vote. Inside the Church they could not agree, except in holding what they had got, and insulting and offending the nonconformist body. Still be should vote against the item of £550—because he thought it was one of the last acts of Christianity to tax any member of the State for the support of a religion which he did not approve.

SIR GEORGE GREY said, he thought that although the House in 1854 rejected a similar Vote, they would not now deliberately deprive the Roman Catholic prisoners in our convict gaols of all religious instruction, except that which might be casually given to them by priests residing, in some instances, at a distance of eight or ten miles from the prisons. His hon. Friend who had just sat down had addressed the House upon a question with which the Vote had no connection. The Vote for Roman Catholic chaplains did not raise the question of the voluntary principle. It was impossible to contend that the State, after it had committed a man to prison for a term of years, or for the greater portion of of his life, as a punishment for the offence which he had committed against the State, should afford him no religious instruction. The State would be altogether abandoning its duty if it left that man totally destitute of religious instruction because he was a Roman Catholic. It was the bounden duty of the State to place within the reach of its prisoners such religious instruction as they could conscientiously receive, because they could not themselves go in search of it. In the case under consideration the same principle did not apply as in the case of people not confined within the walls of a prison. He must deny that the Vote went to establish a new principle, and he must confess he was surprised to hear the hon. and learned Gentleman (Mr. Selwyn) offer any objections to it on that occasion, considering that he was present on the previous evening, when the question was raised by the hon Member for Peterborough (Mr. Whalley), and that he had not then thought it necessary to raise his voice against it. Fourteen or fifteen per cent of the prisoners under the immediate care of the Government in England were Roman Catholics. Very many of them were Irish Roman Catholics, who had come over for employment in this country; they belonged to the poorest class of the community, and constituted a large proportion of the criminal population of the country. Some convict prisons contained nearly 200 Roman Catholic prisoners, and he had been frequently pressed to make some provision for their religious instruction by ministers of their own religion. Before deciding whether those requests should be complied with, he did not think it necessary to refer to the authorities quoted by the hon. Member for Peterborough last night. He would have been exceeding the bounds of his duty if he had entered into an inquiry as to the doctrines professed by members of the Roman Catholic Church. He felt that the very large number of Roman Catholic prisoners under the immediate care of the Government ought to receive religious instruction. That instruction they could conscientiously receive from none but ministers of their own faith, and the law had expressly provided that Roman Catholic priests should be admitted to give instruction to prisoners. That, he thought, was a sufficient answer to the arguments of the hon. Member for Peterborough as to their errors of doctrine, and the mischief which would be done by this Vote. He had been astonished to hear the hon. and learned Member for Cambridge state that the Vote involved a new principle, because an Act was passed some years since requiring the appointment of Roman Catholic chaplains to all prisons in Ireland, and for their payment by the State. The hon. and learned Gentleman could not carry out his views in Ireland as he proposed to do in England, because a vast majority of the population there were Roman Catholics. But in Ireland, where there were Protestant prisoners, Protestant chaplains were appointed. But in England, what had been done? Provision was made for the payment of Roman Catholic chaplains for the army. Would the hon. Gentleman dare to deprive the Roman Catholic soldiers of this country serving abroad of the ministrations of their Roman Catholic chaplains who were paid by the State? Now, a Roman Catholic soldier committing an offence, if he received a sentence of imprisonment, would undergo his sentence in a military prison, where a Roman Catholic chaplain is provided; but if he were sentenced to penal servitude, he would be sent to one of the gaols to which the Vote applied, and there no provision was made for his religious care. Something had been said about injustice to Protestant Dissenters, but he had never heard any complaints of Protestant prisoners having conscientious scruples against attending the services performed by the Protestant chaplain. If any such complaint should be made, and the number of prisoners was considerable, he would not hesitate to propose a Vote to remedy the grievance. At a time when they were seeking to induce foreign Governments to act with liberality towards their Protestant subjects, it was imprudent to withhold an act of justice from their Roman Catholic fellow-subjects in this country, and he hoped the statement he had made would induce the House to grant the Vote.

Mr. WHALLEY explained, that he did not object to the religious tenets of the Roman Catholic Church, with which he had nothing to do; but he objected to the Roman Catholic Church because there was associated with it a system of law called canon law.

Mr. SPEAKER reminded the hon. Gentleman, that having spoken once, he could not speak again.

Mr. NEWDEGATE thought, when the right hon. Gentleman the Home Secretary reviewed his observations, he would find that the principle which he had enunciated would go the whole length of justifying the establishment of the Roman Catholic Church in this country. Because what did the right hon. Gentleman's statement amount to? It went to this—that it was not sufficient to afford every facility for the access of Roman Catholic priests to the Roman Catholic prisoners within the gaols of this country, and he (Mr. Newdegate), for one, should deeply lament if such access were not given; but the right hon. Gentleman said that it was also necessary that the state should pay the Roman Catholic chaplains regular salaries for attending those prisons. The right hon. Gentleman, in support of his argument, adduced the fact of Roman Catholic priests being appointed as chaplains to the gaols in Ireland, and Roman Catholic chaplains to the army. He (Mr. Newdegate) thought it necessary that the country should be made aware of the extent to which that principle of the right hon. Gentleman would lead the House. In 1854 this very Vote now before the Committee was proposed, and was rejected. There was a much deeper and graver principle involved in this Vote than that referred to by the right hon. Gentleman. It was idle to deny the fact that the Roman Catholic Church was an ambitious political body. Further, it was idle to deny the fact that such had been the tyrannical exercise of the power of that Church where it was fully established on the Continent, that large Roman Catholic communities had risen up to free themselves from that tyranny. It was also the professed principle of her Majesty's Government, acting in accordance with the feelings of the country generally, to give the sanction of their sympathy the efforts of those communities. It was no question of toleration which they were considering, it was not a question of freedom of conscience, but it was the question whether the Government and the Legislature, in the face of all that was taking place upon the continent of Europe, could be justified in saddling this country with the payment of salaries to Roman Catholic priesthood, and in taking this important step towards the endowment of the Roman Catholic Church It was very well known that the Catholic Church had ample means of its own for the building of monasteries, convents, chapels, churches, and schools. It was notorious, from the wealth of the Roman Catholic body, not in this kingdom, large sums were being contributed to maintain and support the temporal power of the Pope in this country, which was so offensive to a great part of Europe. Surely, then, the plea of poverty could not be urged on the part of the Roman Catholic community, to justify that House in departing from the deliberate decision which it emphatically pronounced on that subject eight years ago. It was idle to ignore these facts. The Roman Catholic priesthood, much more than the laity, were straining every effort to obtain authoritative access, not only to the Government gaols, but also to every other prison and workhouse throughout the kingdom, that they might be able to intrude their presence upon all the prisoners and inmates, whether they were asked for by these unfortunate captives or not. Now, he strongly objected to granting any such power, although he should be willing to afford them every assistance for obtaining access to all prisoners who really desired their ministrations. He thought that one Established Church was quite enough for this country. [MR. HADFIELD: Hear, hear.] He was glad the hon. Member for Sheffield cheered that observation; but if he were to judge from the hon. Gentleman's speech, he was desirous of establishing another Church with the view of overturning both. Unfortunately, when the hon. Member for Sheffield rose in that House, his sincere and long-cherished opinions often carried him beyond the limits of toleration and of prudence. He (Mr. Newdegate) thought that the great dissenting bodies in this country had long since recognised the fact that the freedom which they now enjoyed in this country was much greater than any which had been offered them in the times of their forefathers, and that practically they enjoyed greater freedom here than in any other country; and he hoped that the nonconformists would have had, consequently, the wisdom as well as the candour to acknowledge that the Church of this country was not only most tolerant, but was the great bulwark of their freedom. It was very painful to him to hear the hon. Member for Sheffield express himself in terms which obviously indicated a desire on his part to see the Roman Catholic Church established beside the Church of England, with the hope of seeing both eventually overturned. The hon. Gentleman called him a bad Englishman. He (Mr. Newdegate) must confess that he considered the maintenance of the Established Church as the sanctuary of that morality which he believed to be the basis of our power. If his holding that opinion constituted him a bad Englishman, he pleaded guilty to the charge, but in no other sense. For that reason he rejoiced in the establishment of that Church; but he deprecated the obvious views of the hon. Member for Sheffield in favour of the establishment of another Church, although it appeared the hon. Gentleman had not the courage to carry out his principle by his vote. He reminded the House that they had been already told by a great authority on the subject, the hon. Member for Galway (Mr. Gregory), that the bishops of the Catholic Church in Ireland were now so much under the authority and influence of the Pope's Legate that they had informed Her Majesty's Government that they must resist the removal of any chaplain of their Church by the civil authority. Remembering that the distinct announcement of that fact had been made in that House, he would ask whether that was the time for enlarging the power and authority of the representatives of the Church of Rome in the United Kingdom? For the sake, therefore, of the religious freedom of Roman Catholics prisoners in England, as well as with a view to the furtherance of the liberation of the whole body of Roman Catholics in England from Papal tyranny, he thought it would be but wise and consistent on the part of the House to reject this Vote, and thus confirm the deliberate decision which the House had arrived at on this question some eight years ago.

LORD EDWARD HOWARD said, it

seemed to him a curious thing that it should be made a charge against the ministers of any religion that they wished to obtain fair and legitimate admission to the poorest and most friendless of their flock who were dragging out a miserable existence in the gaols and workhouses of the country. He, on the contrary, conceived that, instead of that being a ground of accusation, it was a matter which reflected the greatest possible credit on them. Considering the way in which the question had gone off on the previous night, he had been in hopes that they would not again have witnessed such a scene as they all regretted to observe in the Legislature, when a simple question of prison discipline was blown up into something like a bubble by hon. Gentlemen, whose fears were quite disproportionate to the importance of the subject. He was glad to avail himself of that opportunity of thanking the right hon. Gentleman the Secretary of State for the Home Department for his exertions to perform an act of justice to the poor Catholic inmates of the convict prisons who were in want of spiritual consolation. No doubt he had thought it an urgent matter, requiring immediate action, for without the appointment of chaplains for prisoners the criminal population could not be expected to be reformed ; and, as there was a large number of Roman Catholics prisoners, unfortunately, in the gaols of this country, it was right that the means of religious consolation should be afforded to them. They were among the poorest classes in the country, but they gave great assistance to the State, as gallant soldiers and sailors, and as workmen in various laborious occupations ; and they therefore deserved some consideration when, in consequence of destitution, they were driven to commit acts which caused them to become the inmates of gaols. If the small sum of £550 was compared with the various large amounts which had been read out from the Chair, it would strike any man that it was a mere trifle. Surely no one could carp at the Vote, unless it was looked upon as a question of principle. But if a question of principle was involved, then it was obvious that hon. Gentlemen who objected to the Vote should go further; they should object to the payment of Roman Catholic chaplains in the army and in Ireland, and they should have objected some years ago to the Votes of money granted by that House for religious practices in India which were contrary to the laws of Christianity. If hon. Gentlemen would take the trouble of reading the blue-books which had been published concerning the prisons of this country, they would see what stress was laid upon the necessity for administering religious advice to the prisoners. Why, then, should the Roman Catholic prisoners be deprived of the advice and ministration of their priests ? Were they to have the ministration of Protestant clergymen foisted upon them ? If they appealed to common sense upon the matter, common sense would point out that the Roman Catholic clergyman should have free and fair access to the prisoners of the Roman Catholic religion. Let the Roman Catholic prisoner know that there was some one of his own religious belief whom he might call upon to console him and to bring him the blessings of hope. At present it was often found that the prisoners were not aware that they might have the ministrations of clergymen of their own faith ; but if chaplains of their own religious belief were appointed, then they would be aware that they might call for their advice and consolation, and a new chance would be given them of returning to society as honest men. It had been said by the hon. Member for Sheffield (Mr. Hadfield) that the Dissenters did not want to have their clergymen paid, and the hon. Member opposite had quoted a passage from the debate in 1854 to the same effect. Well, he believed that the Dissenters, as a body, were content with the ministration of clergymen of the Church of England in the prisons ; but that was not the case with Roman Catholics. He would say without fear of contradiction, that in proportion as Roman Catholic chaplains were allowed free access to Roman Catholic prisoners would the discipline of the prison be more effectual. He believed there had been instances in which the prison authorities themselves wished to bring the Roman Catholic prisoners into communion with Roman Catholic clergymen, as they found them unmanageable without such intercourse. It was absurd to suppose that Roman Catholic prisoners could be made honest men by the ministration and teachings of clergymen in whom they had no faith. If, on the contrary, the Roman Catholic chaplain was admitted to the Roman Catholic prisoner, there was a chance of reforming him, and thus of diminishing the great expense which attached to the prisons of this country. The Roman Catholics were the poorest class of the population, and yet they contributed most liberally to the support of the churches and schools of their religion. It was not fair to the Protestant chaplain himself to oblige him to force himself upon men who were not willing to receive him. Let Roman Catholic chaplains, then, be admitted to prisoners of their own faith—they asked no more, but they did ask that—and it would be found that many would be rescued from among the criminal population and be made useful members of society.

Mr. HOWES said, he could not but express his regret that the right hon. Gentleman the Secretary for the Home Department had entirely mistaken the position of his hon. and learned Friend the Member for the University of Cambrige. What his hon. and learned Friend had said was that he objected to the extension to this country of the principle which had been applied to Ireland; that it was a distinct reversal of the arrangement made in 1854, and that such a step ought not to be taken without as ample a discussion as had been given to the subject eight years ago. His hon. and learned Friend, then, moved his Amendment with the view of having the question fully and fairly discussed. He would therefore press upon the Government the propriety of acceding to the proposition of his hon. and learned Friend.

Mr. KINNAIRD said, he would have made some remarks upon the question last night, but the speech of his hon. Friend the Member for Peterborough (Mr. Whalley) had so thoroughly destroyed the expectation of any calm discussion that he himself abstained from making any observations. There was in this country the most complete religious equality; the noble Lord himself admitted that he had nothing on that score to complain of—he admitted that there was complete toleration, but he wanted payment for the clergymen of his own persuasion.

Lord EDWARD HOWARD said, the hon. Gentleman had no right to put into his mouth words which he had not used. He had a great deal to complain of in the position of Roman Catholics in this country.

Mr. KINNAIRD said, he only had to repeat that there was complete toleration. If he heard of any case in which prisoners wished to have assistance from a Roman Catholic priest, he should be the first to urge upon the Government the propriety of complying with such a request; but it was a different thing to endow Roman Catholic Chaplains, and entitle them, with the authority of the Government and Parliament to visit the penal establishments as they pleased. He therefore regretted to hear what had fallen from the Home Secretary on the subject. And if the Vote were to pass, where was the principle to end? The noble Lord spoke of the grants to India as being equally objectionable on principle with the Votes to Roman Catholic chaplains of prisons. Well, so said he (Mr. Kinnaird); and he had always opposed those grants for purposes connected with the native religions of India. He quite agreed with the noble Lord that gratitude was due from him to his right hon. Friend; but he should certainly support the Amendment of the hon. and learned Member.

Mr. HENNESSY said, the hon. Member opposite (Mr. Kinnaird) was very much mistaken if he imagined that the Catholic Members of the House knew so little about the subject now under discussion, as to admit, for one moment, that anything like religious toleration was exhibited in the treatment of Catholic prisoners in Great Britain. On the contrary, this was the very point at issue, and the House should not be carried away with the idea that the payment of a paltry and inadequate sum of £550 in any degree exhausted the real question. That question was:—Are Catholics to be treated on a different principle from Protestants, or are Catholic clergymen to have precisely the same opportunities of access to the inmates of prisons as Protestant clergymen now possess? This Vote hardly touches that great question, for, in the first place, let it be remembered that the Estimate of £550 is only for eleven prisons, whereas there are over one hundred and fifty prisons in Great Britain, where Catholics are confined, and to which this Estimate of course will not apply. But this is not all. The Home Secretary said not a word as to the regulations under which religious worship and instruction are to be afforded. Perfect freedom and facility in the ministrations of the priest and an adequate remuneration for such ministrations constitute the demand of the Catholics; and of this demand how much is now conceded? Nothing whatever of the really important branch of that demand, and about five or six per cent of the minor branch. Why this £550 for all the Catholic prisoners of Great Britain is not equal to the sum for the Protestant prisoners in a single prison of Great Britain. In the nearest prison to this

House—in Millbank—there is a Protestant chaplain receiving a salary of £365 a year, with an assistant chaplain getting a salary of £245 a year, a chaplain's clerk getting an annual salary of £120, and a Scripture reader receiving £130 a year; making altogether, for the Protestant chaplain and his staff, an annual Vote of £860. Again, two Protestant chaplains in Parkhurst receive over £600 a year between them; in Pentonville the salary of the Protestant chaplain is £350, and he is assisted by two Scripture readers at salaries of £160 and £125 each. At Portland the Protestant chaplain gets £400, his assistant chaplain £300, and the Scripture reader completes the respectable sum of £860 for that single prison; and so it runs on through the whole Estimate for Great Britain. But, turning over a few pages, he found the Irish Estimate, in which is to be seen sums proposed for every prison, in that Catholic country, for Protestant chaplains, as well as Catholic and Presbyterian chaplains. In Catholic Ireland, Protestant and Presbyterian clergymen have ready access to the prisons, and are well paid; surely equal justice might be expected for the minority in Great Britain. Nor should it be forgotten that Ireland set something more than the example of toleration to England; Ireland also set the example of the most successful convict and prison discipline. Every one admits that the Irish system is more successful than the prison system in England and Scotland; and it is easy to see why this should be the case. In England and Scotland the most salutary agent of convict reformation — the priest—is excluded; in Ireland the prisoners have the constant consolation and support of religion. He had received this very morning a letter, dated Philipstown, 25th April, 1862, which illustrated the effect of the Irish system. The letter was from the Rev. William Little, the Protestant rector of Philipstown, and one of the chaplains of the convict prisons which had just been abolished in the King's County. This gentleman, in establishing a special case for superannuation, says in his letter—"I would never have thought of employing a curate, the Protestant population here being small, only for my connection with the prison." What an example this furnishes to England. But, indeed, the example is to be found even in England itself. In the military prisons, thanks to the spirit of justice which moved the late Government in 1858, the Catholic inmates receive the daily visits and constant ministrations of priests, whose salaries as military chaplains are voted in the annual Estimates. This was not a question merely of civil and religious liberty; financial reformers were specially interested in it, for, beyond all doubt, the free admission of the priests would tend to reduce the heavy Estimates now voted for the support of prisoners. A remarkable case occurred in a prison in Islington not very long ago, where a most refractory criminal exhausted all the means of punishment the governor possessed, and still remained violent, and dangerous to be approached. The dark cell, bread and water, fetters, and every other prison agency, failed. The prisoner was more like a wild beast than a human being, and he was a constant source of alarm and annoyance to the prison officials. At length some one hit upon the happy expedient of sending for a Catholic priest. Canon Oakeley, the priest of the parish, came. In a few days the discipline of the prison was restored, and the unfortunate object of the governor's anxiety is now among the class of reformed criminals. In making these observations he had avoided discussing the theological questions raised by the Members for Peterborough and North Warwickshire. He had only addressed himself to the question as a Member of the House of Commons, and not merely because he was a Member of that ancient faith professed by those whose Catholic piety and munificence established and endowed the venerable University represented by the hon. and learned Gentleman who moved the rejection of this paltry grant.

MR. DISRAELI said, he did not at all agree that the House was yesterday taken by surprise, however small the numbers that were present, because the Estimates in the hands of Members gave due notice of the intention of Government on the subject. It was to be regretted that such a Vote was not brought before a House in which the opinions of the country should be represented; but that was owing to no fault of the Government. The Vote passed on the previous night; and that day the House was called on to give an opinion on the report of the Vote. Attention had been called to it by one who had every claim to the respect of the House. Still the hon. and learned Gentleman was in his place last night and allowed the Vote to pass. The Vote was, undoubtedly, one of great importance. He did not wish to avoid expressing his opinion on the Vote, but to confine himself to the mode in which it was brought before the House. For his own part, however, he did not think any principle was involved in the Vote. It was rather a matter of discretion; but a controversy having taken place, he thought a decision on it ought not to be taken that night; for whatever it might be, it would not, after what had passed, be satisfactory. He thought, therefore, it was worth the consideration of the Government whether, after what had taken place, it would not be expedient to postpone the Vote. It was unusual to challenge a Vote on the report, though he did not deny the right to make the challenge, and a most valuable right it was; still the privilege was one to which hon. Members should not have recourse, except under circumstances which should carry with them a satisfactory conclusion. No decision, however, would be satisfactory in so thin a House, and he therefore wished the Government would reconsider the point, and give them an opportunity after fair notice of coming to a decision on a subject of very great interest and importance.

Viscount PALMERSTON said, he could see no sufficient reason for postponing the Vote. It would have been better if the hon. and learned Member who made the Motion had yesterday announced that, although he did not then challenge the Vote by a division, he intended to take the sense of the House upon it on the report. That course had not been pursued, but still the House was probably full enough to take a decision upon the subject; and if any hon. Gentlemen were anxious that a more deliberate discussion should take place on the principle involved, they might give notice of a Resolution that in future years no such grant should be proposed. The only principle which he could see involved in the Vote was the principle of justice; for he had always felt that it was most unjust that persons who were by the law placed in seclusion should be deprived of the spiritual attendance of ministers of their own faith. When a person was at large, he might go to his own church; they were not then bound to supply his spiritual wants; but when they confined him within four walls, they were bound not only in justice, but as a matter of public expediency, to give to the Roman Catholic the benefit of religious instruction and the same chance of reformation which they gave to the Protestant.

Question put, "That '350,000' stand part of the Resolution."

The House *divided*:—Ayes 38; Noes 16: Majority 22.

Resolution *agreed to.*

Subsequent Resolutions *agreed to.*

House adjourned at a quarter before Two o'clock.

HOUSE OF COMMONS,

Wednesday, April 30, 1862.

Minutes.]—Public Bill.—2° Industrial and Provident Societies.

INDUSTRIAL AND PROVIDENT SOCIETIES BILL.—SECOND READING.

Order for Second Reading read.

Mr. SOTHERON ESTCOURT said, he rose to move the second reading of this Bill, the object of which was to improve and consolidate the existing Acts relating to co-operative societies. The history of these societies was somewhat curious. When they first came into existence, their capital was formed of contributions of 2*d*. a week. It was in 1844, when temporary distress prevailed in Rochdale, that the operatives of that town thought it was desirable that they should act together for their mutual benefit in a more decided and business-like form than they had ever done before. Their place of meeting was a small room, in a street appropriately called Toad Lane, and the weekly contribution was 2*d*. each. From so modest a beginning the co-operative movement, by dint of good management, frugality, and a steady adherence to the admirable system of paying ready money, had attained to a pitch of prosperity which was highly creditable to the working classes of this country. It had been productive of great moral, social, and commercial benefits, and deserved the highest praise and consideration of that House. The societies were certainly entitled to have the law relating to them made plain, intelligible, and straightforward—and it was with that object he had introduced the Bill then under consideration. He had been furnished by those who were interested in the question with a list of the co-operative societies in whose names they had addressed him. At the present moment there were 150 co-operative societies in existence, with 48,184 members, owning a capital of £336,290, and doing a business which in the course of last year amounted to the extraordinary and almost incredible sum of £1,512,117. Those enormous results were the best arguments that could be adduced in proof of the importance of the subject, and they had been achieved within a period of less than twenty years by the prudence and frugality of working men, who had taken their own business into their own hands, and in the management of it had exhibited the characteristic qualities of resolution, bravery under difficulties, a determination to carry a point which they knew to be a proper one, and a great power of self-control over their own wishes, fancies, and desires, so that not a single farthing should be spent except for the general good. Two-thirds of the present Bill were merely re-enactments of existing statutes, and the other third consisted of new provisions. He would briefly state the additions which he proposed to make to the law now in force. Co-operative societies found it absolutely necessary to have power to hold more than one acre of land. When they first obtained a legal existence, in 1852, the experiment was then an untried one, and Parliament was naturally cautious in the amount of power with which it chose to invest these newly-created bodies. Moreover, at that time Parliament had not yet sanctioned the principle of limited liability; but now, when limited liability had received the sanction of the Legislature, he could not but hope that any little scruple or jealousy which might have existed in 1852 had been swept away long ago, and that there would be no objection to allow co-operative societies to hold more than one acre of land. Another clause would enable them to build, to lease, to rent, and to sell house or any other kind of property. He also asked that they might be allowed to invest their surplus funds in any other societies or companies they might deem advisable. Co-operative societies were so intertwined together in their pecuniary arrangements that they might almost be said to be affiliated, and yet they were carrying on their business independent of one another. He thought they should be permitted to invest their surplus funds in the business of other societies. He likewise proposed to extend to them the principle of limited liability, and in another clause he asked the House to allow them to use a portion of their funds for purposes of education, recreation, and mutual improvement. The Bill of 1852 had reference exclusively to the provisions of the Friendly Societies Act which was then in existence. Among the purposes enumerated in the first section of that Act, passed in 1850, education had its place; but it was subsequently erased, and hence it was doubtful as a legal question whether the societies formed under the Friendly Societies Act of 1850 still retained the powers which they possessed at their formation, or whether those powers had not been limited or curtailed by the Act passed in 1855 or 1856. The result was that the Registrar in England refused to allow the purpose of education, while the Registrar in Scotland permitted it. He asked the House to give a general power to co-operative societies to apply a portion of their funds to the purposes of education and mutual improvement. He was not aware that any hon. Member intended to oppose the Bill. It had been suggested that the Bill was unnecessary, inasmuch as the Government were promoting a measure which would cover the whole of the ground, and that there was no occasion for special legislation on behalf of co-operative societies. It was not only his duty but his interest to receive respectfully any criticisms or suggestions which might come to him from the Government, but he doubted whether the Government measure really covered every part of the ground occupied by his Bill, and he knew it to be a fact that the co-operative societies themselves were anxious to have a special law of their own. Hitherto they had grown and prospered under a special law, consisting of two statutes, and all they wanted was that those statutes should be consolidated and amended. The high moral qualities which they had exhibited during the last fifteen years entitled them to the consideration of Parliament, and, even if it were necessary to copy into the Bill the clauses of the Government measure, he thought they should be gratified so far as to have an Act of their own. It would be his duty, in any case, to take care that the provisions of the Bill should harmonize with those of the general measure proposed by the Government, and in effecting that object he had no doubt he might confidently reckon upon the valuable aid of the hon. and learned Solicitor General. The advantages derivable from co-operative societies were not to be measured by those which had already accrued. In the principle of co-operation among working men the true solution was to be found of many of those questions which at present vexed the nation and troubled Parliament. Sanitary progress was arrested because the lower classes could not be persuaded to regard as benefits the regulations devised for their health and comfort, while those interested in mechanics' institutes had arrived at something like a deadlock. Co-operation would lead the working classes to see and acknowledge the necessity of such sanitary regulations as authority might enforce upon them, and it would rectify the error from which mechanics' institutes were suffering—namely, that the work had not been begun at a sufficiently low level. They ought to go down to the very bottom of society, and then by working upwards, their success, if not rapid, would be uninterrupted, and eventually complete. Another question to be solved by the principle of co-operation was that of education. One of the most difficult problems of the day was to what extent and under what conditions Parliament should assist the efforts of individuals in carrying on the work of education. Although the Educational Code had undergone two, if not three revisions, he could regard it only as a provisional Code, and he was persuaded that the true solution of the question was to be found in enlisting the sympathies, wishes, and understanding of the working classes in the work by means of the principle of co-operation. He asked the House to strengthen that breakwater which had been a protection to co-operative societies against the storms and winds of the deep sea. They had not embarked in a pleasure-boat, but were men pulling for their lives in a mere skiff, and deserved to be protected from the surging billows which surrounded them on every side, and which might engulf them at any moment. The object of the Bill was simply the consolidation of existing Acts, which worked well, with some few alterations, amendments and additions which experience had suggested to the parties most interested in working them out. As he had stated, he relied on the assistance and admirable counsel of his hon. and learned Friend the Solicitor General to make the provisions of the Bill harmonize with those of the excellent measure introduced by the Government. He moved the second reading of the Bill.

THE SOLICITOR GENERAL said, he had no objection whatever to offer to the second reading of a Bill which had certainly been introduced for objects which in themselves were most admirable. Any encouragement that could be offered to the parties it was intended to benefit would, no doubt, be well bestowed. The only criticism to which the Bill was liable was, that it merely proposed to enable provident associations to do those very things which they would be enabled to do under the provisions of the measure already before the House, and which had been carefully framed with the view of including cases of that description. He was not prepared to say, however, that there might not be Provident Societies as to which the Bill might be said to take up different ground. Of course, he guarded himself against being supposed to admit that it would be expedient to have two Bills before the House at once, proposing to deal with the same matter; and it would be much more desirable if the Bill were limited to those objects that required to be specially dealt with in reference to associations of that particular kind; but if his right hon. Friend would give his assistance in making the provisions of the two Bills consistent, he should be quite satisfied with that assurance.

MR. SLANEY said, he wished to thank his right hon. Friend for the very able and excellent manner in which he had brought forward the Bill. After the experience they had acquired of the working of the present Acts, the large number of persons who availed themselves of them, and the great advantages which had resulted from them in stimulating industry and forethought, the House was bound by every consideration to give fair play and power of extension to these Friendly Societies. He gave every credit to the hon. and learned Solicitor General for the pains he had taken on this subject, but there might be some points still that required alteration. These societies had grown up in such numbers and with such capital that they required additional means to enable them to spread their benefits to other places and in their own districts. Why should they not be permitted to have a larger amount of land? And why not also allow them to engraft on their societies the powers given by the Act for limiting the liability of partners? The members of those societies would thus have much greater facilities than they now possessed for acquiring by their own means improved dwellings, perhaps with small gardens attached. Poor-rates would thus be lessened; the health and comfort of the people promoted, and a stimulus given to the humbler classes to elevate their own position in society.

Bill read 2°, and committed for *Wednesday.*

INNS OF COURT GOVERNMENT BILL.

SECOND READING DEFERRED.

Order for Second Reading read.

Mr. ROEBUCK said, that he should move that the second reading be fixed for Wednesday next.

The SOLICITOR GENERAL said, he had had some communication with the hon. Member for Dundalk (Sir G. Bowyer) on the subject of the Bill. It was thought it would be more convenient for the legal profession to take the discussion on Tuesday than on Wednesday, when they could not so well attend in their places.

Second Reading *deferred* till *Tuesday* next.

METROPOLITAN LOCAL MANAGEMENT ACTS AMENDMENT BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

Clauses 88 and 89 *agreed to.*

Clause 90 (Affixing Names of Streets by Vestries and District Boards).

Mr. CRAWFORD said, he felt an objection to the power given by the clause to the Metropolitan Board of Works to affix names to private residences. He hoped the Committee would not confer such a power on the Board, and that some thing like discretion would be used in giving new names to streets.

Mr. TITE explained, that great confusion was occasioned by the multiplication of the same names in different parts of the metropolis, and that it was desirable the Board should have the power in question.

Mr. BRISTOW said, he should support the clause, on the ground, amongst others, that it would greatly facilitate the postal service.

Mr. SLANEY suggested, that the Board should take a hint from the American cities, where the streets, when not numbered, were called after the names of certain trees.

Mr. CRAWFORD said, he proposed to add to the end of the clause a proviso, to the effect that it should not apply to the City of London or the liberties thereof. The authority of the City of London had the power, under the Sewers Act, of altering the names of the streets in the City, and he objected to extending the jurisdiction of the Metropolitan Board of Works to the City for the same purpose.

Mr. BRISTOW remarked, that it had been decided by the Court of Common Pleas that the Board of Works already had the power by law of changing the names of streets within the City.

Mr. COX said, he hoped that if power were granted to the Board, they would use it with discretion, and preserve the old names and landmarks in the City with which they were associated.

Mr. AYRTON said, he supposed that the changes would be made in the modern parts of the metropolis, and thought that the discretion might well be left to the Board.

Mr. HARVEY LEWIS said, he should support the clause, as he was not inclined to except the City from its operation. He hoped, however, that it would be carefully exercised, and that old landmarks would be preserved.

Mr. HEADLAM remarked, that the Metropolitan Board already possessed the power of altering the names of streets in the City of London, and the clause merely provided for the continuation of the existing power. If no practical inconvenience had arisen from the exercise of that power, why should they introduce an exemption that was not in the former Act?

Mr. SOTHERON ESTCOURT said, he thought it was unadvisable that there should be two conflicting authorities, and he would therefore suggest, that before the Metropolitan Board of Works changed the names of streets within the City, they should consult with the corporation.

Mr. CRAWFORD said, he would withdraw his Amendment.

Clause *agreed to;* as were also clauses 91 to 94.

Clause 95 (Licensing Cowhouses).

Sir WILLIAM JOLLIFFE said, it would be impossible for the justices of the peace to carry out the various duties imposed on them by the clause.

Mr. BRISTOW said, the justices must, of course, depend on the reports of the district boards and vestries. The duties of the justices, therefore, would be for the most part ministerial.

Mr. AYRTON remarked, that the Government must at some time or other, appoint special justices of the peace for the metropolis.

Clause *agreed to;* as were Clauses 96 to 110.

Clause 111 (Interpretation of Terms).

Mr. AYRTON observed, that the definition given of the words "new street" would operate injuriously on the owners of property who had complied with the existing law, by compelling them to put down the solid pavement required, not by the owners, but by the growing wants of the whole neighbourhood. They might make the law with regard to subsequent acts as stringent as might be thought necessary; but he objected to a retrospective operation of the clause.

Mr. TITE said, the clause had been carefully prepared to meet the great evils which had arisen from the circumstance of the district Boards being called on to put down expensive drainage to a few houses built at a distance from existing roads. The operation of the Bill would only extend back to the period when the jurisdiction of the Board originated.

Mr. AYRTON said, he desired to confine the definition "new street" to streets made after the passing of this Act. With a view, therefore, of leaving out all the words giving the clause a retrospective operation, he would move the omission of the words, "or which may have been formed or laid out since the 1st of January, 1856."

Mr. BRISTOW said, he thought there was a considerable amount of equity in the suggested alteration, and he therefore assented to it.

Words *struck out.*

Clause *agreed to.*

Mr. W. EWART said, he wished to move the insertion of a clause continuing the powers of the Finsbury Park Act until the 17th August, 1865.

Mr. COX said, that the inhabitants of Finsbury had a right to complain of the Metropolitan Board of Works, who, having taken the matter out of the hands of the promoters of the original Bill for the making of the park, had failed to carry out the Act which they obtained for that purpose.

Mr. AYRTON suggested, that instead of giving the powers objected to to the Board until the year 1865, the powers should be merely conferred for one year, and that 1863 should be substituted for 1865.

Mr. COX said, the clause might as well be struck out if the powers were only given to the Board for twelve months.

Mr. W. EWART said, he would not object to the alteration.

Clause *agreed to.*

Mr. Alderman SALOMONS said, he wished to move a new clause constituting Plumstead and Lewisham into separate districts, with power to send representatives to the Metropolitan Board of Works.

Mr. BRISTOW said, he must oppose the clause. The Bill was an amending Bill only; and did not propose to deal with the constitution of the Metropolitan Board.

Clause *negatived.*

Mr. ANGERSTEIN said, he wished to move a clause to the effect that the several parishes of the Plumstead District Board of Works, including Plumstead, Eltham, Lee, Slidbrooke, and Charlton, should, on the 1st of January, 1863, cease to be united and form one district; and that the parish of Plumstead should form one district, and that there should be a Board of Works for such district. The Secretary for War had no objection to the clause.

Mr. BRISTOW said, he must object to the clause as altering the constitution of the District Board, as well as altering the constitution of the Metropolitan Board. Other parishes had made similar requests, but the Committee had not thought proper to grant them.

Clause *negatived.*

Mr. LOCKE said, he rose to move the insertion after Clause 83 of the following clause:—

"The ninety-ninth section of the firstly-recited Act is hereby repealed; and in lieu thereof, Be it Enacted, that whenever the freeholder of any court, passage, or public place, not being a thoroughfare, is vested in the same person or persons as the freehold of any adjoining house or houses, the owner or owners of such adjoining house or houses shall be deemed, for the purpose of the recited Acts and this Act, to be the owner or owners of such court, passage, or public place, and the paving thereof shall be done by such owner or owners, if so directed by the vestry or district board."

Clause *brought up,* and read 1°.

Mr. TITE said, he should oppose the clause as unnecessary.

Mr. Alderman SALOMONS said, he wished to draw attention to the state of certain houses in Stamford Street, and various other parts of the metropolis, which had remained in a dilapidated condition for many years. He thought some power ought to be given by the Bill to prevent the destruction of property in that way.

Mr. BRADY said there were thirty or forty such houses, and they were not only a disgrace to London, but an injury to society, and he thought it would be a good remedy to make the owners of such property pay the rates and taxes, just as though the houses were occupied.

Sir GEORGE GREY said, the authorities had a remedy when the houses became in a dangerous state. If the houses were not dangerous, the only remedy at present was for the owners of the adjoining property to purchase them.

Question put, "That the clause be read a second time."

The Committee *divided:*—Ayes 18; Noes 46: Majority 28.

Lord FERMOY said, he would then bring up a clause to be inserted after Clause 95, giving vestries and district boards power to contract for the removal of manure from stables and cowhouses. His object was to deal with manure in the same manner as dust was dealt with, and to compel the owners of stables to remove their manure before it became a nuisance to the neighbourhood. During the winter months the manure was removed, because the farmers having then nothing else to do, it paid them to come into town to take it away; but in the summer months, when their avocations were numerous, the manure was allowed to accumulate in the metropolis. All the officers of health approved of the clause and testified to its necessity.

Mr. TITE said, he thought the clause went altogether too far.

Mr. Alderman SALOMONS considered the proposal monstrous.

Mr. AYRTON suggested, that on the bringing up of the report a more moderate proposal should be made.

Clause *withdrawn.*

Mr. BRISTOW said, he had to move the insertion after Clause 108, of a clause empowering the Metropolitan Board of Works with the sanction of the Secretary of State, to subdivide districts in schedule B, in case of increase of population.

Mr. AYRTON said, he objected to the clause as it empowered the Board with the consent of the Home Secretary, to alter entirely the whole constitution of the Board. If the circumstances were so grave as to render a change necessary in the constitution of the Board and form new districts, the change should take place under the authority of Parliament.

Mr. TITE said, the clause applied only to the outlying parishes.

Mr. Alderman SALOMONS said, the clause appeared to him to be necessary to carry out the objects of the Bill. He would suggest, however, as a proviso, that the number of the Metropolitan Board should not be increased or diminished by any such alterations.

Sir JOHN SHELLEY said, that the outlying districts, which when the original Act was passed were only green fields, were now portions of the metropolis, and therefore it was necessary to create such a power as that which was contained in the clause. He thought, however, that no division of any parish should take place unless the new district contained not less than 50,000 inhabitants.

Sir WILLIAM JOLLIFFE said, he thought the limit of increase should be fixed, and it ought to be clearly defined under what circumstances the subdivision should take place.

Mr. SOTHERON ESTCOURT observed, that he did not regard the mere assent of the Secretary of State as a sufficient safeguard for the proper application of the powers of the clause.

Mr. LOCKE contended, that the assent of the several subdivisions of a district should be had before a separation was permitted.

Mr. CRAWFORD said, that the effect of the clause would be to induce outlying parishes to see how they might alter and carve matters to suit their own interests. It would be far better that any change should be made with more deliberation and better safeguards.

Mr. COX suggested, that the clause should be applicable only to districts possessing 2,000 rateable houses.

Mr. HEADLAM said, he thought it would be much better not to place any limitation upon the discretion of the Secretary of State.

Clause *agreed to.*

Mr. CRAWFORD said, he had to propose that the following Clause should follow Clause 108:—

"Nothing in this Act contained shall make the City of London or the Liberties thereof liable to contribute towards any of the expenses incurred or to be incurred by the Board under the provisions contained in 'The Metropolis Gas Act,' 1860, or the Act to amend the Metropolis Gas Act, of the twenty-fourth and twenty-fifth years of Victoria, chapter seventy-nine, or to any expenses already incurred by the Board in the execution of the firstly and secondly recited Acts which the City of London or the Liberties thereof would not have been liable to pay if this Act had not been passed."

The City was exempted from the liability referred to by the existing Act.

Clause *brought up,* and read 1°.

Sir JOHN SHELLEY said, it was only by the neglect of the House of Commons that the City was exempt from that liability. The City shared in the benefit of these Acts, and he did not see why the City should not bear its share of the expense.

Mr. COX said, the City was exempted by the Acts from the expenses, and he did not see why they should be incidentally charged with them.

Mr. AYRTON considered, there was no necessity for legislation on the subject.

Mr. BRISTOW said, the clause merely left things as it found them.

Sir JOHN SHELLEY said, then surely there was no necessity for the clause. The City had no right to come to the House and say that they were not liable to the expenses of those Gas Acts, one object of the Acts being to test the purity of the gas. The City had the benefit of the Act, and it was monstrous that the City should receive the benefit and seek to throw the expense on the rest of the metropolis.

Mr. LOCKE said, he considered the proposition most unjust.

Mr. SOTHERON ESTCOURT said, he thought that all the parishes that were benefited by the Gas Act ought to contribute to the expense of it.

Question put, "That the Clause be read a second time."

The Committee *divided:*—Ayes 23; Noes 56: Majority 33.

Mr. BRISTOW said, he had to move the addition of a clause saving the rights of the Crown and of the Duchy of Lancaster.

Clause *agreed to.*

Mr. AYRTON said, he then rose to propose a number of clauses abolishing the existing mode of electing members of the Metropolitan Board of Works by the vestries, and providing that they should in future be elected annually at the same time as the members of the vestry, and by the persons entitled to vote in the election of vestrymen. The existing mode of election was, in his opinion, most unsatisfactory; and the change which he proposed had been recommended by a Committee which had inquired into the subject. He was also anxious that the number of the Metropolitan Board should be increased, but for that change he admitted that he had not the authority of that Committee. The various proposals which had been made for reforming the Corporation of the City of London, and the large council which it had always been proposed to establish for that municipality, was however a good authority for his desire to increase the number of the Board which had to regulate the affairs of the whole metropolis. The Common Council of the City of London consisted of 232 members, and a Conservative Lord Mayor in his Bill to amend the corporation, proposed that the number should be 170, while the Government in their Bill proposed that the number should be 150. He thought, therefore, that he should be justified in fixing the number of the Metropolitan Board at 150. At the same time, he did not wish to embarrass the discussion of the mode in which the members of that Board should be elected by connecting with it a debate as to what should be the number of that Board; and therefore he should not at that moment make any proposal upon the latter subject. An attempt had been made to create a prejudice against his proposal of a new mode of electing the members of the Board by a circular which had been addressed by the Lord Mayor to Members of that House. That circular ran as follows:—

"I wish to direct your serious attention to the Amendments proposed by Mr. Ayrton in the Metropolis Local Management Acts Amendment Act. They constitute, in fact, an insidious attempt to construct a democratic corporation for the whole metropolis, under cover of amending the law as relates to the management of a local Board. It is doubtful, I think, whether the introduction of such a scheme is admissible by the rules of Parliament as an amendment upon such a Bill, involving as it does a virtual repeal of Lord Llanover's Local Management Act. A body is proposed to be created which will consist of no less than 172 persons—an alarming fact—who will be intrusted with a vast power of rating, representing virtually population merely, without any counterbalance by which property will receive its fair share of influence. To construct an exclusive democratic chamber of this kind, speaking in the names and dealing with the destinies of three millions of people, appears to me a dangerous experiment, and one which I think Parliament is little prepared to deal with, unless it were by a Bill introduced upon the responsibility of Her Majesty's Government. You will excuse the liberty I take in submitting these remarks to your consideration.

(Signed) "WILLIAM CUBITT."

"Mansion House."

Now he (Mr. Ayrton) thought that the Lord Mayor, before he penned that circular, ought to have ascertained the truth, and then to have stated it. It was not likely that he (Mr. Ayrton) would propose a democratic constitution without regard to property; he did not profess democratic principles, and never had done so. How untrue the assertions of the Lord Mayor were, was shown at once by the fact that he (Mr. Ayrton) proposed to place the power of election in the hands of those who now elected vestrymen, and who, as they must be persons occupying houses rated at £20 per annum, could not be persons without property. It might be more fairly objected that he had not proposed to make the election sufficiently popular; but in the present state of things he had thought it better to adhere to the existing franchise than to propose that the members of the Board should be elected by persons having a smaller qualification than was at present enjoyed by the electors of vestrymen. There was another reason why he wished to impress the matter on the Committee. Almost every district of the metropolis was now represented by a local journal, conducted with as much ability as a leading newspaper was some twenty years ago. These papers kept the district well informed upon their rights and political situation. That was an additional reason why the members of the Board should be elected by the districts themselves. The objections to his proposal all resolved themselves into this—that the vestries did not wish to lose the power they possessed. If a higher body were introduced to interfere with all the petty jobs of a parish, the parochial mind was outraged, and they considered that a revolution was at hand. He wondered how the two hon. Members for Kidderminster and Bath, sitting behind the Government bench could oppose his views, notwithstanding the political paralysis under which the House was suffering with respect to all liberal feelings. He appealed to his hon. Friends against the vestrydom of the metropolis. He (Mr. Ayrton) would be sorry to be the lackey of the metropolitan vestries. He would prefer not to have a seat in that House; and he believed he held his seat direct from the electors. Vestries were very excellent people; but if the constitution of those bodies were altered, their members would at once rise in the social scale. Why was it that the Chairman of the Metropolitan Board was to take no part in the Exhibition which was to take place on the following day. There was painful proof that the Board of Works did not now possess the confidence or represent the feeling of the metropolis, and it was only by some such mode as he proposed that it could be brought into harmony with the inhabitants of London. The hon. Member concluded by moving the first of the clauses.

VISCOUNT ENFIELD said, he should oppose the Motion on the simple ground that so great a change, even if it were desirable, ought to be submitted to Parliament in the shape of a separate Bill.

LORD JOHN MANNERS said, he might refer to the Report of the Committee over which the hon. Member for the Tower Hamlets had presided with such signal ability and patience, for the purpose of showing how slight was the foundation on which the hon. Member had built up his argument. He did not deny that greater weight might attach to the deliberations of the Metropolitan Board if the Members were directly elected; but he felt bound to express his sense of the extreme importance of maintaining in his present position the gentleman who now filled the office of Chairman of the Board of Works, and at the same time his marked admiration of the manner in which that gentleman had devoted his great talents and the whole of his time and attention to the extremely difficult and complicated duties connected with that office. He thought the present time singularly inappropriate for a sweeping change, when the Board was engaged in carrying out one of the largest constructive works ever undertaken.

SIR JOHN SHELLEY said, he always found that whenever a proposition for change was brought forward, somebody was sure to find out that it was not the proper time. He had always been a supporter of the Metropolitan Board, and he entertained the very highest opinion of the gentleman who presided over the Board; but there could be no doubt that their influence would be increased by the adoption of the principle of direct election. Surely, if that body had been elected by the public, he thought that the chairman would have met with as much consideration on an occasion like the ceremony of the following day, as the chairman of the Corporation of the City of London. It was due to the Metropolitan Board of Works to say that the point for which they had passed a vote of thanks to the the right hon. Gentleman the First Commissioner of Works was not for introducing his Bill to make a road across Kensington Gardens, but for sending them the heads of that Bill. Sweeping changes were always objected to as inappropriate, but the present time was as appropriate as any other, because the Metropolitan Board of Works would always have important works to discharge; moreover, the proposition of his hon and learned Friend would only have the effect of introducing the principle of direct election gradually. It did not go to the removal of the whole of the Board at once. One-third would go out in May next year, and all his hon. and learned Friend proposed was that that third should be replaced by men elected by the ratepayers. Thus two-thirds of the present body would be undisturbed, and he believed that a large proportion of the remainder would be re-elected. What obobjection was there to the Board being elected by the same persons who returned Members to that House? It was also to be remembered that there were many useful persons who had a great objection to serving on vestries. He thought the plan of his hon. and learned Friend had been misunderstood, and he wished that the election of this body could be placed in the hands of the ratepayers.

Mr. AYRTON explained, that he would leave the present constitution of the Board unchanged until the month of May, 1863, and that he would then have a third of the members elected, while another third should be elected in 1864 and another in 1865.

House *resumed.*

Committee report Progress; to sit again on *Wednesday* next.

PUBLIC BUSINESS.—OBSERVATIONS.

Mr. BRAND said, he might be allowed to state, for the convenience of the House, that the first order for to-morrow would be the Markets and Fairs (Ireland) Bill. It had been the intention of the Chancellor of the Exchequer to take the Customs and Inland Revenue Bill first, but the representations made to him that day by a deputation had induced him to postpone the further consideration of that measure to Thursday, the 8th of May.

House adjourned at ten minutes before Six o'clock.

HOUSE OF COMMONS,

Thursday, May 1, 1862.

Minutes.]—Public Bill.—2° Births and Deaths Registration (Ireland).

THE AMERICAN MAILS.—QUESTION.

Mr. LEADER said, he would beg to ask the Secretary to the Treasury, Whether his attention has been drawn to the delay that occurs between the arrival of the American Mails in Queenstown Harbour and their being placed on the Cork and Dublin Railway for transmission to England; and whether he is aware that by using the Queenstown Railway a considerable saving of time could be effected?

Mr. PEEL was understood to say, that he had been informed by the Post Office authorities, that if they used the railway instead of the steamers between Cork and Dublin, it would only effect a saving of about thirty-five minutes, but that would not obviate the delay which sometimes arose between Kingstown and Holyhead, which was the more important matter. The Post Office authorities, in communication with the directors of the railway, had found that there would be considerable difficulty in running express trains at any hour of the night. Under these circumstances it was intended to continue the present arrangements.

MARKETS AND FAIRS (IRELAND) BILL.

CONSIDERATION.

Order for Consideration as amended read.

Sir HUGH CAIRNS said, he would venture to suggest to the Government, in reference to the notice of Motion given by the hon. and learned Member for Cork (Mr. V. Scully) that this Bill be recommitted, that that course would be the more convenient one, as there were a great many Amendments on the paper to be considered. It should be remembered, that upon the third reading it would not be competent to make any Amendments in the Bill, however much the clauses which might be agreed to at the present stage of the Bill should clash with the clauses already passed.

Sir ROBERT PEEL said, if it were

merely intended to recommit the Bill with the view to the consideration of the Amendments on the paper, and any new clauses that might be proposed, the Government would not object to that course; but if it were intended to recommit the whole of the clauses of the Bill for the purpose of discussing them over again, the Government could not agree to such a course.

Bill *re-committed* in reference to the several Clauses proposed to be amended, and to the new Clauses proposed to be added.

Clause 12 (Compulsory Weighing at Public Weigh-house of Corn and other commodities in Schedule A).

House in Committee.

Mr. M'MAHON said, he wished to propose some Amendments in clause 12, with the view of exempting from the necessity of weighing at the public weighing houses goods sold in the shop, place of business, or dwelling-place of the seller.

Sir ROBERT PEEL intimated that the Government could not assent to the Amendments which the hon. Member for Cork proposed to introduce. They struck at the root of compulsory weighing, which the House had already adopted, and to which he hoped it would adhere.

Mr. MASSEY remarked, that the proposal was really one to substitute a new clause for the clause in the Bill, and therefore it could not be submitted in the shape of an Amendment. The proper way was to bring up a clause embodying the Amendment.

Motion *negatived.*

Mr. LONGFIELD said, that in the absence of his right hon. and learned Friend (Mr. Whiteside), he wished to move the insertion of certain words in Clause 24, for the purpose of making it incumbent on the managers of markets to supply returns of quantities sold, and average prices.

Sir ROBERT PEEL said, that it was impossible for the Government to agree to the Amendment, and he thought it would be unwise to force them to obtain these returns. They would do so if they could, without specifically binding themselves by adopting the Amendment.

Mr. M'MAHON suggested, that the persons making those returns would demand payment for the labour, and that it would be unfair to tax buyers and sellers for such a purpose.

Amendment *withdrawn.*

Clause *agreed to.*

Sir Robert Peel

Clause 76 (Right of all interested to be heard before Council, or on Local Inquiry).

Mr. LONGFIELD moved an Amendment empowering the Lord Lieutenant and Council to allow such persons as they might consider interested in the question to appear upon an application with reference to the holding of a market or fair.

Sir ROBERT PEEL said, he thought the Amendment would be very useful.

Mr. M'MAHON suggested, that it ought to have been framed more liberally. Why should not any person who was interested have the right to appear without consent first obtained from the Lord Lieutenant and Council?

Mr. LONGFIELD maintained that the interests of the public would be sufficiently protected by the Amendment as it stood.

Amendment *agreed to.*

Clause (Power to Merchants to erect a Weighing Machine in their own Storehouse, with the consent of the Proprietor or Lessee of a Market) brought up and read 1°.

Clause 10 (Mode of Weighing; Deductions prohibited).

Mr. H. A. HERBERT said, he thought the clause would lead to abuses. He had received remonstrances against the clause from the Chamber of Commerce of Dublin.

Sir ROBERT PEEL did not think there was any foundation for the objections to the clause on the part of some merchants. There was a special clause in the Bill to meet cases of sale by sample.

Mr. CARDWELL said, the only object of the clause was to remedy what was felt to be an inconvenience. The machines would be under the control of the weighing master, and would be a matter of general convenience.

Lord FERMOY said, that nothing could justify the introduction of such a clause but the conviction that great fraud in weighing was practised in the country. He was of opinion that it would defeat the object contemplated by the Bill.

Mr. VANCE objected to the measure because it imposed compulsory weighing.

Mr. GEORGE complained that Irish Members had been taken by surprise, as they were given to understand that the Bill would not come on that evening.

Sir ROBERT PEEL said, that before Easter he distinctly stated that the measure would be brought forward that night, and he could not understand why it should not then be taken into consideration.

Clause read 2° and added to the Bill.

Clause (Proviso for Sales of Samples) *brought up*, and read 1°.

Question proposed, "That the Clause be read a second time."

MR. MONSELL suggested, that the Bill should be recommitted *pro formâ*, and that the right hon. Baronet's Amendments should be printed, or otherwise the House would have no clear idea what it was they were passing. In Limerick, however, a very similar measure had been for years in operation, and every class of the community were strongly in favour of it.

SIR ROBERT PEEL said, the new clauses (which had been drawn up with great care) were proposed solely with a view to carry out the wishes of the House.

SIR HUGH CAIRNS said, he believed that there was a unanimous feeling in Ireland that the Bill should not apply to merchants dealing in foreign grain, who were not in the habit of using the market at all, but who conducted their business in the Corn Exchange. He thought, however, that it ought to apply to the class of traders who bought corn in small quantities throughout the country and then brought it to the neighbourhood of a large town, where they sold it by sample in the market. It was not right that they should be allowed to evade the tolls, and the clause should therefore apply to them.

COLONEL DICKSON said, the only thing he had understood in the discussion was the proposal of his right hon. Colleague, that the Bill should be re-committed.

LORD FERMOY said, that he thought the new clauses which had been added to the Bill would press very hard upon small dealers. In fact, those clauses had the effect of completely remodelling the character of the Bill. In order that the country should be afforded ample time for considering the Bill in its present shape, he should move that the Chairman do now report progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee *divided*:—Ayes 21; Noes 71: Majority 50.

SIR ROBERT PEEL said, he hoped hon. Members would clearly understand that he really had not the slightest desire to press the Bill forward in any unreasonable manner, and without allowing the fullest opportunity for its discussion. What he proposed was, that the Bill should be allowed to pass the Committee in its amended shape; and that when reprinted ample time should be given for its consideration, and then on the bringing up of the report hon. Members could discuss all the Amendments.

MR. BRADY asked, whether it was the intention of the right hon. Baronet to recommit the Bill.

SIR ROBERT PEEL said, it was not.

COLONEL DICKSON observed, that no doubt the Irish Members had expected that a different topic would have been under discussion that evening, the announcement to the contrary not having been made until Wednesday evening.

MR. CARDWELL explained, that the course adopted by the Government really afforded unusual opportunities for consideration and discussion.

LORD CLAUD HAMILTON said, he also could state that owing to the circumstances of the day, several hon. Members were absent who wished to take part in the discussion.

MR. VANCE said, that acting upon what he believed to be good authority, he had told the committee of commerce in Dublin that there was no chance of the Bill going through till next week. The measure was looked upon with great anxiety in Ireland, lest it should prove fatal to the corn trade of Dublin, a bonus of 3*s.* per quarter being virtually given to the merchants of Liverpool over those of Dublin. The latter were sending a deputation to the Chief Secretary for Ireland, and he therefore would urge that the clause should not be pressed until the deputation had been heard.

VISCOUNT PALMERSTON said, it was quite clear that it would be for the convenience of the House to have the Bill with his right hon. Friend's Amendments considered. If, therefore, they went through Committee *pro formâ*, inserted the Amendments and new clauses, and had the Bill printed, the whole would be in the hands of Members, and, on the report, the Bill might be re-committed, and the Amendments and additions discussed.

MR. MONSELL said, he would admit that the proposition was a fair one.

MR. VANCE said, he thought the proposal of the noble Lord a most reasonable one, and that it ought to be at once accepted.

House *resumed.*

Bill *reported*; as amended, to be considered on *Thursday* next, and to be *printed* [Bill 96].

BIRTHS AND DEATHS REGISTRATION (IRELAND) BILL.

SECOND READING.

Order for Second Reading read.

Motion made and Question proposed, "That the Bill be now read a second time."

MR. HENNESSY said, he should propose a Resolution to prevent the employment of the police in collecting information under this Bill. The course now suggested in the Bill was quite different from that pursued in England or in any other country, and the only result of employing the police would be to render that force highly unpopular. Neither were ordinary constables qualified for the duty. In one of the forms appended to the Act a cause of death was described as "pneumonia," and the form was signed "John Cox, constable." But what did "John Cox, constable," know about pneumonia? Probably he would be unable to spell the word. In the Bill a provision had been copied from the English Act, and it proposed that any sub-constable or other policeman who should mislay a leaf of the registration-book, which he would be bound to keep, should be liable to a penalty of £50. That was a ridiculous provision. There were other persons who could be employed upon those duties with more advantage than the police, as, for instance, the dispensary officers. There were also the clerks of the Poor Law Unions. Nothing would be more unpopular than the employment of the police, and it would put the police themselves in an unpleasant position, and make them still more unpopular. He hoped the Irish Members would support the Resolution which he would move,

"That this House is of opinion that it is not expedient to employ the Police as the Registrars of Births and Deaths in Ireland."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is of opinion that it is not expedient to employ the Police as the Registrars of Births and Deaths in Ireland,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. DAWSON said, he regretted that the registration of marriages was not proposed to be dealt with by the Bill. He acknowledged the difficulty of dealing with that part of the question, owing to the prevalence of religious differences in Ireland, but he regarded the system at present in operation as so unsatisfactory that he should view with gratification any measure, from whatever source it came, which should deal with the question of registration in all its branches. To the general principle of the Bill before the House he should give his support; but, considering the many burdens already borne by the county cess payers, he regretted that the cost of the proposed machinery was not to be discharged by the Consolidated Fund. He should have preferred to the present Bill the arrangements proposed last year by the Chancellor of the Exchequer, believing as he did that the medical officers of dispensary districts would be more trustworthy agents in the collection of statistics with regard to births and deaths than the constabulary force. Those officers were necessarily present at almost every birth in their neighbourhood; and by fulfilling the accessory duty of registrars, they might have increased their present scanty incomes. But as the Bill would diminish by one-third the expenses of the former system of registration, the medical officers probably would not think it worth their while to accept the office of registrars. Under all the circumstances, therefore, he did not hesitate to accept the measure as the most efficient and cheapest that could be devised. It would help the constabulary to add to their small remuneration.

MR. BRADY said, he strongly objected to the employment of the police in the capacity of registrars under the Bill. A system of registration was much wanted in Ireland; but in selecting the persons to work that system, their ability to perform the work, and not the lowness of the salaries they would require, ought to be the main consideration. No system of registration could ever be successful unless it were carried out by the agency of medical gentlemen. That remark applied especially to the case of Ireland. The people of that country would revolt against permitting a common policeman to enter their houses for the purpose of registering the birth of a new-born child. A few nights ago objection was taken to the military character of the police of Ireland. Much as the Irish people objected to the police discharging military duties, they would object still more to their discharging the social and domestic duties which by this Bill would devolve upon them. He considered that the best men to perform the task would be the medical men; and if the House was not in a position to remunerate those gentlemen properly for the work, let it wait till it was.

SIR FREDERICK HEYGATE said, he also considered that the police were not the right body for the employment. He did not wish to say a word against the force, but he did not wish the peasantry of Ireland to find the police set to do everything. If the constables had not enough to do, let their number be reduced.

SIR ROBERT PEEL said, the Amendment struck at one of the main features of the Bill; and if it were approved, it would necessitate the proposal of some other plan. Having given attention to the suggestions offered, he had come to the decided opinion that no body of men in Ireland were so capable efficiently and satisfactorily to discharge these duties as the constabulary. The medical officers would not undertake it for the money. Postmasters would be unequal to the task. Ecclesiastics of different denominations would not accept the responsibility. Persons being nominated by the Lord Lieutenant would throw too much patronage into the hands of the Irish Executive, and persons being elected by Boards of Guardians would lead to all kinds of jobbery. Upon the whole the constabulary were the best fitted for the purpose. They were very popular in Ireland, and had been engaged in preparing the census, in obtaining agricultural statistics, and in other duties of a kindred nature. The question, however, as to the persons who should be employed to carry out the measure was premature; it ought to be reserved until the Bill reached Committee, and therefore he hoped the hon. Gentleman would not persevere in his Amendment.

MR. MAGUIRE said, he should gladly support a Bill for a system of registration, but he could not adopt the worst possible machinery that the ingenuity of man could devise. In evidence before a Committee of that House, Mr. Senior had stated that the employment of the police for purposes of this kind was monstrous and unconstitutional. It was true, on the other hand, that Colonel Brownrigg had said that the constabulary would best carry out the scheme; but he added that it would be an auxiliary in the detection of crime. Would that be likely to render it popular? A Bill like the present would fill the public mind with suspicion, and raise up every man of the humbler classes in Ireland to defeat it if possible. Again, why should the multitudinous duties of the police be still further augmented? He believed the medical officers, the clergymen, or clerks of unions would better discharge the duty than the policeman. It had been boasted the other night that the police were great proficients at the rifle; and he would ask the House what they thought of a policeman, with a rifle in one hand and a pencil in the other, going into a man's house to ask him when his child was born or his wife died? He wished to warn hon. Members against adopting the present machinery of the Bill.

COLONEL DUNNE suggested, that the system should be applied in Ireland which had been adopted in this country—of the appointment of special persons for this purpose. Without such amendment the plan would never be popular in Ireland.

VISCOUNT PALMERSTON said, that the course adopted by those who moved the present Resolution was not very consistent with the opinions they had expressed with regard to the Bill. They professed themselves exceedingly anxious to have a system of registration in Ireland, but when the Government called upon them to affirm that principle, by agreeing to the second reading, they interposed a Motion which did not belong to that stage of the discussion, and which was perfectly fit to be proposed in Committee. He trusted, therefore, they would allow the Bill to be read, and when they came to the clause in Committee relating to the machinery they could discuss that question.

MR. MONSELL objected to having the police being appointed to carry out the objects of the Bill, acting as they did under a central authority; but he did not see why they might not be appointed by the Boards of Guardians.

MR. HENNESSY said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Thursday* next.

SUMMARY JURISDICTION (IRELAND) BILL.—COMMITTEE.

Order for Committee read.

House in Committee.

Clauses 1 to 5 *agreed to.*

Clause 6 (Possession of Carcass of Sheep, &c., without accounting for same).

Mr. HENNESSY objected to the clause, as, if passed, it would lead to great hardships. It gave power to a magistrate to issue his warrant to search a house; and if stolen goods were found there, the person in possession of the house was to be held responsible.

Mr. BRADY said, he should oppose the clause as most unjust and tyrannical.

Mr. GEORGE observed, that the clause might be emphatically described as the poor man's clause. It was his conviction that it would be extremely useful in Ireland.

Clause *agreed to.*

Clauses 7, 8, and 9 were also *agreed to.*

Captain STACPOOLE said, he wished to propose a clause, imposing a fine of 10*s.* upon any person who should suffer a dog to be at large within fifty yards of a high road without its being muzzled, and empowering a Justice of the Peace to order the dog to be destroyed.

Clause *brought up,* and read 1°.

Sir ROBERT PEEL said, he must oppose the clause, as it was inconsistent with the provisions of the measure. If the hon. and gallant Member attached any importance to the subject, the better way would be for him to bring in a Dog Bill.

Mr. DAWSON said, he should support the clause. Stray dogs throughout the country did great mischief in worrying cattle and destroying sheep.

Sir ROBERT PEEL suggested, that the best plan would be to extend the Dog Tax to Ireland.

Question put, "That the Clause be read a second time."

The Committee *divided:*—Ayes 26; Noes 33: Majority 7.

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

House adjourned at Twelve o'clock.

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HOUSE OF LORDS,

Friday, May 2, 1862.

Minutes.]—Public Bills.—1ª Saint Giles-in-the-Fields Disused Burial Ground.

2ª Coventry Poor Act Amendment; Ecclesiastical Dilapidations; Exchequer Bonds (£1,000,000).

ECCLESIASTICAL DILAPIDATIONS BILL.

SECOND READING.

Order for Second Reading read.

The Archbishop of CANTERBURY *moved* that this Bill, which had for its object the amendment of the law relating to ecclesiastical dilapidations, be now read the second time. The right rev. Prelate said, that the details of the measure were better fitted for consideration in a Select Committee than in the whole House, and he therefore proposed, should the Bill receive a second reading, to refer it to a Select Committee.

Lord ST. LEONARDS understood, that one of the objects of the Bill was the appointment of surveyors of dilapidations all over the kingdom, and he feared that when once a large body of surveyors were appointed they would be sure to find a great deal of business for themselves. He thought that the present practice in respect to dilapidations was simple enough, and that it hardly led to any litigation, though the law might be advantageously amended in two particulars. For instance, when money was paid for repairs by an outgoing clergyman, there were no means of compelling his successor to apply the money to the repair of the rectory house. The law might be so altered as to compel the new incumbent to expend the money he received in repairs, producing the bill and receipt to the archdeacon. Again, when repairs were requisite in consequence of damage done by tempest, flood, or fire, he conceived that the cost ought to be thrown entirely on the clergyman who happened to be the incumbent at the particular time, and not be a charge upon his successor.

The Bishop of LONDON said, that the subject of the measure now before their Lordships had very much occupied the attention of the clergy during the last six months. Therefore, although he concurred that it would be proper to refer this Bill to a Select Committee, yet, as some confusion might arise in the minds of noble Lords between the present measure and one which he was—he might say, accidentally—the means of introducing last session, their Lordships would perhaps allow him to make some remarks upon the points of difference between the two Bills. The noble and learned Lord had pointed out how desirable it was to ascertain the opinions of the clergy generally upon a matter which so much concerned their interests. He was certain that the right rev. Prelates on that bench would not move a step without securing the concurrence of the great body of the clergy. With this view, on the last night of last session the most rev. Primate had intended to place a Bill on the table of their Lordships' House, in order that it might be printed and circulated through the country during the recess; but in the unavoidable absence of the Primate the duty of introducing the Bill devolved upon him. That Bill was intended rather to ascertain the views of the clergy upon the subject than for the purpose of originating any distinct legislation in accordance with the provisions of the Bill. In consequence of his having introduced it, his correspondence had been increased not a little during the recess. He had received one document signed by not less than 400 clergy in various rural deaneries; a petition had also been drawn up, signed by the clergy of Sion College; and he had received almost innumerable private letters, which fully expressed the feeling of the clergy upon the whole question. He felt no surprise on finding that the provisions of that Bill were not very acceptable to the clergy, because it was framed as a compulsory measure, and because it was thought that a thoroughly comprehensive measure could not be put in force without some intrusion into the privacy of the clergy, and without the imposition of burdens which tenants for life were not usually called upon to bear. Although, however, it was considered by the clergy that it would be better for them to bear the ills they had than to adopt so stringent a measure as that proposed last summer, yet they seemed to be unanimously of opinion that if the evils under which they laboured could not be entirely cured, they might at least be mitigated by some measure which should produce an improvement in the present law. His noble and learned Friend might make light of the difficulties which existed in the way of remedy, because it did not appear that much litigation had arisen on the subject of dilapidations. But, from the sentiments which were contained in the numerous letters which he had received, he was sure that if much litigation had not taken place it was not owing to the absence of cause, but rather to the forbearance of the clergy themselves. The present evils affected both the incoming and the outgoing incumbent, or his representatives, the patrons, and the Church generally. The evil was sometimes so manifest that they were told that it must arise from a neglect of duty upon the part of the clergy to keep their dwellings in a proper state of repair. No doubt the poverty of the clergy caused a certain amount of neglect; but the letters he had received rendered it abundantly evident that the chief portion of the evil arose from the present uncertainty of the law of dilapidation, which rendered clergymen quite uncertain whether they were doing their duty or not. The noble and learned Lord stated that the number of surveyors which the Bill proposed to establish would be found an evil. But the number of surveyors at present employed was far greater than was required; and one object of the Bill was, in reality, to limit the number of surveyors, and to establish some recognised principle upon which the surveys should be made. At present there were two surveyors required in each instance to establish what the amount of the dilapidation was, and these might entertain widely different views as to the nature of dilapidation. It was now proposed that there should be only one surveyor for each diocese or archdeaconry, so that one uniform view as to what were dilapidations might prevail throughout. He was certainly not going beyond the fact when he stated that where the outgoing incumbent employed a local surveyor, who naturally took a low estimate of what was to be put down for dilapidations, the repairs were put down at £50 or £100; while, perhaps, the incoming incumbent employed a surveyor from London, who put down a sum not to be expressed in less than four figures. In one particular instance, of which he was cognizant, a surveyor employed by the representatives of the outgoing incumbent had estimated the value of the repairs at about £200, while the surveyor of the incoming incumbent considered they could only be made at a sum considerably exceeding £1,000. It was perfectly true that no litigation followed, but one might easily conceive the inconvenience such claims might give rise to. The outgoing clergyman would in all probability employ a surveyor from his own district, while the incoming clergyman would bring one from a distance; and thus the most incongruous claims might be made, which, if persisted in, could only be settled by the intervention of a suit in Court. By the proposed change a limited number of experienced surveyors would take the place of a much larger number of inexperienced men, and a general code would be established throughout each diocese as to what was to be understood by the term dilapidations, and what was the degree of repair in which a house ought to be kept. There were no less than 8,995 parsonage houses in England, and the sum expended by Queen Anne's Bounty in adding to parsonage houses was £50,000 a year, besides which £25,000 was devoted to that purpose from other sources. If this expenditure of £75,000 per annum were estimated in the ratio of the value of the principal, the magnitude of the interests concerned might be appreciated. He thought he should not be far out of the way in estimating, at a rough calculation, that £10,000,000 of property was represented by these houses. Besides the patrons, the great body of the parishioners were interested in the question. All modern legistion had recognised what had been taught by experience—namely, that it was most desirable for the efficacy of the Church system that there should be a resident ministry, which could not be well secured unless steps were taken to place the law on the subject of Ecclesiastical Dilapidations on a proper and equitable footing. It was a most objectionable thing that any incumbent should have, on his first entrance into an incumbency, to begin a dispute with his predecessor or his representatives. Perhaps the former incumbent had died, leaving a widow and children. For the incoming clergyman to engage in a litigation with the widow and orphans could not but be injurious to the interests of the Church, and be productive of great misery to the representatives of deceased clergymen. The present Bill, which had been drawn up with great care, and with great deference to the opinion of the clergy, proposed that wherever an incumbent chose to put himself under its operation there should be a quinquennial survey by the authorized surveyor, and that so long as the House was kept in that state of repair which should be deemed necessary by him, the matter in case of dispute being subject to an appeal to the Bishop, the outgoing incumbent or his representative should not be liable to any further claim for dilapidation. The incumbent would thereby be saved from the uncertainty so dangerous to a man of small means. The Bill proposed to confer a real instead of a nominal power on Bishops and Archdeacons, and it would be their duty to see that the repairs ordered were carried out, and that the rights of the Church were conserved in case of obvious neglect. It was very desirable that some definition should be given to the word "dilapidation," if possible. This he knew was a most difficult thing to do, and was quite beyond the power of the episcopal Bench; still, he thought some of the noble and learned Lords who would, no doubt, be upon the Committee, might be able to assist them, and would be able to settle a definition. If they should succeed in doing so, they would confer a very great boon on the clergy. Practically, among the experienced surveyors of the metropolis and some other places, the term "dilapidations" had a meaning that was pretty generally understood. It was said that a difficulty would arise from the necessity of drawing a distinction between ordinary and extraordinary repairs, but such a difference really existed already. At present all "dilapidations" were charged as "ordinary repairs." If the incoming incumbent desired to make improvements in his house, he was authorized, with the consent of the Governors of Queen Anne's bounty, to borrow money for such purpose under the head of "extraordinary repairs;" so that there really was such a distinction at the present moment. The Bill, he thought, would place incumbents generally in a better position in this respect. Another matter of importance was this:—it might happen that an aged man or a bachelor only required a small house, or preferred to live in a poor one, and enjoy the interest of the money, leaving the principal to accumulate for his successor. A clause had been introduced into the Bill to meet such cases as that, and it was proposed, where an incumbent chose to put himself under the quinquennial survey, instead of calling upon such a person to put the house in order, to require him to pay the money necessary for the repairs into a fund, he receiving the interest, while the incoming incumbent would be secured against loss, and the peculiar views or desires of the existing incumbent would not be interfered with. Their Lordships, he knew, would consider a Bill which affected the interests of the clergy generally, and so large a number of the laity, as one of primary importance, for they were as much interested in the welfare of the Church as any one of his right rev. Brethren on the episcopal bench. There were two ways in which to benefit the clergy whose means were small. One was to increase those means, and the other was to diminish their burdens. He looked upon the Bill as one which would produce an equitable adjustment of a difficulty which pressed hardly upon the clergy; and he was sure that if their Lordships could devise some means whereby the law of dilapidations could be made equitable and intelligible, the clergy would feel deeply grateful. There was one more observation which he would make. A great deal of their ecclesiastical law was now in name one thing, in practice another. Nothing was more difficult than to ascertain how far the theory of that law was in accordance with the reality, and capable of being carried into effect. It would be a boon to the clergy and others if they were able to make the practice of ecclesiastical law correspond with the theory in respect of dilapidations.

LORD PORTMAN concurred in what had been said as to the difficulties of this subject; but no one who looked at this Bill could fail to perceive that the principle which their Lordships were asked to affirm had never been affirmed hitherto by either House of Parliament. If they passed this Bill, they would declare that not one of the existing interests should be touched by its provisions;—the measure would reserve intact all the interests of the existing clergy and of the right rev. Bench, and direct all its provisions to their successors. He thought that was a very great objection to the principle of the Bill. There was another objection which ought also to be considered by their Lordships. By the Bill introduced last year by the right rev. Prelate it was proposed, as he understood, that the cost of working this measure should be defrayed by a fund raised from the whole body of the clergy. But by the present Bill it was proposed that each Bishop in his own diocese should settle the mode of payment for his diocese. The amount of the fees and the mode in which they should be managed were entirely to be settled by the Bishop. That would lead to a variety of systems, and give rise to much difficulty and dissatisfaction. The mode of valuation was also highly objectionable, and had done much to frighten the clergy, because, on the one hand, a London valuer might be sent down who would assess at thousands, where a local man would assess at hundreds. As to "dilapidations," no one could define what the word meant, and there would be a constant difficulty in deciding what were "ordinary," and what were "extraordinary" repairs. He hoped their Lordships would bear in mind the suggestions of the learned Commission of 1832, which included among its members all the most eminent men of the day. He would recommend their Lordships to send the subject to a Select Committee, unfettered by the provisions of the Bill then before the House.

THE LORD CHANCELLOR said, that many of the remarks of the noble Lord who had just sat down were well founded. The Bill related to many matters which were undoubtedly fit to be considered by a Select Committee; but the course the noble Lord proposed would preclude the possibility of any legislation on the subject in this session, and such a delay was not at all desirable. Speaking from experience, he could say that frequently the want of such a measure had caused great individual suffering and injury to the Church. Cases were reported of livings of no great value upon which the houses were left in a state of ruin by the deceased incumbents, who had died leaving no means of discharging the obligation of repairing them. The principle of the Bill was very different to what the noble Lord (Lord Portman) represented it to be; the principle of the Bill, he took it, was to do away with the great uncertainty which existed on the subject of dilapidations. The noble Lord spoke quite accurately as to the theory of the law, but his observations on that point were anticipated by the right rev. Prelate, who showed that there was a vast difference between the theory and practice of the law. Unfortunately, from peculiar circumstances in our history, a great part of the theoretical ecclesiastical law was left without any means of adequately carrying it out. On the subject of "dilapidations" there was the greatest uncertainty. In the first instance, dilapidations were assessed on behalf of the incoming incumbent, who received a certain sum of money, which, perhaps, he did not apply very honestly, and vacated the living after two or three years; and all the costs of the dilapidation then fell on the new incumbent. By this great wrong might be done to individuals from no fault of their own, and there was no adequate remedy. The principle of the law should be that every incumbent should pay for such dilapidations as accrued during his incumbency. But who was to ascertain that? The principle of the Bill was intended to meet a confessed evil. Whether the machinery was adequate, or the remedy sufficient, would form a proper subject of inquiry before the Select Committee; and if that inquiry were limited to points in immediate connection with the Bill, the Session might be distinguished by the passing of a measure of great humanity and of great necessity for the purpose of doing justice to the clergy, and above all, of doing justice to the Church itself.

The Bishop of LINCOLN said, that the noble Lord who had raised objections to the Bill, must have misread the clauses; for, in fact, the Bill was intended to remedy the very evils of which the noble Lord complained. The noble Lord seemed to think that under this measure there would be a danger that there would not be a uniformity in the assessments; but this Bill provided that surveyors should be elected by the clergy and the rural deans of the diocese, and not appointed by the Bishop, and these would be the only surveyors employed. But although the Bill would, to a great extent, remedy the evils of the existing system, he thought it was defective, in respect that it did not include the existing generation of incumbents. In all cases except one—when complaint was made to the Ordinary, which would very rarely be done—it was entirely optional to existing incumbents whether they would, or would not, put themselves within the operation of the Bill. He thought the clauses exempting them from the operation of the Bill should be struck out. Another subject was that of fixtures. The law with reference to them might or might not be ascertained; but practically it was unknown to the incumbents, and was the cause of more disagreements than anything else. He would suggest, therefore, that the Committee should inquire as to the law relating to fixtures, in order that it might be made known.

Viscount DUNGANNON was satisfied that nothing could be more objectionable than the law on this subject as it now stood, and that therefore some legislation was required. He hoped, therefore, the question would be referred to a Select Committee, in order that the law might be put in such a state as would put an end to the present state of doubt, dissatisfaction, and alarms, in respect of dilapidations. On the question of fixtures, to which the right rev. Prelate had referred, there existed considerable anxiety; and many of the clergy were most anxious to know what were dilapidations and what were fixtures. He rejoiced that the time had arrived when this very serious question could be calmly and dispassionately considered.

The Bishop of OXFORD said, he was anxious to say a single word as to what fell from the noble Lord (Lord Portman) as to what was the principle of the Bill, and could or could not be altered in a Select Committee. He differed entirely from the noble Lord on that point, for he entertained a strong opinion that whatever now was made law in regard to this matter should include existing incumbents, and that they should not seek to impose on their successors that which they would not think it fair to impose on the existing clergy. He thought that the alteration of the law should apply to existing incumbents. The principles of the Bill had been carefully considered and formally agreed upon by the right rev. Bench. The results of their deliberations were then handed to legal gentlemen to be drafted into a Bill; but his own opinion was, that this operation had not been very successfully carried out, and that things had been left out and others had been inserted to the injury of the Bill. He trusted that in Select Committee very considerable alterations would be made—not in the great principle, which was that the law should be amended by preserving the right of a successor to a benefice without injuring those of the previous holder—but in certain details. He would add that he thought that it would give great satisfaction to the clergy if they could become aware of the kind and considerate manner in which their Lordships had entered upon this subject, and of the amount of interest which had been evinced in it.

Motion *agreed to.*

Bill read 2^{a} accordingly, and *referred* to a Select Committee.

And on Monday next the Lords following were named of the Committee:—

L. Abp. Canterbury
Ld. Chancellor
L. Abp. York
D. Devonshire
E. Derby
E. Cowper
E. Stanhope
E. Carnarvon
E. Romney
E. Ellenborough
V. Dungannon
V. Stratford de Redcliffe
L. Bp. London
L. Bp. Winchester
L. Bp. Oxford
L. Bp. Lincoln
L. Portman
L. Overstone
L. St. Leonards
L. Chelmsford
L. Taunton

House adjourned at half-past Six o'clock, to Monday next, half-past Eleven o'clock.

HOUSE OF COMMONS,

Friday, May 2, 1862.

Minutes.]—Public Bills.—1° Oxford University.
2° Burials; Education of Pauper Children.

HIGHWAYS BILL.—QUESTION.

Mr. SLANEY said, he would beg to ask the Secretary of State for the Home Department, If he will introduce a clause in the Highways Bill to enforce the repairs of footpaths being highways across fields and elsewhere near great towns?

Sir GEORGE GREY said, he was not quite sure that such a clause would come directly within the purpose of the Highways Bill; but he would recommend his hon. Friend to give notice of a clause to the effect stated, and the matter would be considered.

CENSUS (IRELAND).—QUESTION.

Sir FREDERICK HEYGATE said, he wished to ask the Chief Secretary for Ireland, If the result of the late Census of Ireland, extending, as in the years 1841 and 1851, to the population of each townland, will be published during the present Session?

Sir ROBERT PEEL said, he was afraid it would not be possible to publish the Returns this Session. When the Census of 1851 was taken, the Irish Returns were not made till the following year, but he hoped those of 1861 would be published before the end of the present year.

ABDEL KADER.—QUESTION.

Mr. DARBY GRIFFITH said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether information has been received that the Turkish Government was requiring from Abdel Kader the dismissal of his Algerian Guards, who were the means, under his command and direction, of saving great numbers of Christian lives during the late massacres at Damascus; and whether the British Government, who are parties to the transactions in Syria, approve of such a return being made to him for such services?

Mr. LAYARD replied, that no such information had been received by the Government. He believed that some time ago, either last year or the year before, on the general disarmament taking place in Syria, a portion of the followers of Abdel Kader were necessarily disarmed with the rest; but the Turkish Government had behaved with great liberality to Abdel Kader in the matter, and allowed him to retain 200 armed men.

DEFENCE COMMISSION.—QUESTION.

Sir MORTON PETO said, he would beg to ask the Secretary of State for War, If he will give the opportunity of considering the Report of the Defence Commission, and the evidence on which it is founded, by allowing the interval of a week to elapse between its being in the hands of Members and its discussion?

Sir GEORGE LEWIS said, there was no wish whatever on the part of the Government to deprive the House of the fullest opportunity of discussing this question. It would, probably, be his duty to propose that an additional sum should be taken beyond the loan two years ago. That would render it necessary that a Bill should be brought in; there would, therefore, be ample opportunity for discussion on the subject.

SUPPLY.

Order for Committee read.

Motion made and Question proposed, "That Mr. Speaker do now leave the Chair."

ROYAL COMMISSION—VOLUNTEERS.

QUESTION.

Lord ELCHO said, he wished to ask the Secretary of State for War, When the Royal Commission will be issued which is to inquire into the position and prospects of the Volunteer force?

Sir GEORGE LEWIS said, he had to state, in answer to his noble Friend, that the names of the persons proposed to form the commission to which he referred had already been submitted to Her Majesty, and the Commission would be issued shortly.

IRISH RETURNS.—QUESTION.

Colonel DICKSON said, he rose to ask the Secretary to the Treasury and the Chief Secretary for Ireland, Why certain Returns and Correspondence, moved for by him nearly two months ago, have not been furnished?

Sir ROBERT PEEL stated, that the Returns referred to had taken a great deal of time in preparation; but he had received a letter from the officer in Ireland who had charge of the subject, and they would soon be forthcoming.

THE BARON DE BODE.—QUESTION.

Mr. LOWE said, he wished to ask the hon. Member for Tiverton, Whether it is his intention to move for the re-appointment of the Select Committee appointed during the last Session to inquire into the claims of the Baron de Bode?

Mr. DENMAN said, he could not give a positive answer to the question. He was quite ready to proceed with the inquiry; but the Baron de Bode was, and had for some time, been absent in Russia. He had communicated with him, asking if it was his wish to proceed; for he felt it was not desirable for the interests of justice or the interests of the Baron de Bode to proceed with the inquiry in his absence. Until he knew that the Baron was anxious for the re-appointment of the Committee, he certainly should not move for it.

PROSECUTION EXPENSES BILL.
QUESTION.

In reply to Colonel Gilpin,

Sir GEORGE GREY stated, that the Criminal Prosecutions Expenses Bill, which stood on the paper first for Monday, would not be proceeded with on that day, or till the inquiry now pending before a Committee was concluded.

COMMERCIAL TREATY WITH ITALY.
QUESTION.

Mr. W. E. FORSTER said, he wished to ask the Under Secretary for Foreign Affairs, Whether he can inform the House if it is true that the Italian Government have sent a Special Envoy to this country to negotiate a new Commercial Treaty?

Mr. LAYARD said, it was well known that the Italian Government had shown great liberality in their commercial policy towards this country. It was quite true that they had sent Signor Mariani, an eminent Member of the Italian Chamber, as a special Commissioner to this country to negotiate such a treaty.

DISTRESS IN LANCASHIRE.
OBSERVATIONS.

Colonel WILSON PATTEN said, he had given notice of his intention, on going into Committee of Supply, to call attention to the distress existing in Lancashire connected with the cotton manufacture. He wished, however, to state that he had been requested by his right hon. Friend the President of the Poor Law Board to put off his Motion till Monday. He had promised to do so, but on coming down to the House he found that Supply did not stand first on the paper. Another subject preceded it, which would likely occupy the greater part of the evening. He therefore wished to know if the Government would give him another early opportunity of bringing forward his Motion? He had not been aware, when he acceded to the request of the President of the Poor Law Board, that an arrangement had been made to take the education question first on Monday night, and he could not depart from the understanding with his right hon. Friend, who was now absent, without a breach of good faith.

EDUCATION.—THE REVISED CODE OF REGULATIONS.—QUESTION.

Sir JOHN PAKINGTON said, he wished to put a Question to the noble Lord at the head of the Government, of which he had given private notice, with regard to his intentions touching the further progress of the Education Debate, Whether, considering the fact that the changes in the Revised Code were only placed on the table on the night the House adjourned, and there had been no fair opportunity of duly considering them, and considering the wish on both sides of the House that this long-pending question should be brought to a settlement satisfactory to the country, the noble Lord has any objection to meet that wish by postponing the further consideration of the Education Code to a later day than Monday next.

Viscount PALMERSTON: Sir, in answer to the right hon. Baronet, I have to state that the last modifications in the Educational Code were announced on Friday, the 28th of March; they were laid on the table on the 11th of April, and were in the hands of Members on the 12th; while on the 1st of April it was settled that the discussion was to be resumed on the 5th of May. We are now at the beginning of May; considerable time has elapsed since the whole of the modifications in the scheme in a printed form were placed in the hands of hon. Members. Considering, therefore, the state of business, and various other things which are urgent, as well as the period of the Session, if the right hon. Baronet means by his question to ask whether we will give up another Government day, I am afraid I must be obliged to say I do not think we can afford to do so. But he will remember that this is not a Motion on our part. It proceeds from the right hon. Gentleman on the other side of the House. It is not, therefore, within our domain to state when it should come on; but if it does not come on on Monday, we cannot undertake to furnish another Government night for the discussion. It will then be for the right hon. Gentleman, in concert with those who have precedence on other nights, to choose his own opportunity. With reference to the question of my hon. and gallant Friend (Colonel W. Patten), I am afraid it would be impossible to enter on the long discussion fixed for Monday with anything like a chance of overtaking the subject to which he refers. I can only say that, as far as we are concerned, the arrangement must remain as it now stands, and the debate on Education will be taken on Monday. Some other night must therefore be fixed for the other question.

MESSRS. DUNCAN AND HUTCHINSON.

QUESTION.

Lord ROBERT MONTAGU said, he rose to ask the Secretary of the Treasury, Whether he can give any information regarding an "available balance" due from Messrs. Duncan and Hutchinson, which has appeared on both debit and credit sides of the financial accounts for the last ten or fifteen years?

Mr. PEEL stated, that it was the balance of a larger debt to the Crown, which was kept on both sides of the account in hopes that, at some time, the property of the bankrupts might be made available for repayment to the Crown.

TYRONE GRAND JURY.—QUESTION.

Major KNOX said, he would beg to ask the Secretary for Ireland, When the Papers he moved for connected with the tampering with the Tyrone Grand Jury Panel, will be laid on the table, as he was anxious to give the Government an opportunity of stating what course they intend to pursue to prevent the recurrence of such conduct at the Summer Assizes.

Sir ROBERT PEEL said, the Papers would be presented as soon as possible.

DISTRESS IN LANCASHIRE.

QUESTION.

Colonel WILSON PATTEN said, he would beg to ask the noble Lord at the head of the Government, When Supply would come on again, as, at the request of the right hon. Gentleman the President of the Poor Law Board, he had consented to postpone bringing forward the subject of the present distress in the manufacturing districts, of which he had given notice for that evening. Under the circumstances, he thought he had a right to appeal to the Government to afford him an early opportunity of calling the attention of the House to this question.

Viscount PALMERSTON said, he was not sure what arrangements his right hon. Friend the Chancellor of the Exchequer had made with regard to the time for proceeding with his financial measures; but he would undertake that either on Thursday or Friday next the hon. and gallant Member should have the precedence.

CAPTAIN JACKSON'S REPORT.

OBSERVATIONS.

Mr. W. EWART said, he rose to call attention to Captain Jackson's Reports on the importance of establishing Soldiers' Institutes at Aldershot and Portsmouth, and to inquire whether an early opportunity will be taken of carrying his recommendations into effect? Those recommendations were so much calculated to raise the moral and intellectual character of the soldier, and had been found of so much benefit at Gibraltar, that he would express an earnest hope that the War Office would see reason before long to adopt them.

TROOPS IN CHINA.—QUESTION.

Colonel DUNNE said, he would beg to ask the Secretary of State for War, Whether there are any troops in China not included in the numbers in the Estimate or estimated for; and whether, if there be any Troops in China, those Troops receive the Indian Pay and Allowances; also whether they are paid out of the Treasury Chest, or if not, from what fund?

Sir HARRY VERNEY said, that in the Report of the Commissioners on the state of the army, in which military institutes and barracks were recommended, the opinion was given that the success of such institutions must depend upon the mode in which they were managed ; any apathy on the part of the officers would be fatal. Out of barracks they did not recommend them unless under particular local circumstances. He should, therefore, be glad to hear whether any steps had been taken towards carrying out the recommendation of Captain Jackson at Aldershot. He and other hon. Members had understood that the item of £3,000 in the Estimates for the purchase of an iron house was intended for that purpose, and that an opportunity would thus be afforded of testing the success of a social home for soldiers there, than which he could conceive nothing more calculated to improve the moral character and to promote the sanitary state of the troops. Such at least had been the effect at Gibraltar, where an institution of a similar nature had been established, to which 2,500 of the soldiers were subscribers, and the Governor, Sir W. Codrington, had borne testimony to the great improvement it had wrought in the moral character and health of the soldier. Any such arrangement as that which existed in the French army would not be tolerated in this country ; and were it even suggested, every town and village in the kingdom would petition against it. The only argument that had been urged in its favour was its sanitary effect. He, however, believed that so far from preventing it promoted disease, and that there was a greater percentage of sickness where that system existed than elsewhere, to say nothing of the immorality to which it led.

Mr. SCLATER-BOOTH said, that he had been in communication with many of the inhabitants of Aldershot, who were as anxious to see some means adopted by which the immorality which occurred there and in other large garrison towns among the soldiers might be greatly diminished ; and having given a good deal of consideration to the detailed proposal of Captain Jackson, he would only say that he feared there would be considerable difficulty in assuming that the suggestion he made would meet the evils it was proposed to remedy. The success of these social homes depended not only upon management, but on local and other circumstances, and he would caution the Government against expecting too much from incurring any large expenditure in such an experiment. He had been informed by many of the residents of Aldershot, and by the intelligent superintendent of police there, that the idle and dissolute soldier had but one object—namely, to escape from the control and discipline of the barracks, in order that he might indulge in his vicious propensities ; that class of men were not likely to avail themselves of such institutions. Indeed, it was doubtful whether any place would be resorted to by the soldiers which was situated within the barrack grounds, and he believed the officers' clubhouse at Aldershot had failed from a similar disinclination on the part of officers to spend their leisure time within the camp.

Sir GEORGE LEWIS said, he understood the hon. and gallant Officer the Member for Portarlington (Colonel Dunne) to refer in his question to the Estimate of the present year beginning on the 1st of April last. The latest returns which had been received from China were dated 1st of January, 1862. At that date there were 1,560 of all ranks of native troops in China. That number was not included in the Estimates for the current year, inasmuch as it was expected that the force would have returned to India. It was not, however, possible at present to make the change, and a body of native troops would still remain in China. With regard to Captain Jackson's Report, he could only say it had received careful consideration, and a Vote had been proposed in the Army Estimates by which it would be possible for the War Office to carry out its recommendation. The iron house to which reference had been made belonged to the War Office, and, no doubt, it was acquired with the intention of converting it into a soldiers' home ; but since the Vote passed, it had been represented that its situation was inconvenient and ill-suited for its purpose, and it was in so conspicuous a part of the camp that the men would probably be deterred from going there. That was the explanation of the pause in making the final arrangement, but he was nevertheless inclined to carry into effect the recommendation.

NEW FORT IN PLYMOUTH SOUND.

QUESTION.

Mr. BENTINCK said, he regretted that the right hon. Baronet would be prevented from answering a question which he had to put concerning a fort which he was informed was about to be constructed in Plymouth Sound. The objections to the proposed fort were both military and naval, and therefore he wished to elicit answers from the Secretary for War and the Secretary for the Admiralty. It was on the subject of the new fort ordered to be constructed in Plymouth Sound. If the information he had received was correct, the fort in question was, in its position and every other circumstance, of a character so entirely exceptional, that whatever the conclusion at which the House ultimately arrived as to the merits of the Spithead forts might be, he would undertake to prove that the proposed fort in Plymouth Sound could not possibly be placed in the same category. He was told that the fort was to be constructed on an artificial island to be formed in the best part of the anchorage of Plymouth Sound, and that the fort was to be similar to those in course of construction at Spithead. For the information of those not acquainted with Plymouth Sound, he would state that its anchorage was very limited, and it was surrounded on all sides by very high ground, from which it was commanded in every possible direction by forts of the heaviest and most formidable description. Therefore, in a military and defensive point of view, the erection of a battery in the locality in question was quite uncalled for. But, supposing it could be shown that the fort was necessary for the purposes of defence, he wanted to know why the breakwater itself, which was distant only about 200 yards from the proposed site, had not been selected as the locality for it? The breakwater would afford an ample foundation sufficiently solid for the purpose, without going to the expense of creating an island by throwing large masses of stone into the Sound. He wished to know whether his noble Friend the Secretary to the Admiralty had considered the matter, and whether he would not at once admit, that if the fort were erected on the proposed site, it would spoil the best and most sheltered part of the already limited extent of anchorage within the breakwater. The fort, in fact, would occupy the only part of the anchorage in which vessels could be protected from south-westerly gales. Under these circumstances he thought he was entitled to ask for a full explanation of the reasons that had prompted the commencement of this most extraordinary undertaking. The proposal upon both military and naval grounds was entirely indefensible, and would occasion a mere waste of public money. The House having already strongly expressed its opinion that further inquiry ought to take place before expending money upon the forts at Spithead, *à fortiori* the construction of the fort to which his question related ought not to be proceeded with.

SIR GEORGE LEWIS said, he believed that according to the original plan the fort alluded to was to have been erected upon the breakwater, but upon reconsideration it was thought more advisable that it should be erected in the sea, near the breakwater. The foundation would not be composed of stones thrown down in the same way as the breakwater, but would be a nearly perpendicular wall. He was sorry that the hon. Gentleman had not brought the question forward during the debate upon the Spithead forts, there being a close affinity between the two questions.

MR. BENTINCK: At that time I had never heard of the proposed fort.

SIR GEORGE LEWIS said, he regretted the hon. Gentleman's inquiries had been so recent, as it would have been more convenient if the House had had both questions under its notice at the same time. He would, however, make this offer to the hon. Gentleman—he had no objection to refer it to the Defence Commission which had now the subject of the Spithead forts for its consideration, to inquire and report upon the policy of proceeding with the insulated fort in Plymouth Sound. He would not undertake to stop the works, but would undertake to make the reference immediately, and he had no doubt the Report would be ready in a limited time.

MR. BENTINCK said, he desired to receive an answer to his question from his noble Friend the Secretary to the Admiralty.

LORD CLARENCE PAGET replied, that the Defence Commission was composed of officers of both services, and was competent, therefore, to express an opinion upon the naval as well as the military part of the question.

IRISH DISTRESS.—OBSERVATIONS.

MR. MAGUIRE said, he rose to call attention to the fact that several Deaths from Starvation have occurred recently in Ireland; to ask whether the Government have received official information of such cases having occurred; and, if so, whether they have taken or are about to take any steps in consequence; also, whether they have any objection to lay upon the table all the Reports, Communications, and Correspondence in reference to such cases? Referring to the notice which the hon. and gallant Member for North Lancashire had given as to the state of distress in the cotton manufacturing districts, and to the very cordial manner with which the House had received that notice, he expressed his conviction that every Member of the House deeply sympathized with the severe distress of the people of Lancashire. The distress which existed in Lancashire was not, however, so much to be attributed to the dispensations of Providence as to the evil passions of man. As an Irish Member, he felt the greatest interest in the alleviation of that distress; but, at the same time, he could not shut his eyes to the fact that there was as wide or wider spread distress in Ireland. He was sorry to say that every circumstance which had recently come to his knowledge only confirmed the existence of that distress, and showed the probability of its increasing rather than diminishing during the next three or four months. There was now a state of things in Ireland which should command the sympathy of every man who had a heart to feel for human distress. Several deaths had already occurred from destitution. He begged to call attention to the fact that Ireland was purely an agricultural country, and that her prosperity almost entirely depended upon the state of her harvests. The last two harvests had been very bad ones, especially in respect of the potato crop, which the people continued to cultivate with the greatest pertinacity. Since 1845 there had scarcely been a good potato harvest in the country; but for all that, he believed the people would not relinquish the planting of that valuable esculent, but would trust to Providence to grant to them at last the fruit of their labours in a wholesome and abundant harvest. Cobbett, were he alive, might denounce them for persevering in the cultivation of so precarious a crop; but he (Mr. Maguire) could not blame them for thus showing an abiding trust in the mercy of God. He would beg to remind the House of an important fact—namely, that Ireland, from being an exporting country, had recently become an importing country. During the year 1861, while she exported but £2,000,000 worth of grain, she imported about £6,000,000 worth, leaving a balance against her of £4,000,000. Her loss in live stock—that is the diminution of her live stock—amounted, in two years, to nearly £3,000,000. And judging by the analogy of former years, her actual loss from the partial failure of the grain crop, and the general failure of the potato crop, could not have been less than £20,000,000 It should be also remembered that there were in Ireland some 450,000 small landholders or farmers, who occupied farms not exceeding 30 acres each; and if an average were taken of the number in each family—say the occupier, his wife, and three children—the gross number would represent a very large proportion of the agricultural population of the country. Upon this class the loss of the potato, and the deficient grain harvest, fell with the greatest severity. None of this class were in position to employ the labourer; and even the better class of farmers were in many instances deeply embarrassed, and had not the means of employing labour to any extent, as they were accustomed to do in better seasons. In many of the towns of the South and West of Ireland trade had utterly collapsed, the shopkeepers doing almost nothing, in consequence of the farmers and labourers being unable to purchase the usual articles of clothing and other necessaries, with which they were in the habit of providing themselves and their families in other years. There was not a class in Ireland, from the lowest to the highest, that did not feel the general pressure; for it was useless for the humane landlord to attempt to obtain the whole of his rents from an impoverished tenantry. There were hon. Gentlemen present who had assured him of the impossibility of succeeding in any such attempt, were the attempt to be made. With those facts before him, exhibiting serious and widespread distress and depression, he did not address himself to the right hon. Gentleman the Secretary for Ireland and his Colleague, in an angry or a captious spirit; on the contrary, for the sake of those whom he desired to serve, he addressed him in a spirit of kindness and conciliation, and he only wished that on this occasion the stubbornness of the official would be broken down or laid aside, and that the man should alone be heard. He made every allowance for the position of the Irish Secretary. He was but recently called to his present office; but for the last half-dozen years it had been the habit of the noble Viceroy, his superior in the administration of affairs in Ireland, to harangue the people of that country and the public of this country upon the wonderful prosperity of Ireland. Addresses had been periodically delivered by the noble Viceroy, proving that Ireland was running a race of unparalleled progress, and was, in fact, becoming the model country of the world. Every official who wrote or spoke, wrote or spoke in the same strain; and every organ that represented the Government joined in singing the same joyful hymn. He felt assured that the right hon. Gentleman might not have taken the course he had done if he had not found himself the representative of a system of pertinacious denial that distress existed, which was far from credible to the candour of the noble Lord at the head of the Irish Government; and he implored the right hon. Gentleman to fling aside all those miserable official shackles, which strangled every generous emotion, and to turn a deaf ear to those mere red-tapists who did everything and dealt with everything by the rules of office. On a former occasion he had asserted that widespread distress existed in Ireland—a statement which he now repeated, and was prepared to prove. He should adduce the verdicts given at the coroners' inquests to show that several deaths had occurred in Ireland from want of the necessaries of life. And the worst was not past. If ever the Government was to do anything, to show any sympathy for the suffering people, or stretch out a hand to aid them, now was the time. In former years of distress it was well known that the worst periods were the months of June, July, and August, before the new harvest could be cut, and especially in the parts of the country where the harvest was late. Generally speaking, the harvest in Ireland was later than in England; and this year, he feared, they would not have till late in August a supply of food for the people at home. The Poor Law, as administered in Ireland, was utterly inadequate to meet the distress that pervaded the country. In Lancashire there was a different state of things from that which existed in Cork or Connemara. In England there was a system of out-door relief; in Ireland there was none. It thus happened, that while in England in any pressure from which the working classes suffered, as at present in the cotton districts, the Poor Law was equal to their immediate relief, in Ireland the Poor Law was not, as now administered calculated to meet the pressure of times like the present. It might seem extraordinary to English Members, but there were masses of people in Ireland who would rather die in their cabins or on the roadside than go into the workhouse. The statement might appear to be an extravagant one, but it was still literally the fact, and could be proved not only by numberless instances in point, but by the deliberate records of officials. Before he gave any particular cases that proved the severity of the suffering, the House would allow him to state what had been done to relieve it. A number of persons in Ireland had had the audacity—the criminal audacity—to say that the appeals made to Irish charity had been got up by agitators, and that a cry of distress was raised for evil purposes. To that assertion he gave a positive and solemn denial—he would not say an indignant, but a sorrowful denial. It was totally without foundation, or a shadow of truth. Who best knew the condition of the people? The Catholic clergy—those who had given relief from their own scanty means, and ministered to them in the time of hunger and wretchedness. Not a single word had been said by the Catholic clergy that had not been justified by the official Reports laid on the table of the House. In consequence of these appeals several district relief Committees had been formed in Ireland, and a central Committee at the Mansion-house, presided over by the Lord Mayor of Dublin. The central Committee had raised about £2,200, and the district Committeer £6,000; and of that sum above £4,000 was contributed, not by landlords, but by townspeople, strangers, and occupiers, many of whom were themselves suffering under the pressure. The Mansion-house Committee had done great service in eliciting public feeling, and inducing those who otherwise might have been hard and grasping to be merciful and considerate. But that Committee had started into existence almost under the ban of the Government. It had gone on without the patronage of the Government, though the result of its appeal had saved many human lives and diminished the record of deaths by destitution that would have been piled up as a terrible accusation against the Government of the day. He would read a letter from the Catholic Bishop of Galway, Dr. M'Evily, dated April 17. The letter was addressed to the Mansion-house Committee. Dr. M'Evily was under the impression, common in Ireland, that the Government did not wish this question of distress to be mooted. He said the coming three months would sorely try the people, and he did not see what was to become of them during that time. His Lordship thus continued—

"One of the most painful aggravations of the sufferings of the people is that a general impression has gone abroad that the Government, whose first duty one would think it is to save the lives of the people—(for what other purpose do they hold the reins of Government—to what other purpose do the taxation, the armaments, &c., of the country tend ?)—not only neglect this duty themselves, but regard with disfavour every effort to save them. It seems to be generally understood that the truly patriotic and charitable exertions of the several relief Committees, without whose interference thousands would have died of cold and hunger, are opposed to the views of Government; and no Government official, no expectant of Government favours, it would seem, can take any part in them, or even publicly contribute to their funds. No doubt we enjoy very great liberty in this country. Where is there any other country on the face of the globe where there is such liberty to starve ?"

That was the opinion of the Catholic Bishop of Galway; and no wonder, since the Government had endeavoured to disprove the fact that there was wide-spread destitution in Ireland. He (Mr. Maguire) would go farther, and say, that that opinion, whether rightly or wrongly founded, was entertained by the great majority of the people of Ireland. He would give a few instances which, while exhibiting the distress prevailing in the districts referred to, would at the same time indicate the felling entertained in reference to the pertinacious incredulity of the Government. Here was a letter from the Rev. R. Prendergast, the parish priest of Newport, Mayo—

"Newport, Mayo, April 26, 1862.

"Dear Sir,—You will perceive in the public papers the resolutions adopted by the clergy of the Westport Deanery, on the 23rd inst., proclaiming to the Government the appalling distress now terribly felt by the people of this mountainous district. I beg respectfully to draw your attention particularly to the deplorable condition of my parish. This parish numbers 1,090 families, scattered over an area of 21 by 10 miles, principally mountainous—all chiefly subsisting on the potato crop. There has been a complete failure of this staple food of the people—add to this dire scarcity of food during the winter, and you will form some estimate of the people's sufferings. The pressure arising from the two-fold calamity has now come to such a crisis that, unless the Government immediately intervene to aid the people, death from starvation will be the inevitable consequence. There was every effort made by local contributions to meet the scarcity of fuel in the parish during the past season; but at present no amount of foreign or local charity can cope with the prevailing want of food.

"I hope you will earnestly press upon the Government the necessity of attending to their claims.—I have the honour to be, your obedient humble servant,

"Richard Prendergast,
"P.P., Newport, Mayo."

"J. F. Maguire, Esq., M.P."

In reply to those who said there was no distress, he might advert to these resolutions of the deanery of Westport, which stated that no description of the appalling distress of the people of that extensive seaboard and mountainous district could give an adequate idea of the sad reality, and that, as ministers of God, they felt it an imperative duty to proclaim it to the Government, and to urge upon it the necessity of taking effective measures to save the lives of Her Majesty's subjects from death by starvation, otherwise inevitable. They also stated that the present condition of the country was not the result of indolence, or want of industry on the part of the people, but owing to the calamities of the season, the failure of the crops, the dearth of fuel, and also a malignant disease amongst pigs and cattle, combined with rigid exaction of rents. The last resolution, which he would read, was in these terms—

"That the false representations of Government officials, and others who studiously endeavour to conceal from the gaze of the civilized world the real state of the country, are equally inhuman and unchristian, and deserve the unqualified censure of every enlightened man, no matter of what land or country."

Whether those expressions were justified or not, he was convinced that they were the prevailing sentiments of a majority of the Irish people. Even Belfast was not without suffering from the depression of the times; for he saw, by a statement in the *Belfast News* of the 16th of April, that a meeting of Protestant clergymen had been held in that town, at which meeting the prevalence of distress among the working population was fully admitted and strongly represented. It was also stated in the *News* that the classes now suffering were hitherto the best customers of the traders, who ought to assist them in their distress; and after ridiculing the prosperity reports of people connected with the Poor Law, the writer stated that those who were suffering would endure any privations rather than degrade themselves by entering the workhouse. He (Mr. Maguire) was rather proud than otherwise of this horror of the workhouse entertained by honest and industrious men. He might refer to a letter from the Rev. F. Kenny, P.P., dated Moycullen, Galway, April 30th, as it reflected credit upon the decent pride and self-respect of a suffering people. The writer said—

"That for a considerable time past the people of his parish had been enduring the most trying

> privations without his knowledge or any outspoken complaint. As long as credit lasted, and any articles of dress, bedclothes, or furniture upon which they could raise money, he heard not a word about cold, hunger, or any privations. It was only when the sacred duties of Easter brought him into close and daily intercourse with them that he learned the extent and severity of their distress, which their proverbial and characteristic, though mistaken pride, could no longer conceal. Not more than five or six families out of about 550 had provisions up to the date of the letter, and by far the greater number of them were buying food since the beginning of the year, and many since last November. There was not much employment in the parish, as nearly all the landlords were absentees ; and the landholders, with one or two exceptions, had only small farms."

The writer added—

> "So you may easily judge of the condition of my flock, and of the dreary prospects before them. The Government, it appears, is still deaf to the cries of the indigent, as well as to the appeals made in their behalf."

In further confirmation of the distressed condition of the people, he might quote from a communication received from Mr. Murphy, of Bantry, which stated that on Saturday, the 26th of April, a poor man went begging from door to door in the town of Bantry. He was not an ordinary beggar, in all probability had never asked alms before in his life ; but his case is equally illustrative of the misery of his class and the operation of the Poor Laws. The name of this man is John Shea, of Faha, parish of Clonlawrence. He has a wife and eight children, one of them, a boy, then lying in a helpless state from the effects of starvation. His family were refused admission to the workhouse unless he consented to go with them ; but as he is struggling desperately to sow a bit of ground—his only chance of social salvation—he refused to accept indoor relief, and preferred making an appeal to the charity of the public, in which he was fortunately successful. The Rev. J. O'Reilly, the parish priest of Clonlawrence, bears testimony to the truth of this statement, and states that Shea and his family are suffering from want of food, fuel, and clothing ; and the gentleman who sends the case says, "There are some hundreds of such cases in and about this neighbourhood." He now came to the list of deaths by starvation, proved to be so by unquestionable evidence. He could enumerate as many as twenty inquests on persons who had died in different parts of Ireland, but chiefly in the west, between last November and the 26th of April, and in all of which the verdicts returned were, that death had been caused by exposure to cold and starvation. Some of them were attended with the most painful circumstances, and all evidenced great and prevailing distress. He would not attempt to quote all the cases at his disposal ; but he would content himself with enumerating some, giving the name, place, date, and verdict—or, in other cases, the circumstances.

November 12th, 1861.—At Manish, near Ennis, co. Clare, on a man unknown. Verdict—" Death caused by exhaustion, starvation, and exposure to cold."

November 20th, 1861.—At Oughterard, Galway, on Mary Sullivan, who was found dead on the hearthstone of a cabin where she had sought refuge for the night. Her body was leaning over the ashes of a few burnt sticks. Verdict—Death from exposure and want of food."

The death of the child of Anthony Prendergast, which happened in the public street of Athlone, on the 7th of December, was thus described by the correspondent of a Galway payer—

> "Anthony Prendergast, having consumed the last meal of potatoes, and burned the last fire he could place on the hearthstone, with his wife and three children, abandoned his wretched cabin, and proceeded to the town to seek employment. The father carried one of the children on his back, the mother bore another folded in her arms, while the third child followed, with bleeding feet and a wail of suffering, which told of the pain and hunger he endured. They had scarcely entered the town when the exhausted mother complained that she felt a cold weight pressing on her heart, and, taking aside the rags in which the child was rolled, she found it was his corpse. He had died in her arms of hunger and cold. It was truly a spectacle of woe to see that emaciated, naked, shivering group bewailing that little departed creature in the centre of a public street."

December 18th, 1861.—Enniskillen—Rebecca Liddy, who died in the public street. Verdict—" Want and exhaustion."

January 28th, 1862.—Galway—James Murphy, who died in a roofless house in Cross Street. The case of this poor man exemplified the horror of the workhouse felt by many even of the most destitute of the Irish poor. His story is thus told by the *Galway Vindicator*—

> "In an entry, off Lower Cross Street, there is an old house, for years forsaken by tenants of any grade of society. In the cellar of this dilapidated building (the ceiling of which was but partially covered) lay a poor man, named James Murphy, in the arms of death. He had suffered long from the want of the necessaries of life, ending in a series of other complaints, which brought him to an untimely grave. An old woman, who came from time to time to attend him, told us that she advised him to go to the poorhouse before he died, and his words were, 'Throw me out into the sink

there, but don't bring me to the poorhouse.' Poor Murphy was between thirty-eight and forty years of age, and was well known about the city as a good, honest man."

January 28th, 1862.—Athlone—Poor man, name unknown, who was found lying on a dung-heap, and died immediately on his removal to the workhouse hospital. Verdict—"Died from want and exposure to cold."

February 14th, 1862.—Galway—Anthony Walsh. Verdict after *post mortem* examination—"Died from exposure to cold, and want of food."

February 18th, 1862.—Athlone—Bernard Boland, a poor schoolmaster, died as he was being conveyed from Cushala, in St. Peter's parish, to the workhouse of Athlone. Verdict—"Death caused by want and cold, the exposure developing disease of the heart."

Same place and date.—John Barron, weaver. On returning from a neighbour's house, where he had been to obtain some firing, he fell lifeless at the door of his own wretched house. Verdict—"Death caused by want of food and fuel."

March 11th, 1862.—Glenarm, county Antrim—Owen Dogerty, aged eleven years, Verdict—"Death from cold, and scanty and impure food."

The Rev. Thomas Walsh, P.P., Rusmuck, county Galway, writing to the *Connaught Patriot* on the 17th of March, says—

"I am exhausted visiting the sick and dying, and it is with feelings of the deepest regret I have to record the names of Edmund Concannon, Robert Sullivan, Mary Nee, Honor Mannion, and others, who have died within the last five days for want of food or nourishment."

The Rev. Michael M'Dermott, P.P. of Templeboy, Dromore West, county Sligo, writing in the end of March, when sending a petition in favour of certain amendments in the Irish Poor Law, adds in a postscript —

"I have this week administered the rites of the Church to four of my poor parishioners, who died of starvation."

And in answer to my request, that he would give me particulars as to names and dates, he thus writes on the 8th of April—

"The following persons died from starvation in this parish within the month of March last:—John Taylor on the 15th; his wife Bridget on the 16th; Mary Kilcullinon the 21st; Thady Stein, on the 28th."

The writer adds—

"These poor people were beyond recovery when I was called on to admininister to them the rites of the Church. I have no doubt but many others will meet with an untimely grave, unless immediately succoured. My scanty resources are exhausted, and what to do, or how to remedy this evil, I know not under heaven. May an Almighty Providence look to their necessities, as we cannot hope for or expect aid from our rulers."

On a former occasion the Secretary for Ireland read a letter from a gentleman of large means and high position in Castletown Berehaven, co. Cork. That gentleman, Mr. Puxley, chairman of the local Board of Guardians, gave a flourishing description of the prosperity of the district. But the following letter, written on the 5th of last month, gave a very different idea of the actual state of the locality:—

"Castletown Berehaven, April 5th, 1862.

"My dear Mr. Maguire,—A woman of the name of Neil died a few weeks ago near this town, and her friends assured me that her death arose from a total want of such food as she could in her illness make use of. It was I who prepared her for death, and while I was in the house I made a close examination of it, and could not discover one particle of any kind of provisions. At this time the family (eight in number—four adults, and four children) were obliged to subsist on 1½ stone of meal per week, allowed them by the Vincent de Paul Society. This very day an inquest was held in the next parish, Kilcatherine, on the body of a girl named Mary Murphy. Her father swore that for several days his family had but one meal, and that an insufficient one, per day to live on; that on Saturday the 29th ult. he gave his child a little stirabout, which she at once threw up again; that at this moment he had not a morsel of food nor a penny in his house; and that his mother-in-law and another child of his died about a month ago from the same want of proper food. The child's uncle, James Shea swore that for the last three months this family was always without a sufficiency and often without a particle of any kind of food.

"The M.D. swore that Mary Murphy had scrofula and disease of lungs, which could be superinduced by bad and spare diet, and that her death was greatly hastened by said insufficiency of food. All who were examined swore that such scenes as occurred in this family were now to be found commonly in the district. Those present at the inquest subscribed a small sum each for this poor Murphy. The coroner declared he never saw so many symptoms of distress."

"I am writing in much haste—these are the facts—make the best use of them.

"Do you remember Mr. Puxley's (our Chairman of Board of Guardians) letter to Sir R. Peel? I answered it most strongly in the *Examiner*, and he had not a word to say in reply. In a short time we will have more startling intelligence to send you.—Yours sincerely,

"JOHN O'LEARY, R.C.C."

Dr. O'Brennan, writing on the 6th of April, from Tuam, says—

"On Friday evening a man named Sweeny died of exhaustion from want of food, in the outskirts of Tuam. I was at Mass on Sunday by the side of a man who, as soon as he reached his miserable home, fell on the floor from exhaustion. I don't wish to give his name, but I saw the case. I am sure, if inquests were held, it would be found that many, many had died of destitution."

At a recent meeting of the Tuam Guardians, four persons were mentioned to have died of destitution, namely—Mary Coleman, Catherine Monaghan, Bridget Spelman, and John MacHugh. These were in the Headford division.

The Rev. Mr. Conway, writing from Headford—the same district respecting which they were told by Dr. Brodie that there were no applications for relief—gives a fearful account of the condition of the people. His letter is dated "Palm Sunday." He says—

"But this moment I am after performing the funeral service of our holy religion in the church over the remains of Margaret Larkin, who died on yesterday in the village of Ballyconlaught. A few days since she was found on the roadside by a carman, who charitably placed her in his cart, and conveyed her to the house where she died. She applied for relief some months since, but was refused (though she was after receiving the last rites of her religion), unless she went to the workhouse, which is a distance of ten Irish miles. . . After I attended her I sent for the doctor and the relieving officer, who lived miles off. The doctor certified she could not be removed to the workhouse, and she got provisional relief. On the Tuesday following she got 3*s*. worth of bread and some tea. The Tuam Board of Guardians considered her case on Wednesday, and on the following Friday late she got some relief, and the next morning she was a corpse."

The Rev. Mr. Conway refers to other cases—

"On the day after, I attended a poor starving man named Kelly, who got shelter also from Mr. Wilson, near Headford. On the same day I administered to the father, the mother, and the daughter (their names were Walsh), in the townland of Ballyhale. They were stretched in a little room, sick of malignant fever. They did not want for food, but they wanted fuel, as the nurse could not procure as much fire as would warm for them a little milk. The mother and daughter are since dead. On the same day, and in the same village, I attended a man named Gray, who lay in a hovel six feet by ten, and in it was the bed of his daughter, her husband, and child. Even during the awful famine of 1846-7 I never met such an object. The doctor certified that he was unfit to be removed to the workhouse. Still the committee which was appointed by the Poor Law Commissioners for Headford refused him relief. And in the same village, and on the same day, I visited a family named Glynne, and on yesterday a woman named Joyce was buried who walked three Irish miles to see the Headford relief committee and tell them her state, but there was no committee meeting. She came home, lay down in her cabin and died, and after her death the relieving officer sent her provisional relief."

He would pass over a number of other cases, and conclude with one so late as the 26th of April. An inquest was held in Gort on the body of John Ford, whose case was worthy of every sympathy. It was that of a poor man who bravely struggled on to the last, until he was struck down by sickness caused by destitution. The particulars are given by a correspondent of the *Morning News*—

"The wife of the deceased deposed that she brought him some food at three o'clock p.m., of which he was unable to partake. Being in a weak and sickly condition, she urged him to desist from work; but he replied that he would 'try and finish his day, as if he did not, what would she and the children do?' He made another attempt to work, got still weaker, and at length fell senseless in the field. He was placed on a car by some neighbours working in an adjoining field, and brought home, when, after lingering for some hours, he expired. This witness added that during the winter and spring deceased and his family were on many days without a meal, and could not have subsisted only for the assistance rendered them by the Gort relief committee; but that since the committee, compelled by the exhaustion of their funds, struck off from the list of recipients the families of all labouring persons, deceased and his family were reduced to a starving condition. She also stated that they were not in possession of any bed-clothing, and that deceased used to sleep with no other covering than the remnants of an old coat."

The doctor stated that he had no doubt death resulted from the effects of starvation and want of bed-clothing. The jury returned the following verdict, in the propriety of which the coroner expressed his concurrence:—

"We find that John Ford's death was caused by the utter state of destitution in which he continued to exist for the past winter and spring, being nearly always destitute of food and bed-clothing.

"We are further of opinion that a judicious distribution of out-door relief to the labouring poor, who entertain a strong aversion to entering union workhouses, is very desirable, and would enable them to bear the severities of this trying season, with which private benevolence is entirely unable to contend."

He could give a much longer list, but he thought he had given a sufficient number to prove that the existence of serious distress in Ireland was a painful reality. Now, it might be said that Catholic clergymen occasionally indulged in exaggerated statements, the result of strong sympathy with sufferings and miseries with which they were not equal to cope; and it might even be said that a famine cry was raised for unworthy purposes. But people do not die of starvation merely to prove a case—and these poor people would not have died if they could have had their own wish. Their deaths proved beyond doubt the existence of wide-spread misery, which was not alone likely to continue, but to increase. It was not creditable to the Government that such cases should have to be recorded, and it was less creditable to them that they so long persevered in denying the existence of serious distress. If similar cases could have been recorded as occurring under the King of Naples, the Duke of Modena, or the Pope of Rome, it would have been said that the Government was maladministered, because it afforded no protection to human life. And what are we to say when they occur in this great and powerful empire? By the end of the present month there would be no employment, save in rare instances, for agriculturists in Ireland. For two terrible months gaunt famine would stare the people in the face. It was the duty of the Government, as the guardian of the lives of the people and of the prosperity of the country, not to persist in denying that there was distress, but to take some active measures to relieve it. No doubt the Government would do something in reference to the relief in Lancashire, and every Irish Member would bless them for their interference; but he desired that they should also be able to bless the Government for adopting measures for the relief of Irish distress. He had stated the case of Ireland calmly and without exaggeration. There his duty ceased. He was not a Member of the Government, but a private and independent Member of the House; and the responsibility of action did not rest with him, but with the Government. He might, however, suggest to the Government that they could relieve the sufferings of the people by assisting local enterprise and promoting useful works. For instance, there were railways as yet on paper—tramways as yet in the same position—harbours to be constructed or improved—public works to be undertaken or completed. Now, loans on liberal terms to reproductive works would ensure that which the Irish people, as the men and women of Lancashire, most desired, and that which was the greatest gift that could be conferred on the industrious classes of the community—remunerative employment. The people of Ireland did not ask for alms; they wanted work, and the Government might, if so inclined, assist in providing it for them. In his own city—Cork, of which he happened this year to be Chief Magistrate—the public boards were making every effort to supply employment by promoting useful public works; but still, in spite of their exertions, numbers of the working classes were suffering great distress from the pressure of the times.

After giving instances of the anxiety of the working classes to obtain employment instead of alms, the hon. Member continued: Many landlords were anxious to give relief by employing the labourers and small farmers in making improvements on their property, and not a few of them had applied to the Board of Works for loans to enable them to do so. It appeared, however, that the Board of Works had reduced the amount of the loans given by them, and he wished to know why they now insisted on giving a smaller amount than they were accustomed to give formerly. He begged to call attention to the following letter, dated April 5th, addressed to him, and signed "A Landlord"—but written by a respected nobleman of the South, whose name he was ready to communicate to the right hon. Gentleman:—

> "I am desirous to call your attention, and that of other Irish Members, to the position in which landlords, especially those who are life-tenants of their estates, who wish to improve their estates and employ the people, are now placed. From some unaccountable reason the loans from the Board of Works, which were originally fixed not to exceed £10,000 on any estate, are now limited to £5,000; consequently those landlords who may have expended that amount are now restricted from further improvement. In my own case I applied originally for the full sum of £10,000, which was granted, and I calculated of course on carrying out improvements to that extent. I find myself now suddenly stopped. It appears to me, that as Government call upon us landlords to assist the people in trying seasons, they should at least carry out the measures and means which they originally offered to us."

He hoped the right hon. Baronet would interpose and would induce the Board to adopt a course that would enable those landlords to give the necessary amount of relief to the people. Having now brought this case before the House without exaggeration, and proving every case by the best evidence of which it was susceptible, he did not mean to say that the state of Ireland was anything like so bad as in famine years; but it was and would be for the next three or four months unusually severe and trying while the Poor Law it was demonstrated, entirely failed to reach those in distress. The Poor Law officials who boasted of the prosperity of the country had not been out of Dublin, and the Chief Commissioner had never been in a single workhouse in Ireland. These officials only spoke from the reports they received; and if the right hon. Baronet relied on their fallacious statements, cold-bloodedly written in their own offices, he must go wrong, and the people must suffer. He would only say, in conclusion, that the responsibility entirely rested on the Government to take such steps as the nature of the case required; and if the Government and Parliament felt themselves called on to interfere in the case of South Lancashire, they were equally bound to interfere in the case of distress in another part of the United Kingdom; and if they actively intervened for the assistance of one class of Her Majesty's subjects in England, as they ought to do, they were bound to do the same for another class of Her Majesty's subjects in Ireland.

MR. DAWSON said, that there could be no question that a succession of inclement seasons, a deficiency in the produce of the soil, and a diminution of trade in the manfacturing districts had given rise to considerable distress. In certain parts of Ireland an amelioration in the condition of the people had not been contemporaneous, as might have been hoped, with the advance of spring. There had been a serious, but he trusted only a temporary, depression, which, though severe in some places, was not, in his opinion, sufficient to retard either advancing prosperity or the general improvement of the country. He had endeavoured to collect the best information he could with respect to the condition of the people, and his belief was, though there was great want in many places, no famine existed or need be apprehended. Markets were low and plentifully supplied; food was abundant; and the wages of daily labour were not in amount reduced. If applications for Poor Law relief were to be taken as any test, there had been in all the unions in the north of Ireland, and he believed in other parts, a reduction, gradual certainly, but still sensible, in the number of admissions. He had always regarded the Poor Law as the only safe and creditable public machinery for the administration of public relief. Local assistance from private benevolence had been liberally given, and would be continued so long as a necessity for its exercise existed. It was their duty, however, to curb rather than foster the disinclination to accept Union relief, for it was always attended by order and discipline. Whether the poor-rate might not be made leviable on all descriptions of property was a subject which had lately engaged the attention of many philanthropists in Ireland; and he believed the plans for extending its operation and facilitating its collection might well occupy the attention of that House at a future time. The hon. Member for Dungarvan (Mr. Maguire) laid great stress on the inadequacy of the Poor Law to stave off the present misery; but if the hon. Member had succeeded last year in carrying his Industrial Schools Bill, it would have laid on the Poor Law an intolerable burden, which would have been absolutely crushing to the ratepayers. Doubtless he was now reconciled to his disappointment in legislation, for the scheme which he proposed would have been attended with additional pressure upon the ratepayers. The great distress in the north of Ireland existed among the weaving population, owing to the decrease of the trade with America; but in that part of the country he had never heard of a single proposal to ask for Imperial assistance. The system of rates in aid had proved manifestly unjust. The industrious and self-relying parts of the country ought not to be burdened for the sustentation of those who did little to help themselves. Moreover, the mode in which relief was given during the great famine of 1847 by providing public employment proved a lamentable failure and had exercised a demoralizing influence which was not yet extinct. It might have been proper for the State to assist the execution of the great main lines of railway; but those lines were now completed, and it would not be expedient for the Government to encourage the making of branch and extension lines—the only works of the kind which remained to be carried out. While the alleviation of the severe distress of Lancashire was still left to private benevolence, he could not admit that it was the duty of the Government to maintain the population of either kingdom at the public charge. An impression prevailed in the north of Ireland that much exaggeration had been indulged in on the question, in order to damage the administration of his right hon. Friend the Chief Secretary. Those attempts had, however, signally failed; and there had been evinced in the province of Ulster a determination to do justice to the motives which had actuated his right hon. Friend in according to Ireland credit for an equal capacity with the rest of the kingdom to extricate herself from her own difficulties, if her energies had only fair play. If those measures of social and internal improvement which the Chief Secretary had brought forward, such as those dealing with markets and fairs, the registration of births and deaths, the settlement of the marriage law, and several other questions, only received the approval of that House, and became law this Session—of which there would be a better chance if the Irish Members would only moderate the excessive number of their amendments—then those measures would effect far more for the solid advantage of Ireland than any amount of discussion like that raised by the hon. Member for Dungarvan could possibly produce.

COLONEL DICKSON said, he confessed he was astonished at the tone of the gallant Member who spoke last. Had the speech of the hon. Member for Dungarvan been intended as an attack upon the Government, he should have expected the hon. and gallant Gentleman to address the House in his character of a relation of the Chief Secretary. But the hon. Member for Dungarvan had had no such intention, nor had he presented himself in any way as a mendicant to the English Treasury or people. If the Irish people only received reasonable aid, in the shape of loans from those Imperial funds to which they equally contributed with the rest of the kingdom, they would be able to tide over their period of difficulty. It had been said that the relief works carried on during the famine lamentably failed; but their failure was due to the want of foresight and proper management rather than to any other cause. There was no reason to suppose that under a better system they would not answer their object. The main lines of railway were those which least required encouragement from the State. The branch and extension lines, on the other hand, which, though useful, could not be looked upon as a profitable investment, had a claim to such support. He hoped that the right hon. Gentleman the Chief Secretary was by that time impressed with the opinion that there was great distress in Ireland, which would doubtless be much increased within the next few months; and what the people of Ireland asked was not charity, but employment, through the medium of advances for reproductive works.

MR. BLAKE said, he wished, before the right hon. Gentleman the Chief Secretary replied, to put before the House a few statistics which, he thought, would go a good way to disprove the statement so often put forward by the Lord Lieutenant of Ireland regarding what he was pleased, erroneously, to call Irish prosperity, and with which he appeared to have indoctrinated the Chief Secretary. The latter was not, perhaps, so much to be blamed on first going to Ireland if he had erroneous ideas; but there could be no excuse when he had the benefit of his own powers of observation, that when he went on what he miscalled his mission of charity last year, he should, instead of making it one, do all that lay in his power to shut up the fountains of charity that had begun to flow for the relief of Irish distress. It would not be denied that great misery existed in 1847; it cost Ireland over two millions of her people, and was caused altogether by the loss of twenty millions worth of food. In 1861, startling as it might seem, Ireland really produced less of the necessaries of life, or the means of procuring them, than she did during the period of that desolating famine. To prove this he would alone rely on Government returns, and it seemed quite incomprehensible how, in the face of them, the Earl of Carlisle could venture to speak of the prosperity of the country. For the information which he was about to furnish the House he was indebted to the admirable letters lately addressed to the Lord Lieutenant by Mr. Joseph Fisher, proprietor of the *Waterford Mail*, which were published in some of the London journals, in which he very clearly proved, by statistics arranged with great care and ability, that Ireland, in an agricultural point of view, was retrograding instead of advancing as the Lord Lieutenant would endeavour to make the world believe. The loss of the potato crop last year was fully half what it was in 1847, say ten millions sterling. In 1847 the produce of the grain crop was sixteen and a quarter millions of quarters; in 1861 it produced only eleven millions, leaving a loss, as compared with the former period, of nearly five and a quarter millions of quarters, worth fully eleven millions sterling. So far then, Ireland, in point of the produce of crops fit for human food, was something worse off than in 1847. As it might be urged that there was an improvement in other articles, he would deal with them. In 1847 there were exported of cattle 190,000; in 1860, exported 255,000, showing an increase of 65,000. Sheep exported in 1847, 324,000; sheep exported in 1861, 407,000, showing an increase of 83,000. But against these two items of increase they should place the diminution of pigs. In 1847, 480,000 live pigs were exported; in 1861, 358,000. The average exports of bacon during the five years from 1841 to 1845 was 152,000 bales, containing two pigs each; and in 1860 it amounted to 133,000 bales, so that there were 170,000 less pigs now exported than before the famine. As regarded butter, 777,000 firkins were exported in 1851, and 734,000 only in 1861. So that there was a falling off of forty-three thousand firkins. Previous to 1846, on a five years' average, Ireland exported four millions' worth of corn; but in 1861 she imported that quantity, making a difference of eight millions sterling; and to mend the matter, when the people were more numerous and prosperous, just previous to 1847, they paid only four millions in taxation; and now, when in a worse condition, the Chancellor of the Exchequer compelled them to contribute seven millions. It was boasted that Ireland was enriched every year for the last five years by a million a year sent from emigrants in America to their kindred at home; but the Chancellor took care to impoverish the country by the same amount in income tax. England imported eleven millions of quarters of grain annually. How much better it would be if the twenty-two millions that cost were expended amongst the farmers of her own kingdom; and that could be done without not only ultimately costing the State a penny, but adding very much to the Imperial Exchequer. It had been asked to what good end was the Motion of the Member for Dungarvan likely to tend; did the Irish want alms again? He answered on the part of his poor countrymen, certainly not; all they sought was labour for their arms, and to be permitted to raise the means of life out of their own soil. There were thousands upon thousands of acres of land in Ireland which, if reclaimed, would more than produce all the grain England now brought from foreign countries, and which would give a living to two millions of people more. Let the House only regard the matter from a British point of view, and they could not fail to see how England would be enriched by this. Suppose each of those people used four pounds worth of British manufacture in the year—which was a very moderate calculation—the English manufacturer would sell eight millions more of his goods, and, altogether, twenty-two millions of money would remain in the country. And all this might be accomplished, and the House of Commons no more troubled with tales of Irish distress, if the Legislature would only pass a measure to protect Irish industry in the first place, and to encourage the reclamation of land by drainage and otherwise. He did not wish to speak disrespectfully of the Lord Lieutenant; but if his Excellency would only examine the question, he could not but see that he had not sufficient grounds for representing the state of Ireland what he was so fond of doing at public meetings; and the Chief Secretary was as little justified in denying the deep distress that existed. They both incurred a deep responsibility by doing so, as a careful and dispassionate examination into the state of Ireland should convince them that at no period since the unfortunate Union was it more incumbent on those occupying their position to endeavour to urge on Government to devise measures to prevent a recurrence of those disasters which, if not averted in time, would sweep away the remnant that remained of the Irish people.

SIR ROBERT PEEL said, he quite concurred with the hon. Member for Dungarvan in the opinion that the question which he had raised was one in dealing with which all party feeling and personal prejudice ought to be laid aside, inasmuch as it was one which appealed strongly to every feeling of humanity and of charity. The question was one, indeed, which was calculated to interest every man whose attention had been directed—and whose had not?—to the wants and privations of those portions of the community who, during a season of, he readily admitted, an exceptional character, had chanced to be more exposed than others to its inclement influences and effects. To the able, calm, and moderate statement made by the hon. Gentleman who had brought the subject forward he had listened attentively, and he must say that when he had sat down he had felt considerably relieved, because he had been given to understand that the hon. Member would be in a position to submit to the House from sources of information from which they were debarred what was termed a very strong case against the Government; but he rejoiced to find that the hon. Gentleman had failed to make out any such case. He would admit, however, that if one tenth part of the insinuations that had been thrown out and accusations made against the Government by some had been justified by facts, serious censure and blame would rightly attach to that portion of the Government of which he was the organ in the House of Commons. He, of course, gave the hon. Member for Dungarvan credit for being animated by the best motives in adopting the course which he had that evening taken; but notwithstanding the full publicity which he had given to the circumstance that it was his intention to bring the subject forward, even to the insertion of special advertisements invoking aid to supplement his own limited means of information, he rejoiced to say the case against the Government which he was able to establish was far from being so bad as some hon. Members were, perhaps, inclined to suppose; nay, more, he hoped to be able, before he sat down, to show to the House that the state of things to which the hon. Gentleman had more particularly referred was calculated, fairly viewed, to place in a favourable light rather than otherwise, before the public, the zeal and active supervision of that department of the Irish Executive whose duty it was to investigate the subject. The Irish Government, he might add, had nothing to conceal in the matter, and therefore he would at once say that the papers for which the hon. Gentleman asked would be most readily and freely given. He must, nevertheless, observe that it was a most painful thing for any man to have to comment by way of reply on those cases of alleged death from destitution which the hon. Gentleman had adduced. A person fairly arguing against the assertions which were made in support of the Motion was liable to misapprehension; but although he might deem it to be his duty so to argue, he could assure the House he sympathized as warmly as the hon. Gentleman himself in the distress and suffering which existed in many parts of the country, and had it been in his power or in that of the Irish Government in any way to alleviate that distress by means of the ordinary resources at their command, they would have rejoiced in applying them to the purpose. How difficult it was to administer extraordinary resources the House was aware. His hon. Friend (Mr. Dawson) had not addressed the observations which fell from him in capacity of relative, but as sharing the opinions entertained, as he believed, by a great many people in Ireland, and he deprecated the application of the extraordinary resources of the State to the alleviation of distress. In 1846-7-8 £6,000,000 had been expended in that shape for the relief of distress in Ireland, but it had been laid out badly and on works that were unproductive. What was the consequence? All the hospitals, infirmaries, and workhouses were crowded to suffocation. The grand jury cess, he believed he was justified in saying, had risen at the time nearly one hundred per cent in many cases, while the poor rate had progressed in such a ratio in some counties as to have multiplied at the rate of five hundred per cent in a period of four years. The amount of outdoor relief which was then given was so great indeed as to be hardly credible. Over three millions of people were absolutely at one time—during the month of August—in receipt of outdoor rations in Ireland. To that state of things the present distress in the country, much as it was to be lamented, bore no comparison, as he trusted he should be able to prove. The cases of death by destitution by no means escaped the notice of the Government. The constabulary reported the deaths, an inquiry was instituted, the union authorities were bound to report all such cases, and thus no instance of death from starvation could escape the notice of the Government. The hon. Member had entered into details, and had mentioned names of persons who were alleged to have died from starvation and destitution. Upon that subject he would make a few remarks, and he hoped he should be able to convince the House that he had satisfactorily disposed of all the cases that had been quoted. The hon. Member for Dungarvan had issued a circular letter calling the attention of the people of Ireland to the distress prevailing in that country, and asking for information upon the subject. It was to be regretted that in that circular letter, and again in his speech that evening, the hon. Gentleman had thought fit to make unfavourable allusions to the noble Earl the Lord Lieutenant of Ireland. It was not his duty to defend the head of his department, but from his own personal acquaintance he must say, that while the noble Lord was a man of cultivated mind, he was also a most warm-hearted and generous sympathizer with all who suffered in Ireland or elsewhere. The hon. Gentleman had received many answers to his letter, and he had indulged in taunts against official insensibility and incredulity. Such imputations were most unfair, and the hon. Member could not have made them had he known the anxiety of the Government concerning the state of Ireland during the last six months.

The hon. Member had alluded to four cases, the particulars of which he gave upon the authority of the Rev. Mr. M'Dermott, the parish priest of Templeboy, in the western part of Sligo. In reference to those four cases, he (Sir R. Peel) would state the particulars in each instance, and from them the House would derive some idea of the nature of the general returns which had been made to the hon. Member for Dungarvan. The Rev. Mr. M'Dermott wrote a letter on the 25th of March, saying that in his parish four people had died of starvation, that he expected more would follow in the course of a week. Up to the 23rd of April, the date of the official inquiry that had been made, he was glad to say there had not been a single death from starvation or destitution. An official inquiry had been directed into the statements of the Rev. Mr. M'Dermott, and from the sworn testimony given upon the occasion the House would be able to form an opinion of the real facts. The first case was that of a family named Taylor, and the landlord of the man in his sworn evidence stated—

> "I reside about 150 yards from where Taylor and his wife lived in Lugdoon, and I have known the family well for the last three years. They hold conacre from me, and they have a free house in Lugdoon. Taylor had been in a bad state of health, to my knowledge, for the past nine months. I should say he was a man of seventy years of age. They had a good crop of potatoes, which was not consumed a short time previous to his death, as I saw them digging potatoes in their conacre field. In consequence of Taylor's illness I forgave them a great portion of the rent they owed to me. A few days after Taylor took to his bed I thought that some sort of delicacies might be of use to him, and Mrs. Fenton and I sent him plenty of bread and tea morning and evening. The wife died about a week before Taylor, and they were getting some subscription for a coffin. A demand was made upon me to subscribe. I refused it, on the ground that the daughter was able to give 2*s.* 6*d.* to Mr. M'Dermott the priest for masses for her mother's soul, which I thought would have been better laid out in getting a coffin for her. On getting a summons yesterday I sent for Mary Taylor. I asked her if her father died of starvation, and she said he did not, that all the neighbours were particularly kind to him. She said she was summoned to atttend here to day; that she was desired to put on the worst clothes she had and go without shoes. She had then shoes on her, and she comes to-day without shoes. Her conacre ground is well set with both oats and potatoes."

The medical officer of Templeboy stated that he had seen no indications of famine in his district, and that Taylor was a worn-out old man, who had not long to live. In the case of Mary Kilcullin, a witness in whose house the deceased had lived swore that she was not in want of food, as the family had a stack of oats worth about £2 or £2 10*s.*, and they received £1 from a relative in America about a week before her death. The witness was sure the death did not arise from starvation. In reference to the case of a man named Thady Stein, the medical officer stated that the deceased was an infirm man with a severe cough, which was really the cause of death. He thought the House would perceive that the answers to the cases brought forward by the hon. Gentleman were conclusive. In none of the cases was there the slightest ground for the allegations that had been made. The hon. Gentleman had also referred to a case of Mary Murphy, and had said that the jury found a verdict of death from starvation.

MR. MAGUIRE said, he did not remember the exact words he had used, but he thought they were to the effect that the deceased died of scrofula superinduced by starvation.

SIR ROBERT PEEL: I have here the finding of the jury. The verdict is distinct that she died of disease of the lungs and scrofula. The hon. Gentleman says he can produce forty cases of death from starvation. I maintain he cannot find one-tenth of the number.

MR. MAGUIRE: Will the right hon. Gentleman read the whole of the verdict?

SIR ROBERT PEEL: The hon. Gentleman referred to this case as one of death from starvation. The jury did say certainly "hastened by want." There were, however, thousands of deaths in this country which were hastened by want; but they were not of a nature to be brought under the special notice of Parliament.

MR. MAGUIRE said, he would beg the right hon. Baronet to read the statements of the coroner and other persons as to the condition of the people in that district.

SIR ROBERT PEEL said, he thought it would occupy too much time to read them, but he would do so if the House wished it. He would next refer to a case which merited the notice of Parliament as an instance of gross misrepresentation to excite sympathy.

MR. MAGUIRE: Will not the right hon. Baronet give some answer to the other cases I have brought forward. I challenge him to do so. [Order, order!]

SIR ROBERT PEEL said, that the hon. Gentleman had referred to a case in his own place—Dungarvan, he presumed.

MR. MAGUIRE said, he had referred to Cork, of which city he was chief magistrate, and he had stated that there existed great want and misery among the working population.

SIR ROBERT PEEL said, he wished to

refer to the *Globe* newspaper of the 1st of March. In that paper there was published the following letter from the parish priest of Kilmore, in the county of Mayo :—

> "Sir,—The population of my parish, Kilmore, county of Mayo, declared, is 6,534 ; of these 272 have food for four months ; 767 have food for three months ; 2,613 have food for two months ; 1,514 have food for one month ; 1,134 have no food ; total population, 6,534. Those who have no food are begging, borrowing, and pawning not only their day clothes, but also their scanty night clothing (when a pawn-office will receive them), to procure Indian meal to keep them from starvation. They have a just horror of going into or rearing their children in a workhouse, into which they will not be admitted until they give up possession of all they hold dear, the shelter of the roof under which they were born and reared. I confidently appeal to the generosity and charity of the British public to assist me in saving from starvation as moral, as sober, and as industrious a people as any on the face of the earth."

He made a special inquiry with respect to that advertisement, and this was what he learnt in reference to it. Dr. Brodie, the Poor Law Inspector, reported—

> "The parish of Kilmore includes three electoral divisions of the Swineford Union—namely, Kilmore, Urlaur, and Kilkelly. . . . A large portion of the three electoral divisions above named is the property of Lord Dillon. His agent, Mr. Strickland, allowed a large quantity of timber to be cut down for firing. . . . It is very difficult to arrive at a satisfactory conclusion as to the condition of the people, judging merely from the appearance and condition of their houses. Persons having money laid by or other sufficient means of support reside in the most miserable cabins. Cases were mentioned to me illustrative of this fact, one in particular. A man named Dillon was found during the past month lying dead in a field ; the appearance of the body, as well as the miserable hovel occupied by him, led to the belief that his death was caused by starvation. An inquest was held on the body, and it appeared in evidence that he was at the time of his death possessed of over £200. . . . The police-sergeant told me that he finds bags of meal in some of the wretched hovels. He does not deny the existence of individual cases of distress, but he considers the idea of 1,134 persons being without food as a very extravagant exaggeration."

Dr. Brodie went on to say—

> "I am unable to arrive at the conclusion that any extraordinary measures of relief are at present required in this district."

The hon. Member for Dungarvan had asked that the other cases alluded to by him might be referred to in detail ; but without going into very lengthy details he thought he could not do better than read to the House certain remarks which he had received that day from the Chief Poor Law Commissioner, Mr. Power, who, whatever might be said by the hon. Member for Dungarvan, was a gentleman incapable of making any assertion which he could not strictly vouch for as fact. That document was interesting as referring to every case brought under the notice of the Government by the police, coroner's inquests, or newspapers—

> "There have been 31 cases of inquiry into alleged cases of death through want, from the first of November to the present date, the first of May, embracing six months. The number of inquests included in the above cases was 25. In several of the cases of inquest the verdict did not allege death through want or destitution, but was erroneously stated as doing so in some newspaper, and this led to inquiry being made. In most of the other cases of inquest the verdict does not directly allege death from destitution or starvation, but alleges death through sickness, attended or preceded by exposure or other kind of privation. In many of these cases the verdict was borne out by the subsequent official inquiry, but in some cases it was not. In those cases in which the verdict was borne out by the facts, the case was generally that of a mendicant or person not having any fixed place of abode, often of very advanced age, and overtaken by sickness in wandering about from place to place, never making application for Poor Law relief, and in most cases refusing it when tendered. Even in this class of cases the death has not been traced in any instance to sickness caused by absolute want of food, but to sickness attended by want of suitable food, nursing, and other comforts, which could only be supplied in the workhouse. In many of the cases food of the ordinary description (as bread, meat, &c.) or the means of procuring it—namely, small sums of money—was found upon the person. A very few among the thirty-one cases are cases of death through sickness which occurred in the families of the peasantry and were attended likewise by want of suitable food and nourishment and the absence of any application for relief in the workhouse, the only available mode of preventing or retarding death in those cases. Occasionally the evidence obtained by the Inspector shows the existence of great pecuniary distress among the small farmers in some districts ; but the same evidence negatives the existence of any state of things approaching to famine, or any description of famine disease, such as the prevalence of fever, dysentery, or the like. The cases inquired into are, in fact, such as occur, more or less, in ordinary seasons ; and it is worth remark that they are scattered over the whole surface of the country ; showing clearly no connection with aggravated distress in any one particular district."

He thought that letter important as showing the real state of the case. He did not mean to deny that there existed considerable suffering and distress, but he maintained that there was no justification for the allegation that deaths from starvation had occurred in consequence of the neglect and disregard of the Irish Government. The House, too, knew what some coroners' inquests were. He had a letter from a magistrate who described the little reliance to be placed on the verdicts of coroners' juries. The gentleman was one of two magistrates present at a coroner's inquiry relative to one of these cases of alleged death by starvation, and he wrote as follows :—

> "The jury found a verdict contrary to the charge of the coroner, contrary to evidence, and contrary to common sense, from personal feelings ; and" (added the magistrate) "I refused to act on the verdict, and so did the coroner as to issuing a warrant. The extent to which 'charitable feelings,' falsely so called, will lead the class from which such juries are usually formed is hardly to be imagined. Some time ago I examined eight jurymen on oath, and it was distinctly proved that they had sworn falsely; and then they stated in open court that they conceived 'the charitable object' which they had in view when they concocted their story would atone for perjury."

MR. MAGUIRE : Name, name !

SIR ROBERT PEEL said, he spoke from his own authority. [MR. MAGUIRE : No, no ! *and cries of* Name !] The hon. Gentleman had himself read letters without stating names.

MR. MAGUIRE said, he wished to explain.

MR. SPEAKER stated, that at present the right hon. Baronet the Secretary for Ireland was in possession of the House; and when he sat down, it would be competent for the hon. Member for Dungarvan to make an explanation.

SIR ROBERT PEEL said, nothing was more interesting on this subject than the official returns during the past few weeks. It was highly gratifying to the Government to know that on the 5th April last there was a decrease of 203 in the number of recipients of relief through the whole of Ireland ; on the 12th, a decrease of 673 ; and on the 19th, a decrease of 638. He also had in his hand a statement of the number of persons in the workhouses in Ireland at the close of each week from February to May in each year from 1852 to 1862, and it showed that the condition of the people at present was not one calculated to excite alarm or serious anxiety on the part of the Government. In 1852 there were, at the beginning of May, 186,000 persons in the workhouses in Ireland ; in 1853, 143,500 persons ; in 1854, 102,400 persons ; in 1855, 83,800 persons ; in 1856, 65,800 persons ; in 1857, 52,900 persons ; in 1858, 47,800 persons ; in 1859, 41,300 persons ; in 1860, 43,000 persons ; and in 1861, 47,500 persons. He believed that at the present moment the number in the workhouses was 59,000 persons. From these returns it was evident that though there was much distress in Ireland it was not so wide-spread as some hon. Gentlemen would wish the House to believe ; and as the last six months were always the worst part of the year, they might hope that the distress would gradually diminish. It was a remarkable fact that the price of food in Ireland during the last six months had been considerably less than it was in the preceding year ; and the sanitary state of the people was also reported to be satisfactory at this moment ; there being no appearance of fever epidemic, although there was a popular apprehension of one. The Board of Superintendence of the City of Dublin prisons, in a recent report, had congratulated the council of the city and their fellow-citizens upon the satisfactory state of the prisons under their control, adding—

> "The distress prevalent in the country had led the Board to the anticipation of a large increase of crime in the city, but happily their apprehension has not been realized."

He might also be permitted to allude to the annual report of the Poor Law Board, which had been just published, and would shortly be laid upon the table, as it contained some facts which ought not on such an occasion to be overlooked. The Commissioners said that the year 1861 and the previous year had been exceptional years —but the six months beginning with September were always the worst period of the year, and now that period was passed a great diminution of pauperism had taken place, as shown by the returns, and there was reason to expect that the distress would gradually diminish. 1859 was the most satisfactory year as regarded the state of Ireland. In that year there was less pauperism and less relief given under the administration of the Poor Law than in any year since the Poor Law had been established. 1860 was marked by considerable loss of capital in the south and west of Ireland, the effects of which the country, and the small farmers and labouring population especially, were now feeling. But although, in the early part of 1862, there was a scarcity of fuel, the price of food was less last year and this than in any other since 1851. And with regard to the alleged deaths from want, the Commissioners said that they had in every one, whether communicated to them through the press, by the constabulary, or in any other way, and in every case of a coroner's jury, instituted an inquiry upon oath. With regard to the sanitary condition of the poor, the Report declared that upon the whole it was last year satisfactory, and still continued so. There was no disease of an epidemic form; no cholera of an epidemic character; and although fever existed in some places, yet upon the whole the health of the population gave no support to the alarming expectations which had been in some quarters indulged in. These facts were satisfactory, and the state of things in Ireland would be still more satisfactory if there did not, unfortunately, prevail on the part of some persons a practice of calumniating the workhouses and the system of administration in them. He declared, without fear of contradiction, that many lives had been sacrificed through the refusal of persons in extreme poverty, influenced by the exaggerated statements which were made on the subject, to enter a workhouse. Under a system of indoor as compared with outdoor relief, the poor and sick received constant medical attendance, and constant nursing, and every description of medical comfort; and such a system must be more efficacious for the recovery of health and the preservation of life than outdoor relief could be, however administered. But owing to the prejudices excited by a certain party in Ireland, who—for what reason he could not understand—had put themselves in opposition to the policy of the Government, the destitute and sick poor were dissuaded from availing themselves of the relief so easily obtained by admission to the workhouses. The first general denunciation of workhouse relief was to be found in a document published in August, 1859, signed by twenty-eight Roman Catholic bishops, who said—

> "As the fathers of the poor, the widow, and the orphan, we complain, and we have cause to complain, of the administration and working of the Poor Law in Ireland. Need we say that the physical condition of the poor in our workhouses is wretched in the extreme, and that it contrasts most unfavourably with their condition in times gone by, when, under the dispensation of Catholic charity, they were cared for with the utmost tenderness."

Now, to what period in the history of Ireland this allusion was intended to point it was impossible to say. Certainly during the whole of the present century, previous to the introduction of the Poor Law, there was in Ireland a state of the greatest misery, breaking out periodically into famine and pestilence of the most fatal character. Still more recently attempts had been made by the Roman Catholic hierarchy to dissuade the poor from accepting workhouse relief. In a letter addressed to Archbishop Cullen by Bishop M'Evily from Galway, published on the 25th of February last, the writer said—

> "I need not inform your Grace that the amount of relief given in the workhouse is no test of distress. The people are determined to die sooner than enter these charnel-houses. For my part, until the whole Poor Law system is totally changed, I will never advise them to enter institutions where the lives of the old and the morals of the young are not safe."

Now, he believed that no hospital was conducted with more medical skill, liberality, and success in the treatment of disease than that attached to the workhouse of Galway; and such a statement, therefore, as that of Bishop M'Evily was greatly to be regretted. Again, in a letter addressed by Archbishop Cullen to the Roman Catholic clergy and laity of the diocese of Dublin, published on the 25th of February last, the writer alluded to "The huge Bastilles—those ovens of corruption which disgrace the north and south side of our city;" and added, "true charity and religion are to be oppressed in order to promote the system which is effectually destroying, degrading, and demoralizing our poor in the workhouse." Now, he (Sir Robert Peel) would appeal to the hon. Members for the city of Dublin whether they knew of any hospitals in Europe more admirably and successfully conducted, or more liberally supplied with all necessary comforts for sick patients, than those of the North and South Dublin Unions, which were alluded to in this passage? In a letter written by Archbishop M'Hale, which was also published last February, the writer said, "The workhouse system still bears the taint of the infidelity, the inhumanity, and the immorality of the origin from which they sprung." What was meant by this he did not exactly know. Then, last of all, Archbishop Cullen, in a speech made at the Mansion-house at Dublin on the 17th of February, said the feeling of the Irish people was that "they preferred to die of hunger rather than go into a workhouse, and they have very just reasons for doing so." Now language like that, used by a high ecclesiastical dignity at a moment of great pressure and anxiety, was not altogether such as he had expected or desired to hear. The hon. Gentleman read a letter from Dr. M'Evily, who had stated that an impression had gone abroad that the Government not only neglected its duty but regarded with disfavour every attempt to alleviate the sufferings of the people, and that the exertions of the charitable committees were opposed to the views of the Government, although without their interference thousands would have died of cold and famine. Was it possible that a bishop should have used such language, or have supposed—for he evidently referred to him (Sir Robert Peel)—that there was any truth whatever in the allegations? He was sure the House would bear him out when he said that it was impossible to make a more false and unfounded assertion. The fact was, the Government had great difficulty in doing its duty, owing to such language. He had recently read a circular addressed by the Minister of Justice of the Italian Government to the magistrates and people of Italy, and he would draw the attention of Bishop M'Evily and Archbishop Cullen to the language which it contained. Conforti said —

> "They must take into account the difficulties of the times, and, watching over the conduct of the clergy, they must be careful to check every excess on their part which might prove injurious to public order and the laws of the country, so that while guaranteeing to the clergy the most complete liberty in all spiritual matters, they must not permit them to abuse such freedom to the prejudice of the liberty of others, and to the detriment of the national institutions."

How truly might that language be applied to Ireland. There they saw the Poor Law, as administered by the Government, working great good, and yet there were persons who could stand up and insult their national institutions. Now, with respect to the different modes of relief, he was firmly impressed with the conviction that outdoor relief was demoralizing in its effects, it struck down the spirit of a man, injuriously affected his character and his self-reliance, and tended to the permanent increase of pauperism. By means of indoor relief, on the other hand, the really destitute, and the really destitute only, might obtain a shelter from the storm, might seek and receive that assistance which was solicited; and when better days came, he might, without disgrace, and with a grateful heart, leave the refuge which the State in its liberality and humanity had provided, and he might hope to be able to earn once more, by honest industry and the sweat of his brow, that daily bread for which all must labour. He would maintain that from the judicious administration of the Poor Laws in Ireland dated the decline of Irish pauperism, and by discriminating between real and simulated destitution, by not elevating the condition of the pauper class above the condition of the honest independent labourer, which an indiscriminate outdoor relief inevitably tends to do. Ireland had shown that it could place confidence in that administration and in the resources which were at hand to meet all ordinary claims. He hoped he had succeeded in showing that the sanitary condition of Ireland was satisfactory; that though there were deplorable cases of destitution, there was no foundation for the statements made by the hon. Member of deaths from starvation; that food was cheap, and that the alarms of famine which had been raised had not been justified by facts. He trusted, however inefficiently he might have replied to the accusations of the hon. Gentleman, he had convinced every man of a fair and impartial mind that the Government had done its duty during a season of very exceptional want and pressure, not confined only to the poor of Ireland, but extending to the industrious operatives of Lancashire and Cheshire, and to many parts of the continent of Europe. The hon. Gentleman had referred to the condition of Lancashire. The difficulty of obtaining a supply of cotton had led to half-time, and half-time meant half-wages; and in all the trades and occupations subsidiary to the staple manufacture a reduction in the means of living and in the earnings of the chief portion of the population in Lancashire and Cheshire, and in some part of Scotland—for instance, in Lanarkshire—had been severely felt. In the town of Blackburn eight mills, which used to employ above 20,000 people, had at that moment 7,000 out of work, and many of the remainder were only partially employed. There was £6,000 less weekly wages distributed now than before, and there were actually 9,000 persons in receipt of Poor Law relief in Blackburn. He might be forgiven for having taken that opportunity of meeting the unfair and unjust charge made against him personally by certain gentlemen in Ireland. The Bishop of Galway had thought proper to allude to him in a manner which he did not deserve. He hoped, whether as a public man or a private individual, it would never be truly said of him that he looked, with a cold and heartless eye on the wants and sufferings of those who, in the dispensations of Providence, and for reasons we cannot divine, were more exposed to want than those were who chanced to be placed in more favourable circumstances. He maintained that neither he nor the Government of which he was a member had forgotten their duty in this respect, or had withheld that aid and assistance which the necessities of the case demanded at their hands. If in former years the Government of the day felt it incumbent upon them to give with a lavish, and not a niggardly hand—and if, on the present occasion, the expenditure of 1846, 1847, and 1848, was not repeated, it was not that the Government were less alive than heretofore to the responsibility which attached to them, but because, aided by the judgment and experience of those who had the best opportunity of seeing the true state of the case, and knowing how much the statements of the distress were exaggerated, they declined, for the sake of an ephemeral popularity, to take a course which they believed to be neither necessary nor politic. They preferred to leave the case to the ordinary means which Parliament had provided for meeting such recurrences of pressure, having full confidence that the Poor Law, properly administered, would be sufficient for the purpose. It is true, affliction had lately fallen upon many in this land ; it had bowed down the Sovereign in the palace, and had overtaken the industrious in their humbler tenements. But as regarded the poor and indigent in Ireland, if all the exertions of the Government and of the public had been unavailing to remove all the distress that existed—if all their anxiety and careful supervision, if all the charity of their countrymen, and all the applications of all the ordinary resources at their command, were unavailing to bring plenty and prosperity, as they had certainly been unavailing, to the homes of all—all he could say was that they must bow humbly to the dictates of an all-wise Providence, and must acknowledge that it was above the power of man to arrest the dispensations of His omnipotent will.

Major O'REILLY said, he would congratulate the Irish Members and the people of Ireland on the change that appeared to have taken place in the opinions of the right hon. Baronet. A few months ago, the right hon. Gentleman stated, boldly and confidently, that there was no distress whatever in Ireland.

Sir ROBERT PEEL : I never said so.

Major O'REILLY said, he would bow at once to the correction of the right hon. Baronet, that he never said there was no distress in Ireland. But if he remembered rightly, he said, in effect, that there was no reason to apprehend any extraordinary distress, or anything beyond the distress that always existed in all parts of the world. The right hon. Baronet, of course, never meant that Ireland was such an Elysium that no distress existed there ; but he said there was no unusual distress —nothing like severe pressure. It was therefore with decided pleasure he had heard him express a great sympathy with the existing and wide-spread suffering, the existence of which he had acknowledged that evening. But the right hon. Gentleman had put forward several arguments to show that the distress was not extending ; with that view he had pointed to the diminished number of paupers in the workhouses ; but Dr. Brodie, the official Poor Law Inspector, stated that the number of persons in the workhouse afforded no test of the amount of destitution in a district. The right hon. Gentleman also compared the number of the inmates of the workhouses now with the number ten years ago ; but he forgot to make allowance for the diminished number of the population. Another proof that distress was not extending in Ireland was, he said, the diminished amount of crime in that country. He (Major O'Reilly) accepted the testimony with pleasure, but some portion should be set down to the good character of the people of Ireland. It should not all be put down to the absence of destitution. Again, the right hon. Baronet argued that the price of food was not higher now than in former years. He admitted it; but could that be any relief to those who had no money to purchase food at all? The price of food was an indication of the degree of distress over a whole country, but not of the distress of particular localities. The right hon. Baronet the Chief Secretary for Ireland then passed on to a general assertion that the allegations of distress in Ireland were due to a small and peculiar party who, since 1859, had made a virulent attack upon the Irish Poor Law, and associated the objections to the administration of that law in Ireland in some mysterious manner, which he (Major O'Reilly) could not understand, with the universal politics of Europe. He could only say he had never known that in this country men were to be supposed to attack the whole Government and institutions of the country because they objected to the details of a particular law; but was it accurate that the opposition to the Irish Poor Law dated from 1859? He believed the objection on the part of the Irish poor to go into the workhouses existed long before 1859; and, in fact, the feeling had rather diminished than increased since that date. The right hon. Baronet appeared much grieved by what he thought an accusation against himself, made in a letter from the Bishop of Galway. But were priests debarred from a free exercise of opinion on the laws of their country? He disdained to answer the attack made on the clergy, because they had exercised their rights as citizens, and criticised the administration of the law. He did not, however, believe that the letter from the Bishop of Galway, read by the hon. Member for Dungarvan, was intended as an attack on the right hon. Baronet. The letter said "it was understood" that the Government looked with disfavour on subscriptions for the relief of the distress in Ireland. The Government did not think such subscriptions were necessary. That fact was patent, for in the long lists of subscribers they might look in vain for the name of any official person; and he could state within his own knowledge that a gentleman—a member of the legal profession, very recently appointed to a considerable office—declined to take any part in getting up a subscription, or contributing to it; he concurred in the object, but said the subscription would be looked on as an act of opposition to the Government. He would not go minutely into a discussion of the individual cases of death from destitution. The hon. member for Dungarvan had mentioned several cases in which coroners' inquests had been held, and for the first time they had heard that the institution of the coroner's inquest could not be relied on. They had heard the opinion of an anonymous magistrate, that the verdict of one particular coroner's jury was unfounded. But it appeared from the very letter quoted, that the cause of death in that case could not have been starvation, as the magistrate said they "declined to issue a warrant." The accusation made by that magistrate was one of unmitigated perjury against the jury. The right hon. Baronet declined to name the author, though the letter contained a sweeping accusation of perjury against coroners' juries. He had little desire to follow the accounts of the actual deaths from destitution, and the case would be fully made out if not one man or woman had died from the absolute want of food. It was now admitted that sharp and bitter distress prevailed in particular districts. It was not alleged that the distress was universal throughout Ireland. Thanks to a merciful Providence, in the greater part of the country the inhabitants had been able to support their own poor and even to give some assistance to their afflicted neighbours. But in certain districts in the south and west of Ireland, where a wild and mountainous country had not a single resident landlord, not a single wealthy yeoman, not a single large farmer, and was cultivated only by small cottiers, the industrious and struggling population had been totally unable to resist the pressure of two such bad seasons as the last. As an instance, he would cite the Island of Bofin. It consisted of 3,000 acres, and was valued at £500. The population was 1,200. They gained their livelihood by fishing, and by cultivating the soil. The landlord, an English gentleman, had done all that he could to alleviate the distress, and had expended £200 during the year in labour. Yet, the Rev. M. Walker, the Protestant clergyman, reported that there had been four or five deaths from dysentery during the last four or five months, and they all knew that dysentery was a disease which resulted from bad and insufficient food. The Poor Law Inspector stated that there was not a bit of baker's bread, not a drop of milk, not a pound of fresh meat on the island. Indoor relief was totally inapplicable, because in Bofin it meant transporting the population twenty-five English miles to the poorhouse, and leaving the boats unmanned when the fishing season commenced, and the ground untilled for the coming harvest. The Poor Law Inspectors understood the reluctance of the people to enter the workhouses, although the right hon. Gentleman the Secretary for Ireland did not understand it. In many of the unions local committees had been formed, and funds raised to relieve the want of the people. Those who were best acquainted with the country, when they had witnessed two bad harvests and a wet season, which destroyed the fuel, declared six months ago that they looked forward with apprehension to the effects of the winter. Whether every word which they used was reasonable, whether every proposition was prudent, and whether every suggestion was practicable, was wholly immaterial. What had the Government done? The right hon. Gentleman told the hon. Member for Dungarvan that he would have abstained from hinting that the Government was insensible if he had known what was passing within their bosoms. The right hon. Gentleman assured them that the Government had done everything they could to avert this distress. He roused himself to gather what those efforts and exertions had been, but he heard them not. When in the last autumn endeavours were made to obtain local and extraneous aid, he well remembered what the representative of the Government did. He had no wish harshly to canvass the conduct of the right hon. Gentleman, but surely he could not look back mith unmitigated satisfaction to the hasty tour which resulted in the sweeping statements made at Belfast and elsewhere. The assertions that no unusual distress was to be apprehended, and that there was no reason for unusual exertions, either on the part of Government or of individuals, certainly tended materially to check the current of public and private benevolence. If the right hon. Gentleman had then admitted, as he did now, that there was reason to apprehend grievous distress in particular districts, private exertions would have been encouraged and stimulated, and many of the sad consequences would have been averted which they could now only deplore. He believed that the private benevolence of England which had so abundantly succoured the the Irish people during the great famine years would not have been appealed to in vain. The House had now seen the change which had taken place in the opinion of the right hon. Gentleman. Six months ago, according to the Secretary for Ireland, distress did not exist, or, if it did, was only of such a character as was to be found in all large communities. It was now admitted by the Government that the distress was severe and poignant, and that it had accelerated and caused several deaths. The House were now told that the distress in Ireland had absorbed the undeveloped sympathies of many members of the Government. He wished they had known that before, because, while he could understand the sense of responsibility which prevented the Government from advocating changes in the law or the application of the public funds to the relief of distress, he could hardly enter into the feeling which had led them to deny its existence, with consequences so lamentable to the suffering poor. He would appeal to hon. Members acquainted with Ireland whether the worst had yet passed, and whether the period of the greatest destitution was not always the later months of spring, after the spring was over, and before the summer work ceased. He did not envy the feelings of those who, when the distress had become poignant, impressed the public with the idea that there was no distress to be relieved, and thus dammed up and impeded the flow of that noble charity which a benevolent public would have poured out for the relief of the great distress that existed in Ireland.

MR. M'MAHON said, he lamented to find, from the tone adopted by the representative of the Irish Government, that there was no disposition on their part to adopt measures for the alleviation of the distress prevalent in the sister country. The right hon. Baronet had referred to 9,000 people in Lancashire who were receiving poor relief, but it was outdoor relief; and if the same facilities were accorded to the poor of Ireland, the House would not have these constant discussions renewed. If the authorities in Ireland received power to administer outdoor relief, and if the quarter-acre clause, which prevented persons who held a small portion of land obtaining temporary relief in time of need, were repealed, a very beneficial alteration of the law would be effected, and much of the evil which resulted from the present system would be guarded against. If, on the other hand, the Government would not render any assistance, he hoped the Irish Members would adopt other means to present their case to the people of England. He would, however, implore the Secretary for Ireland to turn his attention to the reclamation of waste lands, and to the advance of a small sum for the drainage of the soil, for by these and other means employment might be furnished. He begged also to express his deep regret that the Secretary for Ireland had taken occasion in the course of his speech to attack the Roman Catholic Bishops of Ireland for the steps they had felt it incumbent upom them to pursue at this crisis. He could assure the right hon. Baronet that he would not succeed in changing the opinions of the Irish prelates by means such as those resorted to by the Italian Minister with the episcopacy of Italy.

MR. GREGORY said, he had heard it observed that the difference between an

Irish and a Scotch debate was this, that Irish discussions generally turn on questions of fact, which are positively asserted on one side, and as positively denied on the other; whereas in a Scotch debate the facts were admitted, and the discussion arose on the deductions to be derived from them. This accounted, in some degree, for the somewhat unpleasant tone which occasionally characterized debates on Irish affairs; and, in the present instance, the same unpleasantness had arisen. The Irish Members, in such a case as the present, had no agreeable task before them: they were forced to appear as applicants to the Government, stating that considerable distress existed, and calling upon the Government to take measures to relieve it; if the facts were denied, or not proved, they stood in the position of sturdy mendicants or impostors. For himself, although he earnestly besought the attention of the Government to the severe distress in several parts of Ireland, he utterly repudiated the idea that Government should relieve that distress by giving alms to the people. He would be the very last man to suggest to the Government any system of relief that would deteriorate the principle of self-reliance and courage; two qualities which, of all others, his countrymen most required to be taught. English Members would be puzzled what conclusion to arrive at, as regards the alleged destitution in Ireland, because even among Irishmen great difference prevailed as to the amount of distress. The pressure from want in Ireland was so local and so exceptional, that one man might be of opinion that the very greatest destitution prevailed in his district, and another person might be of opinion that there was no such thing as destitution, because within some thirty or forty miles absence from great privation existed. In the county of which he had any knowledge, namely Galway, he was bound to say that, from his own personal experience and investigations he had made, he believed there was a very great amount of destitution and distress. It was attempted to be shown, from inferences as to the numbers in the workhouse, that there was much exaggeration; but the number of the inmates of workhouses was no criterion, for the class most suffering at present were the small farmers, who, because they held land, could not obtain relief, and who would undergo any amount of misery rather than enter the workhouse with their families. He thought, however, such destitution might be counteracted by the adoption of very slight measures on the part of the Government, and that, too, without offering any gratuitous relief. They only required a fair day's wages for a fair day's work till the next harvest came in. Such distress existed even in the middle of the county, but it was more general and more severe in the western parts, where the failure of the potatoes and the turf had deprived the people of both food and fuel. An unmistakable proof of the distress which prevailed was to be found in the existence of the local relief committees. When men were perfectly acquainted with their neighbours, as in the case of rural districts, they would not, for the sake of mere sentimentality, or in order to spite the Government, contribute very largely for the relief of simulated distress. The local committees were composed of men of all religions; and when he saw persons of all persuasions acting together, and appealing for assistance in consequence of the destitution of those around them, he was forced to the conviction that such destitution really existed, and that, if practicable, some means should be adopted for arresting its progress. The time had not come when the real pressure would be felt. Spring labour was now going on, and the real want and suffering of the people would not commence until about the end of the present month. What he should propose, by way of assisting the people until next harvest, as far as his own county was concerned, was this—that works of a remunerative character should be set on foot: the drainage of the low lands flooded by the rivers Suck and Shannon would give great employment. In Galway itself a large number of able-bodied men might be employed, should the Government feel disposed to give a loan for the enlargement and improvement of the harbour. A loan to any railway which had got its Bill, would enable the company to proceed with vigour, and a loan might be made for the establishment of a tramway from Galway to the western part of the county. In all these cases security could be obtained for the repayment of the money lent, and he was confident that this expenditure would keep the wolf from the door till the harvest came in. This mode of relief was the best he could suggest: it was not almsgiving—it did not involve mendicancy; and he took that opportunity of saying, that he believed the greatest curse that could be inflicted on Ireland would be the extension of outdoor relief, that it would result in the paralysis of every honest exertion, and reduce the peasantry of the country to the level of shameless habitual mendicancy.

MR. BRADY observed, that no doubt the hon. Member for Dungarvan in his statement intended to convey to the House an exact idea of the present state of Ireland, which he was well fitted to do from his intimate acquaintance with the distressed districts, and from the reliable sources of information he possessed. His object was to call attention to the fact that deaths had occurred, and that serious consequences had resulted from the poor not having been able to obtain sufficient nourishment; and it was no answer to say that the cases of death occurred from disease, and were chiefly among infants. He had heard with surprise the statement of the right hon. Baronet when he denounced one of the oldest of all our institutions, the coroner's inquest, and almost charged the jurors with perjury. If there were any inference to be drawn from the remarks of the right hon. Gentleman, it must be that coroners' inquests in Ireland ought to be totally abolished. Again, the arguments of the right hon. Gentleman, based on the relative numbers in the workhouses in 1852 and at the present time, were utterly futile, because at the former period the population of Ireland was between 6,000,000 and 7,000,000, while, according to the last Census returns, it was now a little over 5,000,000. He denied that an impression unfavourable to workhouses had been created by the denunciations of the Roman Catholic hierarchy; abhorrence of those institutions was one of the innate feelings of the Irish tenantry. It was absurd to suppose that outdoor relief was unnecessary in Ireland when in England, with its innumerable charities, six-sevenths of the funds raised in connection with the Poor Law were expended in that form. The right hon. Gentleman had introduced a religious element into this discussion, and had attacked the Catholic hierarchy. It was not their design to denounce the Irish Poor Law; but, at the same time, its operation had been shown to be wholly unsatisfactory and incapable of carrying out the great objects for which it was instituted. The attack which the right hon. Baronet had made on the Catholic hierarchy showed him to be totally unworthy of the position he held. He hoped the discussion would do good, and rouse the Government to active sympathy with the suffering people of Ireland, but he should consider himself unworthy of a seat in that House if he did not state that distress was largely extending throughout Ireland; and his belief was that the moment the spring work was over the distress would be found very great and the results most serious.

SIR GEORGE BOWYER observed, that the right hon. Baronet the Secretary for Ireland had quoted a despatch from the Piedmontese Minister in which the clergy of Italy were confined to duties strictly spiritual. From *The Times* of that day it appeared that Minister lay under the serious accusation of having embezzled a large sum of money belonging to what he (Sir George Bowyer) should still call the Kingdom of the Two Sicilies, as it was so called by every country with the exception of England and France. If Government intended to act towards the clergy of Ireland as the Government of Sardinia were acting, in the spirit of restriction and persecution, towards the clergy of Italy, let them boldly avow their intention. The people of Ireland would soon understand it, and take matters into their own hands. The Gentlemen on the Treasury Bench would then very shortly see the termination of their official career. The right hon. Baronet the Chief Secretary the other night opposed a clause for muzzling the dogs of Ireland, but he was for muzzling the priests of that country. For himself, he protested against the servile doctrine that the Catholic clergy, whether in England, Ireland, or any other country, were not to perform the functions of their sacred office without listening to the dictation of any Minister of State; and he asserted the right of the priesthood to follow what they believed to be their duty as the protectors of the religion, the morals, and the temporal welfare of the people.

MR. HENNESSY said, he regarded the fact of the existence of great distress in Ireland as set at rest by that discussion, inasmuch as every hon. Member who had taken part in it but the right hon. Gentleman the Chief Secretary had admitted it. What, then, had been done by the Government to relieve it. The right hon. Gentleman had given the House no satisfactory information on that point. When a similar state of things prevailed in 1858, the late Government exercised the special powers intrusted to them to save the lives of the people; and according to the Report of the

Poor Law Board not a single death had then occurred through privation. Stores of oatmeal were placed at the disposal of the relieving officers, and by that means eighty individuals were saved from starvation in the single union of Bellmullet. The present Government might have followed the example thus set them by their predecessors under the authority of the 7th section of the 10 *Vict.*, c. 31, but they had failed to do so. The Chief Secretary had denied that any deaths from starvation had occurred at Headford. Now, an official inquiry took place on the previous Wednesday in the court-house at Headford, the result of which had arrived in London only within the last few hours, and it fully confirmed the statement of the hon. Member for Dungarvan. In his sworn testimony the dispensary medical officer at Headford stated that several persons to whom he had given the certificate required by the Act, declaring that they were unfit to be removed to the workhouse, died without being relieved by the committee. The Chief Secretary, going beyond a general denial, had contradicted the individual cases cited by the hon. Member for Dungarvan. One poor woman, whose name had been mentioned that night as having died of starvation, had, it now appeared in evidence, received something from the relieving officer, but that something was a coffin. Another poor woman, named Larkin, also died from destitution at Headford. The relieving officer deputed another person to take food to her, and the deputy again delegated the duty to a third person. Well, what was the sworn evidence of the second deputy? That witness said that having been asked to take relief to Larkin he had done so, but that when he reached her cabin it was dark night, and that she died before morning. It was, moreover, stated in evidence that the relief had been ordered on the 9th of April, and that it was not until the 11th that it had been sent. Now, such was the state of things of which his hon. Friend complained, and, for his own part, his only hope of the termination of distress in Ireland was based on the application to that country of the same law which existed in England. He had no doubt, for instance, that the distress which existed in Lancashire was greater than that which prevailed in Ireland; but then the difference in the law applicable to each case caused the destitution in the latter instance to assume a more aggravated shape. He might add that he was surprised to hear the Secretary for Ireland, in his attack on the Irish Bishops that evening, speak of them as being the first to denounce the workhouse system. The right hon. Gentleman, when he did so, surely must have forgotten, that in the Report issued by the Commissioners who had been appointed in 1837 by Lord John Russell to inquire into the administration of the Poor Law in Ireland, it was stated as their unanimous opinion that the workhouse system would not do in that country; and that in 1844 Mr. Stoney, the Protestant chaplain to the Board, in a letter published in the Report for that year, stated there was a universal outcry against it. He might further observe that Lord George Bentinck in 1846 said he saw no salvation and no peace for Ireland until a liberal and generous Poor Law on the same footing as that which existed in England should be carried into effect, on the principle that no person should be allowed to starve in the former any more than in the latter. In conclusion, he would ask from the Government some explanation as to the non-employment of the special powers given under the section of the Act, and as to why the steps which had from time to time been pressed upon them by their own officials had not been taken? He held in his hand a report of a Poor Law inspector, of great experience, who recommended the employment of the people on public works, which, especially drainage, were, he contended, much needed in Ireland. How was it that recommendation was not carried into effect? But, be the answer to that inquiry what it might, it was obvious that something more was necessary to be done than had been contemplated, not only to alleviate the distress, but also to vindicate the character of the Government in Ireland.

SIR HENRY BRUCE said, that as representing a constituency in the north of Ireland very different in its condition from the one alluded to, as it was described by the hon. Member for Dungarvan, he would beg leave to observe that he believed that neither of the Members of the city of Cork complained of the distress to which the hon. Member had alluded; and he was quite sure, if distress existed in Belfast, there was sufficient charity, wealth and intelligence in that town to remedy the evil without applying to Parliament. If his (Sir H. Bruce's) part of the country had been in such a state of suffering as was described, it was not in that House that he should have endeavoured to raise sympathy and obtain relief; and Members of that House would consider it a strange proceeding if, on every case of destitution which occurred in this wealthy metropolis, as he regretted to see did occasionally occur, the Home Secretary were to be arraigned at the bar of this House, or at any rate at the bar of public opinion, as is the case of the Chief Secretary for Ireland when a case of distress occurs in that country. For his part, he did not believe the supposed great destitution did exist, although, of course, there were isolated cases of great privation. If there was any general destitution, it would not have been necessary for hon. Gentlemen to drag up reports of inquests held in all parts of the country to show that unfortunate wayfarers had died from starvation; and in support of his statement the hon. Member had not shown to the House any district of country sunk in this deep distress, but merely scattered instances, certainly much to be deplored, but not under the control of Government or of this House. With regard to the Poor Law Commission, they had been told that one of the Poor Law Commissioners never visited the rural districts, and therefore could not give the Government accurate information; but they must not forget that there was another Commissioner, Mr. Senior, who had been Assistant Poor Law Commissioner, residing in the country for many years, and who was a man of great intelligence and who could not be charged with a disregard for the interests of the poor, but rather with a disregard for that of the ratepayers in his desire to help the poor. He did not rise for the purpose of defending the Government of Ireland, nor of assailing it; but he must say he thought that the right hon. Baronet would have done better to have abstained from religious remarks, and from alluding, as he had done, to the conduct of the Roman Catholic prelates in Ireland. The right hon. Baronet might be assured he made these remarks in no unfriendly spirit, as might be concluded from the opinions which he was known to hold—opinions which his hon. Friend the Member for Galway a few years ago had told the House disqualified him for holding a certain office in Ireland. Such an allusion he thought ill-judged, as the introduction of religious subjects was quite unnecessary for the complete refutation of the much exaggerated statements of the hon. Member for Dungarvan, who said he did not intend to make any charge against the Irish Government; and he (Sir H. Bruce) was quite willing to believe that the hon. Member was actuated only by motives of charity; but, on the other hand, the House must recollect that the hon. and learned Member for the King's County, who supported him, distinctly stated that he made it a direct charge against the Government. But as to the management of the workhouses, having regularly attended the Board of Guardians, he knew something of them. Not long since there was a complaint in regard to the workhouse with which he was connected, that the people were kept too well; he therefore inquired into the matter, and was kindly supplied with most valuable information by Mr. Doyle, one of the English Poor Law Inspectors, and he was happy to say he found that the workhouse at Coleraine compared favourably with those of England in regard to its dietary; and he could safely say that in Ireland the paupers were kindly treated and well fed, and whilst he would applaud the desire of people to keep out of the poor-house, at the same time, if they would not enter the workhouse, they must not complain that it was not open to them. The local distress, he felt sure, was capable of being alleviated by local means, without Ireland being brought before the House in the form of a mendicant, begging for relief from the Imperial purse. In one observation of the hon. Member for Dungarvan he quite concurred. He could not see why the grants for drainage should be limited to a certain money amount, irrespective of the extent of property. That was a subject that was deserving the attention of the Chief Secretary, and he hoped it would receive his consideration.

Sir GEORGE GREY said, he thought the hon. Member for King's County (Mr. Hennessy) would be satisfied there was not complete unanimity among the Irish Members upon this subject. There was no doubt that in particular parts of the country considerable distress did exist, but not only in Ireland; for in the west of Scotland, among a similar class of population, distress prevailed owing to the wet season of last year, which had injured their crops. There was also much distress from other causes in Lancashire and other parts of England. But the only question for the Government and Parliament was, whether the distress was so severe and urgent as to demand the interference of Government or of Parliament, or whether a judicious exercise of the powers of the Poor Law, aided by local assistance, would not suffice to meet the emergency. He did not see what was the precise object of the hon. Member for Dungarvan in bringing the question before the House. If it was to show that distress existed in certain districts, that was admitted. The hon. Member for King's County said that the Government were to blame for not adopting the course taken by the Earl of Derby's Government in 1858, who sent out special relieving officers to administer relief in extreme cases. The hon. Member was mistaken in that assertion, for no such special officers were sent to any part of Ireland. All that was done was to desire the relieving officer in an island on the west of Ireland, where there was severe local distress, to confine his attention to that particular spot for some time, in order to afford relief. But the present Government had done more than that, for they had increased the number of relieving officers, in order that relief might be administered more promptly than by the ordinary staff in the distressed districts. With regard to the demands that assistance should be given for drainage and other works, he could only understand them as implying an opinion that Parliament should make a grant for carrying those works into operation; but he must say that what was done in 1847-8-9, and the complaints which arose in consequence, served rather as a warning to the Government and Parliament not to have recourse to the same means of employing the population on a large scale without the clearest case of necessity. Allusion had been made to the limit supposed to be placed by the Board of Works in Ireland on advances for the purpose of drainage. The limit was placed by Parliament, and not by the Board of Works. At first the rule was that no landlord should borrow more than £10,000; but that sum had afterwards been reduced to £5,000. Application had recently been made to the Government to extend the limit again; and the subject was under the consideration of Government; but if any change were made, it would have to be done by Parment, not by the Executive. It was a mistake to suppose that there was no outdoor relief in Ireland. At the present moment between 6,000 and 7,000 persons were in the receipt of relief not administered in the workhouse, but it was desirable not to extend that outdoor relief beyond the necessity of the case. He had heard with much satisfaction the opinion expressed by his hon. Friend the Member for Galway (Mr. Gregory) of the extreme inexpediency of holding language which encouraged the Irish people in refusing that relief which was afforded them in workhouses, which he believed was administered in a humane way. It really ought not to be held up to the people of Ireland as relief which they were almost bound, in consideration of their own character, to refuse. No one who had attended to the working of the Poor Law in Ireland, and who knew the character of the gentlemen in whose hands its administration was placed, but would feel that they had done everything which the law enabled them to do to relieve that distress; and he still hoped that the administration of the Poor Law, in connection with local resources, would be found sufficient for that purpose, and that Parliament might be saved the necessity of having recourse to that system which in the years of famine was resorted to, and which was attended with results which they must all wish not to see repeated.

MR. MONSELL said, he knew that very severe distress existed amongst the small cottiers. They did not want the Government to make any grants of money to these districts, but they considered under the present exceptional circumstances the Government should be more liberal with respect to loans for constructing railways, improving harbours, and effecting drainage, by which loans the public Exchequer would not lose one shilling. Although it was perfectly true that great evils followed the money grants given to Ireland in 1848, yet of the loans made at that time to railways every shilling had been repaid to the Exchequer with interest. He earnestly trusted that the Government would take the matter into serious consideration, for the real time of severe trial in the distressed districts would arrive when the spring agricultural work should be over. The suffering was something far beyond what was described in the able letters in *The Times* signed "A Lancashire Lad," as prevailing in the manufacturing districts of England. He was sure that the distress might be satisfactorily relieved by the means of loans such as he had alluded to, and he deprecated any extended system of outdoor relief as being simply destructive to the country. What they asked for was exceptional interference from the Government in the shape of aid for reproductive works, by which the Treasury would not lose one sixpence. At all events, they had gained one advantage from to-night's debate, inasmuch as the Secretary for Ireland, who on the last occasion seemed entirely to ignore the existence of distress, now completely changed his tone, and admitted that in some districts of Ireland distress existed in a most aggravated form.

Mr. WHALLEY said, he was in Ireland in 1847 and 1848, and saw the way in which the grants made at that time were used, and he afterwards in the House urged that those grants should not be repeated, in consequence of the improper mode in which they were expended. He thought that the suggestion of the right hon. Gentleman (Mr. Monsell) ought to receive favourable consideration. Another practicable remedy for the distress was lending money to landholders for improvements.

Mr. MAGUIRE in explanation said, he was willing to give to the right hon. Gentleman the name of the writer of the letter which had been referred to.

BARRACK-MASTERS.—OBSERVATIONS.

Colonel FRENCH stated, that on the 7th of April he moved for a return of the services of the late barrack-master at Sheffield, and the retiring allowance granted to him. He held the paper in his hand, which showed the great injustice with which this distinguished and meritorious class of officers were treated. Here was an officer, after thirty-eight years of military and civil service, granted only the paltry pittance of 3*s.* 11¼*d.* a day, with a legal power vested in the Treasury to have given him double that amount. In the Superannuation Act of 1859 there were two clauses regulating retiring allowances (the 2nd and 4th). The first of these related to those who entered the public service between the ages of seventeen and twenty-five, the boy-class, he might call them, in which no discretionary power to deviate from the standard was given to the Treasury; but the second, the 4th clause, did, in cases where persons entered at a more advanced age, and required professional knowledge to enable them efficiently to discharge their duties. His complaint was that the Treasury had, contrary to the spirit and letter of the law, decided the amount of the barrack-masters' retiring allowances under the 2nd clause, which was not applicable to them, and refused them the benefit of the 4th clause, which, as they were admissible up to the age of forty-five, and required seven years' military service, was the one under which their claims should legitimately be considered. Solicitors, foreign interpreters, and other non-combatants are included under this class. When the Superannuation Act was before the House, he (Colonel French) proposed to include in the 4th clause the barrack-masters by name, but was assured that it was not necessary—as a matter of course they would come under it; but after the passing of the Act he was informed that some official difficulty had arisen, which rendered it doubtful how they were to be dealt with. He called at the Treasury to inquire about it, and was told that the barrack-masters were military officers, and was referred to the Secretary at War. On going to the War Office he was there told that they were civilians, and referred back to the Treasury. After some delay as to what branch of the public service they belonged, the question was taken into the joint consideration of War Office and Treasury; but their joint labour was not more satisfactory than their separate, and the matter remained undecided. Under these circumstances, he (Colonel French) put a question to the then Secretary at War, the late Lord Herbert, as to whether these officers were military or civil. Lord Herbert's reply was, that as civilians were eligible, they could not be considered military. This was a great mistake, as civilians were not eligible, the first article in his own warrant being "that all barrack-masters must have seven years' military service." This rule was of long standing, from the time the Duke of Wellington was Master General of the Ordnance, as the Duke declared his opinion that the duties of the officer could not efficiently be discharged by civilians, and since that time no civilian had been appointed. The eighty-one barrack-masters were all military men, and difficult would it be to find a more distinguised body of men than they were. Many of them had been in every action in the Peninsula and at Waterloo; several of them had commanded regiments, some of them brigades, and two of them, Colonel Browne and Colonel Evelegh, divisions. Colonel Browne commanded the 4th division at Badajoz, and Colonel Evelegh a division in India. Their breasts were covered with medals and clasps. They were men the nation should delight to honour. How were they treated by the

Executive? Not with honour, nor even with justice. Their legitimate duties, which were both onerous and responsible, were daily added to without any additional remuneration. They were compelled to act as solicitors, engineers, rent collectors, and house valuators; in some cases they had steam-engines to manage. In short, they were given duties to perform which it was absurd to suppose they were capable of undertaking. Their military rank was denied to them; they were offered relative rank, which they very properly declined to accept. They were no longer to be saluted by the soldiers. They were to appear at inspections in a kind of livery. The general officers, many of whom had served under them in the Peninsular war, with the feelings of soldiers and gentlemen, allowed them to appear in plain clothes, so this degradation was partially avoided. In Hart's *Army List*, page 441, the services of the late barrack-master at Sheffield, were stated. Captain Minchin served in the 51st Regiment, under Sir John Moore, in the campaign and battle of Corunna. He was with Lord Chatham in the Walcheren expedition and siege of Flushing. He was at the battles of Fuentes d'Onor, the siege of Ciudad Rodrigo, the sieges of St. Christoval, the second siege of Badajoz, the battles of Val Moresco and Salamanca, the capture of Madrid and the Retiro, the siege of Burgos, the actions of Monasterio and Quintana Pulla, the battles of Vittoria and the Pyrenees, the siege of St. Sebastian, the battle of Lesaca, where he was severely wounded, and he was at the occupation of Bordeaux. He also served in the campaign of 1815, including the battle of Waterloo, the capture of Cambray, and the occupation of Paris. He has the war medal and four clasps. For all these services, and nineteen years' civil service, her Majesty's Government have awarded him a retiring pension of three and elevenpence farthing a day! Let not the House imagine that he (Colonel French) had selected Captain Minchin's case as that of the greatest service amongst the barrack-masters. Colonel Smith had the war medal and ten clasps; Captain Kirkham, the war medal with eight clasps; Captain Drummond, the same; Major M'Queen, the war medal with nine clasps; Captains White, Gossall, Hughes, with all those who had lost limbs in the service, had the same decorations and maintained the same high positions. He regretted that, owing to the forms of the House, his right hon. Friend the Secretary at War could not say anything on this subject that evening; but he trusted, as his attention was now called to the subject, he would not deal in a niggardly spirit, nor in an unjust manner; nor would the nation desire he should do so with a body of distinguished officers who had served them so well, so long, and so faithfully, and those who now were discharging the duties of barrack-masters in the United Kingdom.

MR. PEEL said, barrack-masters must complete ten years of service before they were entitled to any pension. His hon. and gallant Friend, however, was mistaken in supposing that the Treasury could measure out the retiring pensions of barrack-masters with reference to their military services. The War Office, no doubt, had laid it down that no person should be appointed to the office of barrack-master who had not served in the army for a certain period, but that regulation was for the benefit of the army rather than of the public service. It was for the benefit of the army that officers should have a monopoly of offices of this nature. It was important that the Treasury in awarding these pensions should adhere strictly to the spirit of the Superannuation Act. In all cases coming under the 4th section of that Act the Government looked to the nature of the office to be filled rather than to the particular services which the officer filling it for the time being had performed.

THE TAEPINGS.—QUESTION.

COLONEL SYKES said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether, as the military defence of the Tartar city of Shanghai has been ordered by Her Majesty's Government, and joint expeditions of French, English, and Tartars appear to have recently taken place against the Taepings, provision has been made to prevent the Tartar Civil Governor (Toutai) of Shanghai from executing prisoners taken in conflict with the Taepings. The hon. Member read extracts from journals and letters from China, and urged the necessity of interference to prevent the cruelties practised on Taeping prisoners by the Imperial forces, as described in these communications.

MR. LAYARD said, he would not at that hour go into a discussion of the policy of her Majesty's Government in reference to China, but would merely observe that his hon. and gallant Friend's information was not strictly correct. He held in his hand a later impression of the Chinese paper in which the statement to which the hon. and gallant Member referred was made, and it contained a paragraph, expressing regret that the statement had been made, and explaining that the publishers of the paper had been misinformed. An inquiry had taken place, and it appeared that the persons captured were not rebels, but pirates and marauders. The hon. and gallant Member might rest assured that as long as French and English officers were employed they would not allow any cruelties to be inflicted. Her Majesty's Government sent out instructions that in the event of any prisoners falling into the hands of the troops no act of inhumanity should be committed. As to the operations at Shanghai, they were purely defensive measures.

Mr. WHITE said, he believed that Government was drifting in another China war. What it had done had provoked the hostility of a powerful party in China, and would not prevent the calamities of the rebellion. He did not participate in the gallant Member's feelings of affection for the Taepings; but they certainly cherished a most profound respect for British power, and, in the instance of a near relative of his, had allowed a British subject to leave their lines in perfect security. They respected British property, and allowed trade to be carried on with facility. He thought that the joint occupation by the English and French forces was detrimental to British interests. The object of England was trade, while that of France was the propagation of the Roman Catholic religion. He would suggest that they should declare Shanghai a free port, and leave the Imperialists and the rebels to collect dues on exports and imports passing into or from their lines respectively. The object was one of great importance, and must on an early day be more fully discussed.

Lord HOTHAM said, he wished to appeal to the Government not to proceed with the Merchant Shipping Bill at that hour (twelve o'clock). The first order was Supply; and if it were too late to proceed in Committee, they ought not to take other business. It was unusual, unreasonable, and in his humble opinion improper, to enter upon fresh matter not in order upon the Votes.

Mr. MILNER GIBSON said, that if they went into Committee on the Merchant Shipping Bill, it would be merely *pro formâ.* He should not propose to go on with any clause which was disputed.

Question put, and *agreed to.*

SUPPLY.

Supply *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

MERCHANT SHIPPING ACTS, &c. AMENDMENT BILL.—COMMITTEE.

Order for Committee read.

Mr. MILNER GIBSON moved that the House go into Committee on this Bill.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. BENTINCK said, he would express a hope that his right hon. Friend (Mr. M. Gibson) would take more extended powers than the Bill contained with regard to compulsory pilotage. He hoped, also, that he would introduce a provision to relieve masters and owners from the consequences of any accident that might occur to a vessel under the compulsory charge of a pilot. He also had to complain that the Bill did not go far enough on the subject of lighting the coasts of Great Britain and Ireland. The House probably were not aware of the enormous sum of money that was wasted in the lighting of our coasts. The cost of lighting the coasts of this country was somewhere in excess of £200,000, whereas the cost of lighting the whole coast of France was about £48,000. The same irregularity and want of system existed in respect of the buoys placed round the coast. The system of pilotage ought to be carefully considered and revised, and he hoped that compulsory pilotage would be done away with altogether, and a provision introduced by which every man qualified to act as a pilot would be able to ask to be allowed to undergo the necessary examination, and having proved his competency, to acquire a licence to act as pilot.

Mr. MONCKTON MILNES said, he fully concurred in the observations of his hon. Friend opposite. Nothing could be more oppressive than that a ship should be compelled to take a pilot of a certain class, and that the owner of the vessel should be liable for any accident that such a pilot might cause. He trusted the Government would abolish compulsory pilotage as soon as possible.

Mr. LOCKE said, he would move the adjournment of the debate.

Mr. MILNER GIBSON said, if the hon. Gentleman would allow the Speaker to leave the Chair, he (Mr. Gibson) would immediately move that the Chairman report progress.

Lord HOTHAM said, he objected to that course.

Mr. AYRTON said, he also advocated the adjournment of the debate.

Mr. MILNER GIBSON said, he would agree to the adjournment.

Debate *adjourned* till *Monday* next.

BURIALS BILL.—SECOND READING.

Order for Second Reading read.

Sir MORTON PETO said, he wished to move the second reading of the Burials Bill. It had been made to harmonize with the Irish Act.

Sir GEORGE GREY said, that the Bill had been considerably modified, and several of the objectionable clauses in that introduced last year removed. He did not, therefore, object to the second reading, on the understanding, however, that the provisions of the Bill should be fully considered in Select Committee.

Sir WILLIAM HEATHCOTE said, he concurred in the suggestion of the right hon. Baronet, that the Bill should be referred to a Select Committee.

Mr. COLLINS said, he hoped that sufficient notice would be given of the names of the Members who were to form the Committee on the Bill.

Bill read 2°, and *committed* to a Select Committee.

EDUCATION OF PAUPER CHILDREN BILL.—SECOND READING.

Order for Second Reading read.

Sir STAFFORD NORTHCOTE said, he would move the second reading of this Bill. He was willing that it should be referred for consideration to the Committee on Poor Relief sitting up stairs.

Mr. C. P. VILLIERS said, he would assent to the proposition of the hon. Baronet.

Bill read 2°, and *committed* to the Select Committee on Poor Relief.

House adjourned at a quarter before One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, May 5, 1862.

Minutes.]—*Sat First in Parliament.*—The Lord Lilford, after the death of his Father.

Public Bills.—1ª Courts of the Church of Scotland.

3ª Declaration of Title; Security of Purchasers; Transfer of Land; Real Property (Title of Purchasers).

DECLARATION OF TITLE BILL.

THIRD READING.

Lord CRANWORTH, in moving the third reading of the Declaration of Title Bill, said, he desired to state for the information of those noble Lords who had not been members of the Committee that this Bill, together with the Security for Purchasers Bill, and four others relating to land, had been referred to a Select Committee. The object of these two measures was to facilitate the transfer of land by a mode which appeared to him to be extremely simple and inexpensive, and little calculated to cause inconvenience. His noble and learned Friend on the Woolsack had introduced a Bill with a similar object, but of a much more extensive character than his (Lord Cranworth's), being one of those which had gone before the Select Committee. Two other of these Bills had been introduced by the noble and learned Lord opposite (Lord Chelmsford), having for their objects the more easy conveyance of land and the registration of the same. The fifth Bill, that introduced by Lord St. Leonards, was of a totally different character to the other measures. All those Bills had been carefully considered by the Select Committee. It was impossible that all those five Bills should pass, for some of them were inconsistent with each other. and therefore His noble and learned Friend opposite (Lord Chelmsford) withdrew his Bills. The Committee, however, came to the conclusion that his (Lord Cranworth's) Bills were consistent with that of his noble and learned Friend on the Woolsack. Both were permissive, and the object of his (Lord Cranworth's) Bill was, first, to enable persons to obtain from the Court of Chancery a declaration of title. The first of his Bills was founded on the principle of the Encumbered Estates Court, now the Landed Estates Court, in Ireland, of which they had had about fourteen years' experience, and during that long period, no error, or next to none, had been discovered in the title of any estate dealt with by that Court, and he thought that what had answered so well in Ireland could not answer ill in this country. It would establish no new tribunal, but leave to the Court of Chancery to deal with those questions of title in the same way as it dealt with other questions that came before it. The Bill could certainly do no harm; he believed that it would do much good. The measure embodied in the second Bill further provided for the continuity of title once it had been established in the way pointed out. The noble and learned Lord concluded by moving that the Declaration of Title Bill be now read 3ª.

Lord CHELMSFORD said, he was not disposed to object to the third reading of his noble and learned Friend's Bill, although he did not approve of all the provisions which it contained. There was no doubt that it was exceedingly desirable that some measure should be passed whereby an absolute and indefeasible title to land should be given to purchasers. The only question for consideration was, what tribunal or authority should have the power to secure that title. He should not himself have supposed that the Court of Chancery was the best tribunal for the purpose. As had been stated by the noble and learned Lord opposite, the Irish Encumbered Estates Court had been found to answer most admirably the purpose for which it was created. Property to the amount of £20,000,000 had passed from one hand to another through the medium of that Court, and about one-seventh of the whole area of Ireland had been transferred. It was considered by the public very desirable that a somewhat similar tribunal should be established in this country. He (Lord Chelmsford) accordingly introduced a Bill with that object; but the Committee to whom it was referred came to the conclusion that the amount of business likely to be transacted would not warrant the establishment of a distinct Court. A Bill was then introduced by the noble and learned Lord on the Woolsack which he (Lord Chelmsford) could not but think was open to a serious objection—namely, that it would be productive of great expense. If the business to result from the Bill now before the House was not large, there was no necessity for such a measure. If, on the other hand, it proved to be not only large, but increasing, it would be impossible for the Court of Chancery to discharge the duty to be imposed upon it. He was, however, extremely desirous that some measure of the kind should be tried, and would therefore support the Bill, although it differed so essentially from that which he had introduced.

Motion *agreed to.*

Bill Read 3ª, and Amendment made; Bill *passed,* and sent to the Commons.

SECURITY OF PURCHASERS BILL.

THIRD READING.

Order for Third Reading read.

After a few remarks from Lord St. Leonards,

Lord CRANWORTH briefly explained the object of the measure. It provided that every purchaser of land as to which a declaration of title shall have been obtained under the "Declaration of Title Act, 1862," shall be entitled to cause a memorial of the conveyance to him to be endorsed on the conveyance to his grantor; and it provided for similar endorsement on every subsequent alienation of the property to which they relate. He should, indeed, have preferred a general registry of all deeds, but that had been rejected by the other House. He thought, however, that the present scheme would present almost the same advantages.

Moved, That the Bill be now read 3ª.

Lord ST. LEONARDS made a few remarks, in which he was understood to object to the Bill.

Motion *agreed to.*

Bill read 3ª accordingly, and *passed,* and sent to the Commons.

TRANSFER OF LAND BILL.

THIRD READING.

Order for Third Reading read.

The LORD CHANCELLOR *moved,* that the Bill be now read 3ª.

Lord ST. LEONARDS said, the view which he took of his noble and learned Friend's Bill was, that it was in disguise —though he was sure no disguise was contemplated by his noble and learned Friend—a Bill for a general registry of assurances. When upon a former occasion a Bill to effect that object was before their Lordships, he divided the House against it, though without any hope of being able to prevail upon their Lordships to agree with him. The Bill then went down to the House of Commons, and was referred to a Select Committee; and after a most elaborate investigation the most competent persons upon the Committee made a Report, in which, after showing all the advantages and disadvantages of a general registry, they came to a clear and unanimous resolution against such a registry. Now, there was one thing which was quite certain with regard to this Bill. It would involve a considerable expense, would require a considerable establishment, and that establishment, no doubt, would have to be paid for—to a great extent at least—by the country. The establishment which the Bill would require would in effect be a Registrar's Court, with a Chief Registrar, three Assistant Registrars having about £1,500 a year each, an Examiner, a Conveyancing Counsel, and so forth. What would be the practical working of all this costly machinery? The Bill was, no doubt, permissive in its character, but it held out encouragement to persons to seek to obtain that which it was its object to give, and which, if obtained, would involve a degree of trouble and annoyance beyond what could be conceived. If a person desirous of having his title registered had not an absolutely good title, such a title as the Court of Chancery would compel an unwilling purchaser to accept, he would not go to the Registrar at all. If a man were not insane, he would not go to the Registrar until he had his title previously examined, because otherwise he would be exposed to the danger of having his title found open to objection, and having a blot discovered which would render it impossible for him ever to get a title. He would, therefore, not go before the Registrar until he had had his title previously examined and found perfect; and he would therefore have, in the first instance, to undergo the very trouble and expense it was the object of this Bill to avoid. He would apply to the Registrar, who would send the title to the Conveyancing Counsel, by whom, perhaps, some objection might be raised. When this was got over, fresh expense would have to be incurred. It would be necessary to give in a description of the whole of an estate, the settlements and encumbrances upon it, and its boundaries. A copy of the map proposed to be registered was then to be served upon every adjoining owner. If the latter objected, they were told they were at liberty to show cause against the boundary. Three months were allowed for this purpose, but the owner of the adjacent estate might be in Paris, he might be ill, or he might be a minor whose guardian was absent. Unless the owners concerned showed cause within the period allowed, the disputed portion of their estate was gone for ever. But, suppose issue was joined in due time, and that, at much trouble and an enormous expense, a declaration of title and boundary was obtained; that declaration of indefeasible title was of no benefit whatever to the owner unless he was going to sell. Otherwise he and his children gained nothing whatever by it. After the declaration of title was once obtained the chain of title must be carefully preserved. Every mortgage, every deed of settlement, every will must be registered. If the owner married, his marriage and his marriage settlement must be registered; if he had a son born to him, the birth must be registered; if the son died, the death must be registered. These entries, indeed, would be so incessant, and the consequences of neglecting them so fatal, that, instead of the landowner receiving the visits of his medical man every morning to feel his pulse, and ask him two or three questions, he would stand much more in need of a daily visit from his attorney to see if anything had happened on the previous day that ought to be put upon the register. The expenses of the office were to be provided by registration fees, which were to be proportioned to the value of the estate. This appeared to him to be a very unfair arrangement. There were three books to be kept. One was the registration of landed estates, and all estates entered therein were to have an indefeasible title. The estate was to be fully described. Now, although the estate might be small, the description of it might occupy several sheets. He was aware of small estates of that kind. The danger which appeared to threaten from the registration in the first book was that several men possibly would get a title to the same plot of ground. The second book was to contain a record of matters connected with the title; and the third, a list of all mortgages and incumbrances on the property. The record of title which this Bill provided for was to contain every single circumstance relating to the right under which a particular estate was held; and a list was also to be kept of all mortgages and encumbrances affecting the property. It was impossible to conceive a more comprehensive record; but, unlike all other Registration Bills, the present measure carefully provided that no one should have a right to inspect the register except the owner, or person authorized by the owner, the encumbrancer, or the Court of Chancery. The great object of the existing registry was to put a purchaser or mortgagee upon his guard, and for that purpose it was essential that everybody should have the fullest access to it. It contained all that it was essential that a mortgagee or purchaser should know; and therefore recorded only the date of the deed, and the description of the estate, and that was all. It did not describe the nature of the transaction. But if estates were to be fully and minutely described, he wanted to know what was requisite to complete a general register of assurances. What particulars remained to be put upon the file? They had the name of the estate itself, of the owner, a statement of the circumstances under which he held, and an exact copy of every instrument which he executed. It would be found impossible to keep the contents of these documents secret. Everybody would know the amount of a wife's pin-money, of a widow's dower, and Jews would very soon find out what the nature of a young man's estates was, and would be prepared to advance him money accordingly. When the registration of bills of sale was first rendered compulsory by Parliament, what was the result? Why, that weekly lists of bills of sale were sent round amongst merchants, in order that everybody might know by whom such instruments had been executed. He observed, also that if an owner who was upon the register wished to sell, a land certificate was given him, which it was supposed might be contained in a man's waistcoat pocket; but yet it was to contain a notice of every dealing with the estate. If it was to be a short abstract, he should be glad to know what was to be gained by that? On the whole, this was a measure of the highest importance, and his only object in making criticisms upon it was that it should be as free from objections as possible, and he was sure that any objections which might proceed from that side of the House would be dictated by no other motive.

THE LORD CHANCELLOR said, that a discussion of considerable importance had been raised on this occasion. When their Lordships sent these Bills to a Select Committee, they had before them Bills which had been laid on the table by other noble and learned Lords besides himself, all of them having the common object of establishing a registration of title. One of these Bills was introduced by his noble and learned Friend (Lord Cranworth), one of the objects of which was to provide for a registration of title. Other Bills were introduced by the noble and learned Lord below him (Lord Chelmsford), which actually proceeded to make a registration of title; and in introducing the Bills to which he had last referred, his hon. and learned Friend (Sir Hugh Cairns) distinctly stated that they were designed to accomplish a registration of title. To these were added the Bill which he (the Lord Chancellor) had the honour to introduce. Their Lordships determined to refer all these Bills to a Select Committee. They determined so to do because they took it as an accomplished fact, beyond dispute, that a registration of title was a thing in itself desirable. Great care was used in the selection of the Committee; he (the Lord Chancellor) had the honour of being called upon to preside over it; and he might further say, he never had the honour of being in the company of gentlemen who manifested more anxiety or greater intelligence. Besides those who were usually designated "noble and learned Lords," they had the attendance of noble Lords who were distinguished in every sense, and who manifested as great an acquaintance with the subject as could be shown by the law Lords themselves. Their Lordships committed to their care the necessary details of the measure; and though he was the last person to deny that their Lordships thoroughly understood the measure before them, he must say, with great humility, that it was rather hard they should be called upon now to enter upon a consideration of matters of details which, from the testimony of all who had spoken, had been most diligently and carefully sifted by that Committee. The Committee commenced its labours by contrasting the Bill which he introduced with those which were brought in by his noble and learned Friend (Lord Chelmsford), and which he might call Sir Hugh Cairns's Bills. These latter measures were found to be open to the objection, not only that they created a new court, but that they did not propose to put upon the record the actual title, but created a fictitious title, and an imaginary ownership, for the purpose of registration, and sought to provide for a real ownership by a system of caveats and prohibitions which was thought to be too artificial, and not likely to attain the desired end. Upon those two grounds these Bills were laid aside by the Committee. Not only were they objectionable on account of the expensiveness of the tribunal which they created, and which applied in a minor degree to his own measure, but there was also this further objection to the creation of a new court, that it might be brought into collision or antagonism with existing tribunals. He therefore could not but think that these Bills were rightly rejected. The great object of a registration of title which their Lordships had in view, would also be accomplished by the Bill which he had the honour to introduce, and which was now under discussion. He was told that it provided simply for a registration of deeds. This was but a repetition in their Lordships' House of an objection which was raised before the Committee, and which was then shown to be entirely unsound and unfounded. A clamour had, however, been raised out of doors upon the subject. That question had, however, quite gone by, for the House of Commons and a Royal Commission had very wisely decided that in the former state of the law a registration of deeds would be an objectionable measure. His noble and learned Friend who spoke last (Lord St. Leonards) embodied the objections to such system in a very able pamphlet, which he published in the year 1852. The system then proposed was, that a vast number of parchment deeds should be brought into the Registry Office, and should be put away in heaps, without any attempt being made to examine them, and to ascertain what was the result and effect to be extracted from the mass of matter contained in these deeds. Their Lordships were often called upon to sign masses of parchment which were now denominated deeds; and when they asked for the result of the instrument, they were told its effect in a few words; and a few simple words were expressive of the result and effect of what was hidden under a mountain of phrases. The system which he proposed to establish by this Bill was, that the effect of instruments as they now existed should be ascertained by the most careful scientific investigation; that the practical result of that investigation — namely, the existing ownership — should be recorded in a few words; and that for the purpose of perpetuating and perfecting that record, there should be entered from time to time the legal result of every subsequent transaction. Instead of throwing a deed into the registry, there to have it entombed under heaps of similar parchments, he proposed to register the facts as to the estates created by the deed—as, for instance, that John Smith was tenant for life, and Edward Smith tenant in fee in remainder. These few words entered in a book would become the registered title. Every noble Lord had to go through this process whenever he purchased an estate, or upon any transmission of property. If he entered into a contract with A. B. to purchase an estate, he was told by his solicitor, after investigating the title that A. B., together with C. D. a trustee, and E. F. an encumbrancer, were able to alienate the estate. Upon this result of a scientific investigation purchasers paid sums of £20,000 or £30,000 or more; and this it was that he wanted to have recorded in the registry, or the book which would be denominated the "Record of Titles." This record, when once made, would be substituted for all antecedent parchments, which might thereafter be safely destroyed. He was sorry to find that one of the objections raised to the Bill was, that it would involve a registration of deeds; whereas the first step proposed by the Bill was to sweep away and render unnecessary all those masses of parchment under which they now laboured. One of the greatest evils under which the owners of land at present groaned was, that it became necessary to have those masses of parchment investigated again and again. It was said that this system must, in fact, be one of a registration of deeds, because it was necessary that every deed should be brought to the registrar. The noble and learned Lord (Lord St. Leonards) said that this would be a registration of deeds, because it would be necessary to have future deeds brought into the registry. But if you started upon the basis that there ought to be a registry of title, how could you keep up and continue that register without subsequent deeds being brought to the registry? A man might be the actual owner of property to-day, but to-morrow he might alienate some portion of it, and, in order to complete and continue the registry, it would be necessary that the registrar make the requisite alteration in the register, and to enter the fact upon the record. For that purpose alone the deeds must be brought in. What was proposed was already the law of nearly every civilized country in the world. The State was greatly interested in the ownership of real property, and the community was not lest interested in having a simple, cheap, and safe mode of transferring land. To attain that, all that was necessary to do was first to ascertain who was the real owner, and then to register each successive change of ownership. One of the chief objections which had been raised to the plan, was a fear that a knowledge of the contents of the register might be obtained through the instrumentality of a printer's devil, a compositor, or a corrector of the press. He did not think their Lordships would attach much weight to that objection. The most important State papers were printed in the usual way, and he was not aware that their contents had ever been divulged; and exactly the same objection might be raised against the present system, for the deeds had to be drawn in an attorney's office and then sent to a law stationer's to be copied. His noble and learned Friend had dilated on the alleged expense of the register. There was no end to the vexation, delay, and expense of the existing system. The cost attending an estate being put upon the register was exactly the same as now attended a sale or a mortgage; but after an estate had once been put upon the register the expense would never again have to be incurred. His noble and learned Friend had said that the Bill would be of no utility unless in the event of an actual sale of land. That was not a correct representation of the effect of the measure. If a proprietor put his estate upon the register, it was left liable, as long as it remained in his hands, to any just claim that might be made against him. There would be a great dereliction of duty and a great departure from justice if anything else were done. A landed proprietor never ought to be able to emancipate himself from any just claim to which he was liable by having his title investigated in such a manner as to render that just claim apparent. The object of the Bill was to provide an easy mode of proving a right to the ownership of an estate, and of transferring that ownership to a purchaser, a mortgagee, or any other person to whom it was desired to transfer it. The indefeasible title did not arise, and ought not to arise, until some step had been taken under the registry, by virtue of which some person having a just and equitable title as purchaser or mortgagee became possessed of the estate. It was also to be remembered that the Bill created machinery which, while it was suited to the largest estate, was at the same time capable of being applied to the useful purposes of the smallest property. The changes which his Bill proposed in the Law were as nothing compared with those which the boldness of his noble and learned Friend had suggested in a Bill he had himself brought in for the security of purchasers. He did not know that there was any other objection advanced against the measure by his noble and learned Friend to which he need refer, except that which related to the onus which it would throw on the landed proprietor. Now, what was the extent of the obligation which was thus imposed? Nothing beyond that he should not attempt to alienate the estate without having recourse to the register and there recording any occurrences which might affect the title. The only real objection to the Bill proceeded from those who had hitherto been engaged in the investigation of titles, and whose labours it would supersede. He could see no reason why the transfer of land should be more cumbrous and expensive than the transfer of funded or shipping property, and he had no doubt that in a few years it would be a matter of surprise that any resistance should have ever been offered to the abolition of the present much lauded but most unsatisfactory law of real property. The present complicated and expensive system of investigating titles to land could not, he contended, be obviated in any other way than by first of all ascertaining in what the title consisted, and then by finding a mode of keeping up the record of it when thus ascertained. When a new system of that character was once established a few years would, he would venture to say, establish beyond doubt its great advantages. On every occasion of the sale or mortgage of lands or of the drawing up of family settlements the owner of the property involved would, he confidently anticipated, be glad to place his title on the register, so that he might have the assurance that any disposition which he might make of his estate might not be defeated. For his own part he could only say, that while he believed that the Bill was one calculated to be of the utmost benefit to the owners of land when he introduced it, the searching ordeal through which it had gone before the Committee led him to look forward still more sanguinely to the advantages by which it was likely to be attended. That being so, he trusted their Lordships would not refuse to the measure their assent.

LORD KINGSDOWN said, this Bill was founded upon a system of registration of titles. He had before expressed the great objection he felt to any such system. It was attended with great expense, and did not produce corresponding advantages. The noble and learned Lord on the Woolsack said, that by means of a system of registration, it was possible to get into four lines the effect contained in a dozen skins of parchment. That might, and in many cases no doubt would be, the case; but it would mainly depend on the learning, on the accuracy and judgment of the individual who had to give effect to those larger instruments. As the Bill was originally proposed by his noble and learned Friend it contained a clause which he (Lord Kingsdown) considered to be one of great importance; but it was struck out by the Select Committee, not because they objected to the principle involved in it, but simply because it partook of the character of a money clause, and was therefore one which it was not competent for their Lordships to introduce. The clause in question went to provide that in the case of a mistake being committed by the Court, and of an individual being deprived unjustly of his estate, the Consolidated Fund should be required to compensate him. His chief object in rising was to appeal to his noble and learned Friend (Lord St. Leonards) not to divide the House upon the Bill. The country expected that some such measure as the one before them should be passed into law this Session, and the principal objection to the present Bill was the expense of a new tribunal; but that was a question which might well be left to be determined by the other House, to whom it more properly belonged. Under these circumstances he thought it would not be wise to oppose the third reading of the Bill.

LORD WODEHOUSE said, that as he had had the honour of being a member of the Select Committee to which these Bills had been referred, and as this was a measure which concerned all those Members of their Lordships' House who were landed proprietors, he would state why he desired it should be passed into law. The noble and learned Lord who had just spoken (Lord Kingsdown) had given a reason why some Bill should be passed this Session. During the past few years there had been many inquiries and many Bills upon this subject, and after so much discussion the public naturally expected that some attempt should be made to agree upon a measure of this kind, and he thought his noble and learned Friend on the Woolsack had produced a measure which was safe, and which need not alarm the most sensitive proprietor of land. The main objects of the Bill were to provide that a declaration of a good title might be obtained, that a record of it should be kept up continuously, and that incumbrances should be registered. He thought also that his noble and learned Friend on the Woolsack had fully explained to their Lordships the possibility and advantage of keeping up a record of title. As the law stood, whenever a person was desirous at different times of selling portions of land forming part of one and the same estate, he must on each occasion go through the investigation of the title, frequently at great expense; and what the present Bill effected was to enable, after all that investigation had been once gone through before the registrar appointed for the purpose, the record of the title to be kept up afterwards. Many noble Lords on the Select Committee who were favourable to the Bill feared that, if passed, it would not come into very extensive operation. Such might possibly be the case; but, at all events, it would be productive of immediate good whenever a large estate was to be sold in small lots, and especially where the land lay in the neighbourhood of towns, and the proprietor was desirous of disposing of it in building lots; for the Court having been applied to in the first instance for one sufficient declaration of title for the whole estate, considerable expense would be avoided in the subsequent transactions of transferring the lots. Whether the Bill would extend itself generally to estates throughout the country could only be known by experience, but he thought the experiment made by the present Bill a safe one, and he trusted that the Bill would, after due consideration in the other House, ultimately become the law of the land.

LORD ST. LEONARDS intimated that it was not his intention to divide the House against the Bill.

Motion *agreed to.*

Bill read 3ª accordingly; Amendments made; Bill *passed*, and sent to the Commons.

Real Property (Title of Purchasers) Bill read 3ª, and *passed*, and sent to the Commons.

House adjourned at a quarter before Eight o'clock till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Monday May 5, 1862.

MINUTES.]—NEW MEMBER SWORN.—For Lambeth, Frederick Doulton, esquire.

PUBLIC BILL.—3° Writs of Habeas Corpus into Her Majesty's Possessions Abroad.

COUNTY INFIRMARIES AND FEVER HOSPITALS.

QUESTION.

CAPTAIN **STACPOOLE** said, he wished to ask the Chief Secretary for Ireland, When the Returns relating to County Infirmaries and Fever Hospitals (Ireland), ordered on the 26th July, 1861, and 28th February, 1862, will be laid upon the table?

SIR **ROBERT PEEL** in reply said, that the Returns relating to County Infirmaries and Fever Hospitals in Ireland had been ordered, but that they had not yet been received.

INSTRUCTORS OF VOLUNTEERS.

QUESTION.

MR. **DARBY GRIFFITH** said, he would beg to ask the Secretary of State for War, Whether he is aware that the Drill Instructors appointed to Volunteer Corps by the War Office are not contented with the pay they receive from the War Office, but require pay in addition from the Volunteers; and whether such proceeding be in accordance with the intention of the War Office; and, if not, whether the Government will prevent its occurrence, either by prohibiting the Drill Instructors from making any demand on the Volunteers, or in any other way?

SIR **GEORGE LEWIS** replied, that the Sergeant Instructors of Volunteers were of two classes. There were those who had pensions, and they received the same pay as the permanent staff of the Militia, which amounted, with certain allowances, to 2*s*. 4*d*. a day; and there were also those who had no pensions, and they were paid at the same rate as sergeants of the line, namely, 2*s*. 7*d*. a day. It would not be possible, with regard to these two classes, to give higher allowances. The War Office had received a few applications with regard to the alleged insufficiency of this pay, but only a few; and with regard to the applications that might be made to commanding officers of Volunteers, he could only say that they had the matter entirely in their own hands.

EDUCATION— THE REVISED CODE OF REGULATIONS.

COMMITTEE.

Order for Committee read.

House in Committee.

MR. **WALPOLE**: Sir, I have to discharge a duty which to my mind is in some respects a very agreeable one, and in other respects a painful one. I have to discharge what is an agreeable duty, because I hope the Committee will now see its way to the termination of that controversy on education which I could have wished had never arisen. I have to discharge a duty in some respects painful, because, whatever may be the arrangements made with reference to this question, I believe it cannot be otherwise than that some persons, for whom I entertain a sincere respect, will still feel disappointment. I think it is right that we should revert for a moment to the time when the Government made an announcement before the Easter recess as to the mode in which they proposed to meet the objections which had been raised in this House and the country against the Revised Code. The Vice President of the Committee of Council, in a most frank and I need not say able manner, announced to us on the part of the Government the modifications in the Code which they were prepared to submit to Parliament. Those modifications were most important in their character—very extensive in their bearing on the question, and I must add, largely conciliatory in the tone and temper in which they were announced to the House. Well, Sir, when a great controversy has arisen on a question of this kind or of any kind in this House, and when the Government comes forward with a frank and hearty desire to meet the objections that were, I hope, temperately raised, it would I think ill become any opponent of the measure, or of the Government, to decline to meet that Government in the same temper and in the same spirit with which they have endeavoured to meet the Opposition. That being so, I wish to point out to the Committee the reasons which have brought me to the conclusion that it is right and wise for Parliament to accept the Revised Code as now amended, even although I may entertain, nay, I may say that I do entertain some doubts as to the working of that Code in some particulars to which I shall advert. And in taking that course I believe I shall be taking a course the most fair towards the Government if I intimate the points on which I agree with them, and also the points on which I still object.

Now, I wish the Committee to bear in mind that when the Revised Code was first proposed and announced to the country the form in which it was drawn was materially different from that in which it now stands. The object of that Code has been explained more than once in this House. The principal objects were, first, to simplify the cumbersome, the complicated, and expensive machinery by which the grant for education was administered; and, secondly, to test the results of the education given, in some manner which would show the House that it was warranted in making this grant for a great public purpose. Now, Sir, I have said all along that in these objects I entirely concur, and the only point—the more material point, in fact, in which I took the liberty of differing from the Government was, not as to the objects themselves, but as to the mode in which those objects were sought to be accomplished. The Committee will bear in mind that when the proposal was first made it was made in this manner. The training colleges, as far as aid from the state was concerned, were virtually at an end. The certificated masters had lost the security which they possessed before of being the paid servants of the Government. The pupil-teacher system was materially imperilled, at least in my opinion, and with regard to those pupil-teachers who are now serving their apprenticeship, there was injustice done to the masters and mistresses, who were entitled to gratuities for instruction. So much for the machinery. The mode in which education—the advantages of education—the results of education, were proposed to be tested were these. All grants, with the exception of building grants, were turned into one uniform capitation grant. That uniform capitation grant was made to depend on a single examination on a given day in three elementary subjects. The consequence was that great difficulty, not to say great inconvenience, must necessarily have arisen in making the grant so depend on that examination. The examination was to extend to the merest infants, beginning at those of three years of age and limited to eleven years of age, and the grant was not to be given to those who went beyond it. The children were grouped according to age, contrary to the custom of every school in the kingdom, and it was assumed that, in point of fact, the proficiency of the child ought to be taken in proportion to its age. I need not say that such a system must, in my humble judgment, have entirely failed of the object for which it was established. But the more important and material provision to which I objected was this, that in every test of the result of the education you would not have tested the result fairly. You would not test the education throughout the schools; you would not test that which the Commissioners considered a most important part—namely, the discipline, meaning by that the moral and religious training which the children had gone through. And in addition to that, by testing results in that particular form and mode all the children who had left the school before the day of examination would have received nothing, and all the children who were unable to attend on the day of examination would also be excluded from any portion of the grant. Well, Sir, the last objection raised to the Code in that form may be summed up in these few words—that as regards the managers of the schools, who have done so much for education, everything was left in a precarious, contingent, and uncertain state as to the payments on which they could depend, while, on the other hand, everything with regard to the obligations imposed on them was made to be as stringent, as fixed, as determinate, and, I might say, oppressive, as it well could have been.

Now, such was the Code as proposed. Objections were raised to it throughout the country, and how has the Government met those objections? Voluntarily, in the first instance, my right hon. Friend came forward, and said that the training colleges were to be to a great extent continued. He came forward, and said that the examination of infants under six years would not be required. He came forward and said, just before the Easter recess, in answer to a proposition that had been made in this House, or was about to be made in this House, that the certificated teachers would have a primary lien on the fund for their salaries; that the pupil-teachers would be continued as they are with a claim on the Government if the funds should prove insufficient to pay them during their apprenticeship; that the examination in future should not be confined in the way originally proposed to those three subjects—reading, writing, and arithmetic, as the only qualification for obtaining any portion of the grant; that the system of grouping by age should cease, and that the limit of eleven years as the Code proposed should virtually be altered to twelve. I think I have now stated the effect of the alterations which have been made in the Code, and it will thereby appear that in almost every objection urged against the Code as then stated it was materially modified. That being so, the question is, in what way one ought individually to deal with the matter as it at present stands. Now, if any hon. Gentleman will have the goodness just to turn to the Resolutions as I was going to propose them, he will find that the Government have virtually acquiesced in point of principle in almost every one of those Resolutions, and I am extremely thankful to the Government for doing so. My first Resolution was—

> "That where it is proposed to give Government aid to elementary schools, it is inexpedient that the whole amount of such aid should depend on the individual examination of each child in reading, writing, and arithmetic."

The proposition now is that it shall not so depend, but that a proportion of the grant —namely, 4*s.*, shall be given on inspection, and 8*s.* on examination. The second Resolution was—

> "That the system of grouping by age for the purpose of examination would be unequal in its operation, and an inadequate test of the work done in the school, and specially disadvantageous for those children whose early education has been neglected."

My right hon. Friend now proposes an entirely new system of classification on which the children are to be examined. They are to be examined not in groups according to age, but in six classes. It is a great improvement, as it will enable managers to classify scholars in a manner best suited to the proficiency made by the children in the school, and I think, therefore, it will give considerable satisfaction. My third Resolution was, that the provisions of the Revised Code, in the points referred to in the foregoing Resolutions would, if unamended, increase the difficulty of extending the benefits of the Government grants to poor and neglected districts. Now, in the view I took of the case, that to a certain extent has been considerably improved; for in the poor and neglected districts where the children are advanced they will now receive something for the general good conduct and discipline of the school, and also by not grouping them according to age they will be entitled to receive, according to that classification, such a remuneration as the proficiency may deserve. The next Resolution was—

> "That the refusal of any portion of the Parliamentary grants, on account of any children who have once passed in the highest class of examination, is likely to have an injurious effect, as tending to aggravate the acknowledged evil of the withdrawal of children from elementary schools at an early age."

The effect of the old classification would have been that virtually no manager could have claimed anything on account of the children who had passed the age of eleven years; but now by those six classes they will, in point of fact, be entitled to receive a proportionate sum up to twelve years of age. With regard to my sixth Resolution, I will say a few words presently; but as to the three next Resolutions, which relate to pupil-teachers, the injustice of which I had to complain has been done away with to a certain extent. The last two Resolutions setting forth the power of this House over any alteration in the Code, have been completely recognised. That being so, and the propositions which I and those who concurred with me thought it prudent to press upon the Government having been acceded to, I have to ask myself whether the Code as it now stands is so objectionable that we ought to persevere in this controversy and try to obtain more from the Government than had been already conceded. Upon that point I feel strongly. When the Government have met the objections that were fairly raised in a frank and temperate spirit, it would be—I will use a strong word in reference to myself—it would be churlish and ungenerous to refuse to accept their propositions. The only question that weighs upon my mind is the painful one of the various objections that have been urged upon me from various quarters during the Easter recess. I will briefly state what these objections are, and see how far they ought to be pressed on the Government. The first objection raised against the Code as it at present stands is this—that the system will, in fact, be worse than the system it supersedes at present. Now, if that be so, it raises an objection to the whole Code; and if I had entertained that objection at all, it ought to have been entertained and announced at the commencement of this discussion. Instead, however, of entertaining that objection, I have always said that I agreed with the objects of the Code, and differed only as to the mode in which these objects were to be accomplished; and I think that I cannot go back to another position, and say that the Code ought to be rejected now, unless I had said it ought to have been rejected before.

The second objection is one raised by the certificated masters. No doubt my right hon. Friend has received, as I have received, a great many letters from certificated masters in different schools—not confined to Church of England schools, and therefore I am not speaking for the Church of England only—but the objections were raised by certificated masters of the British and Foreign schools, Wesleyan schools, and other schools not belonging to the Church of England, as well as of the Church of England, who feel themselves aggrieved by having been made, through the regulation of the Privy Council, paid servants of the State, and who find themselves now handed over to different masters—namely, the managers of the schools, They think, and possibly with some reason, that there is not the same security for their salaries as that which they have hitherto had, and they conceive that since the Government has entered into relations with them which gave them a better security than they think they have now, they are not fairly treated in the alterations which the Government have made. Now, I feel for them to a great extent if these consequences should really ensue, for they put it in the strongest possible point of view, when they tell me, as I have no doubt they have told many other Members in this House, that they have entered into all kinds of arrangements on the faith of this grant being continued to them. Marriages have been contracted on the faith of a continuance of such grant, and insurances have been effected on their lives; and they apprehend that a diminution of the fund will be the consequence of the Code, and that will compel them to forego the means of making provision for their families. Now, Sir, I think myself, until the certificated masters had a primary lien on the funds to be given by the State, these objections were very strong; but since the primary lien was given to them on the funds so administered by the State, I think the objection is rather an objection which the managers should entertain than an objection which the certificated masters can at present fairly and fully urge. What I mean by that is, I think the managers will have a greater trial in providing payment for those masters than they have been put to hitherto; but I think at the same time, since certificated masters have got a primary lien on the grant coming from the State, they are not the persons who will be the sufferers. At all events, if they are the sufferers, I think we ought to ascertain that to be the fact by experiment and trial of the new Code before hastily adopting any of their conclusions, and that we should be content until we see that the apprehended evil really does arise.

The third objection to the Code has come from many persons who think that 4*s.* given upon inspection and the 8*s.* upon examination will place the schools in a worse condition than they are in at present. Well, in some instances, I believe that will be the case; but I do not think it will be the case in a great many instances. And when I remember that there are some 15,000 unassisted schools which receive nothing, and that there are about 10,000 schools which receive this grant from the State, I do not think they have any just ground for complaint if they are entitled for every child to receive 4*s.* on inspection, which will be £20 for every hundred for the children in attendance at the school, and perhaps £30 or £40 a year more dependent on the examination which those children will have to undergo. At all events, I feel doubtful whether anybody can press on the Government to raise that sum while the experiment is being tried, although I own I could have wished it had begun at a somewhat higher figure. I should have preferred to have it commence with 5*s.* upon inspection and 10*s.* upon examination, or 6*s.* upon inspection in every case and 9*s.* upon examination. But upon this point I think the Committee will do well to consider the point I am now about to submit to their notice. At one time I had thought of pressing a Resolution to raise the sums to be paid on inspection and examination; but when I come to consider the only mode in which this House can deal safely and properly with a question of expenditure—that is to say, by throwing the onus of proposing that expenditure entirely on the Government instead of taking it upon themselves—I believe it would be a reversal of the constitutional practice if the House were by a Resolution to attempt to make an addition to the taxation of the country which the Government say is not required. If the plan of the Government fail, with them must rest the responsibility. It cannot rest with this House, for the House should only exercise a controlling power over the expenditure proposed by the Government, and ought not to be made the body with which that expenditure originates. For this reason, and for this reason only, I do not press on the Government in the shape of a Resolution what I do press on them in the shape of a suggestion and of argument—namely, that while we are passing from one state to another, it will be advisable to make the transition as easy as possible. I should be very glad, therefore, if the Government would think it not inconsistent with their duty to allow, for two years at any rate, a somewhat higher payment after inspection and examination than that which they have proposed.

The next point on which objections have been raised is the arrangement proposed in the Code with regard to evening schools. I gave notice of a Resolution upon that subject, but it was confined simply to this point, that after certificated masters had been hard at work all day in school, it would not be reasonable to expect from them the additional labour which would be thrown upon them by having to attend an evening school without giving them any additional payment. I feel that strongly, and I think that that is a portion of the present scheme which you will have to alter. There is another objection made in reference to these evening schools, which I feel pretty confident that the Privy Council will find it necessary to meet by some change in the system before many years have passed over our heads. They require an examination in those evening schools just as they require it in the schools for children. Now, the evening schools are composed of men, who are anxious to supply the deficiencies of a neglected education, but who would not like their attempts to accomplish that object to be paraded before the world, and who would, I am persuaded, shrink from going to those schools if you were to require that they should undergo an examination. That is a portion of the plan which I would earnestly entreat my right hon. Friend to reconsider.

The next objection made to the scheme, which has been pressed upon me, relates to the pupil-teachers; and those who put forward that objection say that the pupil-teacher system, which everybody admits to be a good one, will be again turned into a monitorial system unless you ensure a continuance of that amount of instruction which has brought the pupil-teacher up to that standard of efficiency which he has attained. It is urged—and urged, I think, with great force—that so long as the pupil-teachers were apprenticed for five years there was some guarantee that they would be brought up to the proper standard; but that if you turn those articles of apprenticeship which were to last for five years into articles of agreement which can be terminated on six months' notice, you will have no such security for raising those pupil-teachers up to the level of instruction at which they ought to arrive. There are two ways in which, as it is suggested, the Government might meet this objection. They might either continue the articles of apprenticeship, or they might require, that if the system of articles of agreement were adopted, those articles should not terminate until after twelve months' notice. I believe that under the latter arrangement a great portion of the difficulty would be obviated.

The last objection pressed on me is that you make no adequate provision for the neglected districts; and I believe that is really the strongest objection of all. According to the report of the Commissioners the matter stands thus:—There are in the neglected districts about 120,000 children who receive no education at all. The proposal of the Government to meet that evil is the introduction of a new class of teachers, who are called the fourth class of masters and mistresses. In some cases that kind of masters, at any rate, may enable people in the poorer districts to establish schools, and to impart some sort of beneficial education. I doubt, however, whether a master of the age of between eighteen and twenty-five, which is the age set forth in the Code, would be always competent to manage these schools. But whether or not such a master would possess that fitness, I feel still more inclined to think, that if you lay down the same limitation as to age in the case of mistresses, you will be placing in those situations persons exposed to all kinds of temptations, and unfit for the most part to discharge the duties with which they are to be intrusted. I cannot, indeed, entertain any absolute certainty upon this point; but of this I am sure, that the want which, of all wants, is most felt at this moment is, the establishment of schools where at present there are no schools; and yet there is nothing in the Revised Code which gives encouragement to these institutions. I have thought it fair to the House, to the Government, and to those persons throughout the country for whose opinions I entertain the sincerest respect, but who, I know, do not quite approve of the course I am taking this evening—I have thought it due to them to state in the plainest manner I could the exact views which I take of the present position of the education question, of the advantages which I believe we shall derive from the mode in which the Government have altered the Code, and of the difficulties which I apprehend will still be found in the proper working of that system. Having performed that duty, I have nothing more to add except to thank the Government for meeting in a fair and liberal spirit the objections which were raised against the Code as it was originally proposed; and as they have made such great concessions, I am prepared to accept that Code as an experiment deserving of trial, while, from the difficulties which I think still surround the subject, they will, I hope, excuse me for saying that I cannot regard it as a final settlement until I see that it really works well and meets the requirements of the country. For the purpose of putting myself in order, and with a view to afford other hon. Members an opportunity of discussing the question, I shall now move the first Resolution I have placed on the paper; but I do not, of course, after what I have said, mean to press it to a division.

Motion made, and Question proposed,

"That, where it is proposed to give Government aid to Elementary Schools, it is inexpedient that the whole amount of such aid should depend on the individual examination of each child in reading, writing, and arithmetic."

Mr. PULLER said, that great and valuable as the concessions of the Government had been, there were still points in the new Code with respect to which he was anxious to obtain some information from the right hon. Gentleman the Vice President of the Committee of Council on Education. He wished to know whether, under the last modification of the system laid before the House, it was to be *bonâ fide* in the power of the managers of schools to present any child to be examined under any standard. He knew that a view had been taken by Government Inspectors to the effect, that inasmuch as an inspection of schools was to take place, it ought to be an important part of the duty of the master to classify his scholars according to their abilities and attainments; and that if, in the preliminary inspection of the school, they found a boy placed below his attainments, that would be considered a fault either of instruction or discipline, under Article 52; while, on the other hand, if a boy were placed in a high class for the inspection, they would not allow him afterwards to be presented for examination in one of the lower standards. Now, there were thousands of instances in which a boy of nine years of age had reached the first class. It was obviously not desirable that such boys should be presented for examination in the low standards; but, nevertheless, the Code made it the pecuniary interest of the managers to take that course; because, when they had once passed in the highest standard, they could not be examined again, and consequently could not earn any further capitation grant for the school. The next point on which he wished to be informed by the right hon. Gentleman, was the examination that was to take place according to the modified Code in evening schools. He thought it was idle to expect that the youths and men who attended evening schools in country parishes would expose their ignorance to a stranger from London by submitting to an examination. A few lads who had recently left the day schools might submit to an examination. Was it intended that the evening schools should be kept open throughout the year or not? If it was, he felt convinced that the men and lads would not keep up their attendance during the summer months; and if not, how would it be possible to examine the schools in a district in a satisfactory manner? It would be foolish to examine those who had been in the school only a few weeks, and useless to do so at a period six months after their attendance had ceased. Then with respect to the funds of the managers, he wished he could indulge the hope expressed by the right hon. Gentleman, that the managers would be in as good a position under the new regulation, as at present. But see how the case stood. The Government offered a grant of 4*s*. per head on the average attendance;

but the Inspectors would for the first time have a power of withholding a portion of it, and not be obliged as previously, to give the whole or withhold the whole; and consequently there could be little doubt that they would exercise their power more freely. The managers would certainly, therefore, lose a portion of the 4*s.*; and as regards the other 8*s.*, he believed that that sum would be reduced to 5*s.* 7*d.* before the examination, partly by the smaller number who would have attended 200 times, partly by the attendance of only 81 per cent of those on the books, and the absence of at least one-sixth on the day of examination; and then another sixth would be lost by the examination, or more. Consequently only 4*s.*, or thereabouts, would be left of the second grant, leaving the whole amount only 8*s.*, instead of the present 11*s.* 6*d.* per head. There was another point to which he would advert—the difference between schools conducted by a master and those conducted by a mistress. All previous managements had recognised the fact that the expense of schools conducted by a master was greater than the expense of those conducted by a mistress by 50 per cent. The augmentations granted to masters had been greater by 50 per cent than those granted to mistresses. And the salaries paid by managers were nearly in the same proportion. The new Code made the grants in both cases precisely equal, and the practical result would be to throw a greater burden upon the managers in the case of schools conducted by masters than in that of schools conducted by mistresses. He looked with great fear and distrust on the results of the change in their educational prospects, more especially on that part of their system which aimed at the formation of superior classes of teachers, calculated to give an impetus to the education of the country. The Code itself set out with making no provision at all on the subject of economy. In fact, it did not profess to have that for one of its objects, and he very much doubted whether there would be any economy in it, especially if it succeeded in one of its objects—the extension of the educational system into the poorer districts. In this manner there would, no doubt, be a saving of money, that a number of schools now doing valuable service to the country would be closed by the Code. On the other hand, a great deal more money would be spent in inspection, and the latest alterations would most probably increase that amount. But the chief subject of anxiety was the effect which the Code must have upon the pupil-teacher system. Up to the present time one pupil-teacher had been provided for every boys' school with more than fifty, and for every girls' school with more than forty scholars. In future a pupil-teacher was not to be required for any school with less than ninety scholars. The number employed, therefore, would be materially diminished; the time allotted for their instruction was to be curtailed; they would go to the training school less thoroughly prepared, and the pecuniary inducement to remain there a second year was taken away. It was admitted that the Royal Commissioners had been misled by some erroneous results deduced by Mr. Norris from statistics which he had collected; the Privy Council had followed that false lead, and the plan of his right hon. Friend was almost entirely based on that misapprehension. The main objects said to be aimed at were the extension of education and its increased efficiency; but the diminution of the teaching staff would certainly not add to its efficiency, and would lead to the deterioration of the quality of the education. He could not but feel that an act of great injustice had been done to the certificated teachers, and it was an act of injustice for which there was not even the excuse of pecuniary advantage to the country. The demand for certificated teachers up to the present time had been such that they had been able to obtain larger stipends than any one had counted on; but the supply had now overtaken the demand, and there was no doubt, that if things had been left to take their natural course, the stipends of the teachers would in a short time have found their natural level. At that moment this change of system was proposed, and unfortunately it bore the character of a breach of faith, which totally destroyed the confidence of the certificated teachers in the Government. It was idle to say that the results would fall upon the managers, and not the teachers, because it must be evident that the teachers would be affected by the inability of the managers to employ them or continue the guarantee which up to that time they had possessed. Their augmentations were all taken away in one day, and what possibility was there of the managers making up that sum to the certificated teachers. It was not a question of will but of power, and the clergy would be utterly unable to afford to keep them in future, however reluctant they might be to dispense with their services.

MR. HENLEY said, he so entirely agreed with what had fallen from his right hon. Friend (Mr. Walpole) that he should have been quite content to let the matter pass without remark had not some points been adverted to in the course of discussion upon which his views seemed to him to be of some importance. Upon the general subject he thought there was such a discrepancy between the Commissioners and the Inspectors that it was impossible to reconcile their statements, and after the issue of the Report in the last Session he took an opportunity of asking the right hon. Gentleman the Vice President of the Board of Education whether he would not feel bound to tell the House in the present Session which the Government believed to be right. When it was considered that the amount of the educational Votes for England and Ireland in round numbers was £1,100,000, or as much as 1*d*. in the pound of income tax, and yet that half the children who where of an age to receive assistance in education did not participate in the advantage, it was a very serious question for the Government to consider whether the system was well founded or not. They had been told by the right hon. Gentleman the Secretary of State for the Home Department, and he had no doubt with great truth, that even prior to the Reports of the Commissioners, the Government had great doubt of the mode in which the system was working. He thought, therefore, it was impossible that things could be allowed to remain as they were. But he agreed with his right hon. Friend that in a case like this, where the system was of the Government's own contrivance—where the people who received the money had no voice in settling the terms—where, if he might use the phrase, they were obliged to shave with Government razors, whether they would cut or not—the Government ought, in giving some security that the outlay would really yield a fair return, to make the necessary changes with as little disturbance and with as much consideration for those concerned as possible. He thought that in the first Revised Code, instead of the change being made with the smallest amount of disturbance and the greatest amount of consideration, it combined the greatest amount of disturbance with the least consideration for those concerned. The right hon. Gentleman the Vice President of the Board of Education had endeavoured to account for the difference between the Inspectors and the Commissioners, and with great candour admitted that the Inspectors were not to blame, but if blame there was, it ought to rest upon the office. He quite agreed with the right hon. Gentleman in that respect. They had been told over and over again that the office tabulated the matter which the Inspectors furnished them with, finding the language in which it was tabulated. A great man on the other side of the channel, Count Talleyrand, once said that words were given to man to conceal his thoughts, and certainly the words used by the Education Office in interpreting the Inspectors conveyed in their ordinary acceptation a very different meaning from that which was put upon them. It was stated that eighty or ninety per cent of the scholars were well taught in reading, writing, and arithmetic, and when that was discovered to be quite contrary to the truth, it was said, "Oh, but you must not understand that the scholars had learnt it, but that the schoolmasters were capable of teaching it, though they did not do so." There were many things specified in the examination tables and the returns of the Inspectors, and the first item in the account was that which related to religious examinations. Nothing could be more precise than the instructions given by the Archbishop, not only to examine into the mode of teaching in the schools and the taking of the children to Church, but the Inspectors were actually required to test the proficiency made, and to see that the teaching was not mere rote teaching, but that religious instruction was really learnt. It was, therefore, most difficult to understand that the tabulated matter should mean one thing when it applied to reading, writing, and arithmetic, and another when it had reference to religious teaching; yet that was the only explanation which they had been enabled to get. He did not consider that an unimportant matter, because under both of the re-Revised Codes everything had to depend upon the action of the Inspectors; and unless there was considerable amendment in the mode in which their inspections were carried out, what greater security would they have that after all the disturbance things would be managed better than before? The right hon. Gentleman said the Government agreed with the Commissioners that so far as the augmentation grants were concerned it was necessary to sweep away that part of the system. They had had some experience in that very matter: it was far more difficult to sweep away a system than to build one up, for after all the time and attention they had paid to the matter it was difficult to say even now whether the system they had substituted would be an efficient one. If the Code had remained as it was first proposed, he must have gone dead against it. It manifested no consideration whatever for any party concerned; but the fatal blot in the system it established was, that it drew a distinction between religious and secular education, it being the first time that such a distinction had been drawn by the Government of this country. It was as bad as it could be. But he was bound to admit that after the meeting of Parliament the Government had shown every disposition to listen to any objections that could be fairly raised, and in the changes they had now made they had gone very far to meet such objections. Indeed, considering the gravity of the subject, they had gone quite as far as they could be expected to remove those objections upon a subject which was beset with difficulties. They might be making steps which they would have to retrace, and therefore it was highly creditable to the Government to have treated the matter with so much fairness and consideration. With respect to the financial aspect of the question, it was the general opinion, founded on the result of the inquiries made by the National Society, that the effect of the Code, as first proposed, would be to reduce the grants to the National schools by at least 40 per cent on an average; but under the recent changes a great deal of that reduction would vanish. It was quite speculative to say what number of children would be brought to the schools, but he thought that the consequence of the recent changes would be to restore, if he might say so, the grant to its former amount, or nearly so. The question of certificated masters was a more difficult one, because in a popular point of view it involved the question of a breach of faith on the part of the Government. He could not himself, looking at the original minute of 1846, conceive that the masters could have a just claim as for vested interests; but he had come to the conclusion that they might reasonably expect to have their rights properly considered, and it was the opinion of many for whom he had the highest possible respect that no alteration ought to take place in regard to their position. After all, let the Government do what they would with respect to the augmentation fund, the stipend of the certificated masters would always be regulated by the principles of supply and demand; if there was an excess of masters in the market, their salaries would come down, and whatever sum they might get from the Government could only be a supplement to the sum which they would obtain from the managers. The real question was, what would be the position of the masters if the Government went on increasing the pupil-teachers. At present there were some 15,000 pupil-teachers; they were all bound for five years; and if 3,000 of them were turned off every year to go through the training colleges, as a matter of figures, they must expect the market to be vastly overstocked within a very few years. There were in round numbers 10,000 or 11,000 schools presided over by masters or mistresses; they had at present in England 20,000 clergymen, who were kept up by an annual ordination of 700; and if they trained up 1,000 teachers annually to assist them in education, he asked any one of common sense whether they would not greatly overstock the market, and whether the position of the masters would not be injured accordingly. Taking the average attendance at 100 in a school, there would be, in the first place, 4*s.* a head certain money. On the first £20 the master had a lien, and, of course, the larger the number of scholars the larger the sum he would receive. He agreed that they must view the question in a reasonable light, and as the plan was confessedly tentative, ought to see whether any injury would be done to a large and deserving class of men.

He now came to a question with respect to which he should have been glad not to have said a word, but from what fell from the Secretary of the Home Department the other night he felt bound to make some observations. The right hon. Gentleman said he thought the religious question was disposed of, and that no difference could be raised upon that. One of the hon. Members for Essex spoke of it as being a spectre—that the apprehension which had been raised throughout the country upon that point was a spectre. With the exception of two, all the societies connected with education of a religious character had pressed the Government upon this subject, and had made it a matter of observation. That did not look as if it were a mere spectre. He admitted that the changes made by the Government had almost entirely removed the objections he had felt to the Code as originally proposed, as they now drew no distinction between religious and secular teaching. People, however, had been rendered most sensitive upon that point by what had taken place. For the last four or five years many persons had felt, and no one more than himself, that this mode of education was inefficient to reach the whole wants of the country, and that it was absolutely impossible that the smaller parishes should partake of it. Several schemes had been brought forward, one by the right hon. Member for Droitwich (Sir John Pakington), and one by the Manchester gentlemen, to obviate this difficulty; but they had all failed, because persons saw in them, or thought they saw in them, schemes for secular teaching alone. Then they had a Commission, and the Commissioners reported that the country was not getting the kind of education that was wanted. The Commissioners said, that the religious teaching was best done, but they reported also that the religious teaching was unintelligent. It was not very easy to understand this, but he would cite the very words of the Commissioners—

> "The children," said the Report, "do attend long enough to afford an opportunity of teaching them to read, write, and cipher. They neither read well nor write well. They work sums, but they learn their arithmetic in such a way as to be of little practical use in common life. Their religious instruction is unintelligent, and to a great extent confined to exercises of merely verbal memory. The evidence in support of these assertions will be adduced in a future chapter. They are made here as a justification of our opinion that the trained teachers often neglect an important part of their duty."

The Government were thus dealing with a system whose defects were put strongly before them; but while they attempted to remedy those with reference to reading, writing, and arithmetic, they took no notice of the others. The next thing which made persons uneasy was the nature of the recommendations. They recommended that the prsent system should be done away with, and they gave a twofold remedy—first, that a certain amount should be paid by the Privy Council, and another portion out of the county rates; but to neither one nor the other grant did they attach the condition that the teaching should be of a religious character. He rejoiced that the Government had thrown that portion of the scheme over; still it had made the minds of men uneasy and sensitive. Then they came to the words of the Revised Code itself. Something was supposed to be contained in the words instruction or discipline, but people differed greatly when they read that article as to what it meant—how far religious instruction was intended. They had set it right now by a foot-note; but that was not a very satisfactory mode of setting matters right, and he hoped the right hon. Gentleman opposite would have the whole Code reprinted in such a shape as that he who ran might read and understand it, for in its present form, with a mass of red ink passages and foot-notes, it was very difficult for any man to gather its meaning. The right hon. Gentleman had stated in his speech that it was almost the duty of the Privy Council to separate themselves from the religious part of the instruction of the country, and to vindicate to themselves only the secular part. The Committee, had, indeed, been told that all that was secured by an Order in Council; but various interpretations might be given of Orders in Council, and curious things done under them. The right hon. Gentleman (Mr. Lowe) had, in his opinion, endeavoured to lay down positions which went in the very teeth of the Order in Council to which they had so often been referred. The right hon. Gentleman had published a revised version of his speech on the subject; and when a Minister having charge of a most important Department took that course one could fairly attach more weight to his statements than if they had been simply made in the hurry of debate, and reported in the ordinary manner. In that revised speech the right hon. Gentleman truly said that no grants had been made to schools not open to inspection, but he added that the Government Inspectors did not interfere with the religious instruction, discipline, or management of these schools, but were employed to verify the fulfilment of the conditions on which the grants were made; and then he observed, "Thus it appears that the religious element underlies the whole system of the Privy Council." No doubt that was perfectly true; but the right hon. Gentleman went on to say, "The Privy Council represents the secular element in education," and he added that it would not be creditable for any Government who had at the same time to inspect the teaching of a great number of different religious denominations to enter into the question of religious instruction. Let the Committee remember that this was said in a country where there was an Established Church, and where, in regard to Church schools, this matter had been placed on a definite footing by Order in Council. The right hon. Gentleman, speaking of the Government, continued, "They stand impartial among the sects." Was it decent that the Church of England should be described by a Minister of the Crown as a sect? This was almost the first time that that expression had been so used, and that, too, it should be borne in mind, not in an ordinary speech, but in a deliberately considered published document. But the right hon. Gentleman proceeded to say that the Government inspected the secular education, and left to each denomination the care of its religious instruction; in the case of the Church of England giving the Archbishops the benefit of their machinery in carrying out the inspection. That, he maintained, was incorrect, as he should presently endeavour to show. The right hon. Gentleman also said that the sharp line between secular and religious instruction complained of by the opponents of the Revised Code was already drawn, although in the case of Church of England schools the same persons inspected the religious and the secular instruction, doing this, as he termed it, "in different capacities," and acting in the one instance as "servants of the Privy Council, and in the other as servants of the Archbishops." Now, he (Mr. Henley) denied that assertion altogether, and referred to the Order in Council in proof of such denial. But the right hon. Gentleman added that the Privy Council had always held that its business was "to promote instruction," and that, however desirable moral and religious instruction might be, that was not the object for which the grant was given. Surely, it behoved the Committee to be very jealous when such expressions were deliberately put forward by a Minister? The right hon. Gentleman said that the Inspectors in carrying out an inspection into religious instruction acted only as the servants of the Archbishop, but he (Mr. Henley) dissented entirely from that statement. The right hon. Gentleman went on to say that under the Order in Council of 1840, the Inspectors did inspect the state of religious instruction in Church of England schools; but he added that they did so not in the character of Inspectors of the Privy Council. The Committee would observe how the right hon. Gentleman proceeded step by step to separate the duties, and to make the Privy Council take cognizance only of secular matters. The right hon. Gentleman said the Inspectors in inspecting Church of England schools as to religious instruction acted under the Order of 1840 in some degree as the servants of the Archbishops, and sent in their reports of religious instruction together with the rest of the reports. The Committee would be led to imagine from those words that the report of religious instruction was made separately; but that was not the case. There was but one report—a duplicate of which was sent to the Archbishop. The matter was really important, and therefore he must refer to the words of the Order in Council of 1840, from which no ingenuity short of that of the right hon. Gentleman would have attempted to draw the distinction between secular and religious education which he had laboured to establish. The Committee would remember how often and how strongly it had been pressed to pay only for secular teaching, and to leave religious bodies to themselves, but they had invariably refused to adopt those recommendations. The Order in Council of 1840 contained instructions that showed distinctly that while the authorities of the Church of England had a proper voice in the nomination of Inspectors and framing regulations for religious inspection, the reports of such inspection were made to the Privy Council. There was not one word to show that in a country where there was an established church, the Sovereign being the head of that Church, the inspection of religious education was no part of the duty of the Educational Department of the State. The original grants were for building purposes, and were made to two societies, one connected with the Church of England, and the other the British and Foreign School Society; but in the grant to the latter, Parliament insisted as a condition that the authorized version of the Scriptures should be read in the schools. The grants had since very properly been extended to other denominations, and the same requirement had been made. So it was with the augmentation grants; the money was paid by the State as much for the religious as for the secular instruction. He felt bound to protest against what seemed to be the position of the right hon. Gentleman, that the

Privy Council had nothing to do with any but secular instruction. He agreed with his right hon. Friend that the weakest part of this scheme was that it was so framed now that it could not reach a great number of cases which greatly needed assistance. The plan of sending pupil-teachers to schools in small places, would expose young women, if not to danger, at least to scandal. That was a point which deserved consideration, and which it appeared not to have received. There were many neglected districts which this system would not reach, but he thought that the first duty of the State was to afford assistance to those who stood most in need of it. He believed that the poor outcast children who were, so to speak, upon the outside of society, were those whom the State ought, at all events, to try and educate. Their education need not be conducted upon any expensive scale, but some effort should be made to reach them, and he could not help thinking, that if the Government applied their minds to the question, they would be able, if not now, at least at some future time to secure the education of these children.

Mr. KINNAIRD said, it would be useless to attempt any opposition to the Government scheme after the course taken by the right hon. Gentleman; but he thought that the case of the teachers—a most deserving body of men, who were called into existence and encouraged by the Government—was a stronger one than had yet been represented The Government had induced these persons by definite and specific engagements to adopt their present profession, and he contended that from these engagements the Government had no right to recede. To every apprentice a document called an augmentation broad-sheet was delivered, which on one side referred to duties and privileges while training, and on the other to emoluments which they would receive as teachers. This document began thus—"Their Lordships will grant in aid of the salary of every" certificated teacher certain annual sums, and this was repeated in every broad-sheet up to 1859, but in that year the word "will" was quietly changed to "may." This appeared extremely significant. If this transaction had been between private persons, an action might, he believed, have been founded upon such a breach of faith as was now contemplated, and legal opinions to this effect had been given. The House had voted compensation to proctors and others, and he did not see why a body of men, who had, perhaps, a stronger claim, should be treated differently, simply because they were comparatively uninfluential. The augmentation broad-sheet declared that the grants would be made by post-office orders, payable to the teachers themselves, and it added—

> "They belong exclusively to the teachers, not to the general funds of the school. Their Lordships cannot sanction corresponding reductions in the previous salaries of the teachers, even though more than sufficient to fulfil the conditions of the particular grant."

Then in 1859 the Secretary wrote—

> "No person who is, or has been, a Queen's scholar, or for whose annual examinations grants have been made to the college, is morally free to quit the profession of a teacher."

And in February, 1861, the Committee of Council wrote—

> "Queen's scholars are trained at the public expense for a profession understood to be that of their lives, and not for a temporary or provisional one."

That was the language used to them; but the arrangement now proposed is one-sided. The Government are themselves withdrawing from an engagement from which they have declared that the teachers could not honourably recede. The augmentation grant was always held out to persons as an inducement to enter the profession, and yet it would be taken away by the Revised Code. It is indeed true, that by one of the alterations in the Revised Code there is a pretence of compensation to the certificated teachers, by giving them a lien on the capitation grant. Every teacher, however, and almost every practical educationist knows that this is of no value; indeed, it is generally regarded as worse than nothing. That this inducement to enter the profession was not intended to lead to any but a permanent arrangement was shown by the language used respecting pensions. Their Lordships said that under the Minute of 1846 they took power, but did not pledge themselves, to grant pensions, and that therefore no such pensions could be claimed as a right. This implied clearly that augmentations were to be claimed as a right. Now, when the state of education in 1846 and the advance which it has made since then were remembered, the question of expense seemed comparatively unimportant, especially when the State only contributed one-third of the whole amount spent; and, for the sake of economy, to commit a breach of faith with these persons, was worthy neither of the Government nor of the country. The right hon. Gentleman had strongly denounced them for associating with a view simply to maintain their rights. He thought the language in which the right hon. Gentleman had attacked the pupil-teachers was not worthy of him. They had rendered valuable services to the country, and the results had been highly beneficial. He could not but think that considerable jealousy was somewhere manifested of the great spread of education; perhaps it had spread too rapidly for the upper classes, and that therefore this plan had been proposed. It would be useless, however, to oppose it; but he felt they were doing injustice to the teachers by removing the grant to them. Instead of being an encouragement to education, he feared the effect of the plan would be to lower the standard they had for years been endeavouring to attain.

VISCOUNT ENFIELD was understood to say it was unnecessary for him to move the Amendments he had placed on the paper, as the Vice President of the Committee of Education had practically adopted them. Knowing the difficulties the right hon. Gentleman had had to contend with, from friends on one side and foes on the other, he thought the compromise he had made was a fair and just one. For himself he accepted it, believing it would on the whole, work advantageously. With regard to the proposal for examinations of the pupils, however, attending evening schools, he was not sanguine as to the results. Knowing the class of scholars who attended the evening schools, he believed it would be difficult to induce them to attend the examinations. With regard to the pupil-teachers, he should have been glad if the notice had been extended from six to twelve months. But he did not think these points would essentially affect the plan, which was likely to produce satisfactory results, as the managers of schools would have an incentive to insure a good examination. He therefore would conclude by thanking the right hon. Gentleman for having proposed his present plan.

MR. NEWDEGATE said, he wished to express his sincere gratification at finding that the Government had relieved the country from the grave apprehension which had prevailed lest the new Code might separate religious from secular instruction. He was one of the first to raise the alarm; and he would have been exceedingly sorry to have brought any imputation of the sort against the Government, had not the document which they issued afforded fair ground for the apprehension that such a separation was in contemplation. It was a grave circumstance. He was happy that such apprehension had now been allayed, and he hoped that the Code, when it was finally printed, would leave no doubt of the determination of the House and of the Government, that the religious should not be separated from the secular education, and that a fair weight should be given to successful teaching of religion in the premiums and aid that were granted from the public money. He rejoiced that the right hon. Gentleman opposite (Mr. Lowe) had given way to public opinion; but still he had not fully satisfied public feeling. Had he adopted 15*s.* per child as a *maximum*, and given one-half for the satisfactory general condition of the school, including religious and moral instruction, and made the other half dependent on an examination, the public would probably have been satisfied, and he (Mr. Newdegate) believed the examinations would be likely to be effective, but reduced as the allowance was to be, the margin upon which reductions in consequence of unsatisfactory examinations could be made was so small that he (Mr. Newdegate) thought it would defeat the object intended; for the attempt to reduce the allowance to schools generally to an amount much below the limit of 10*s.* per child would not be enforced, owing to the extreme severity of such a proceeding. The provision for extending education to the poorer, and especially to the poorer and also more populous districts, appeared to him insufficient. The right hon. Gentleman said it was impossible to adapt two classes of schools to the grant. No doubt it was a difficulty. But the House of Commons did not meet to evade difficulties, but to overcome them. And he hoped the Government would devise means by which this reproach of the system should be removed — namely, that the public money was given to the wealthier districts in preference to the poorer. Great apprehensions, he knew, were entertained that many schools in the poorer and more populous districts would be closed; and if that lamentable result should ensue, he could only trust, for the sake of justice, the Government would apply their energies to remove so grievous a blot from our national system of education.

MR. DILLWYN said, he was disposed to regret the alterations that had been made in the Revised Code. The country was called on to educate only the poor out of the national funds; but he feared that the tendency of those alterations would be to divert the public money still more than hitherto to the education of the middle and better classes. If 8*s.* were given for the greatest number of attendances and for the best examinations, the consequence would be that managers would offer every inducement by giving a higher-class education to obtain as many as possible of the better class, who alone could afford the time for the regular attendance required; and the poor children would, he feared, be handed over to the care of the pupil-teachers. He would suggest, therefore, that it would be a great improvement if they were to decide that where grants were applied for for new schools, they should be only given in those cases in which an assurance was obtained that the education was to be confined to reading, writing, and arithmetic, with perhaps some industrial training. If that limit were adopted, the middle classes would cease to send their children to schools where they could receive only that elementary education. However, he should have been well pleased to leave the matter in the hands of the executive Government, merely taking the general feeling of the House on it, without going so much into detail as had been the case in the previous debates.

SIR JOHN PAKINGTON: Sir, before the right hon. Gentleman speaks in reply, I am desirous of addressing a few words to the House. After the concessions which have been made by the right hon. Gentleman the Vice President of the Board of Education in deference to the opinions expressed in the former debates, I quite concur in the course taken by my right hon. Friend the Member for the University of Cambridge. However our opinions may differ as to the result of these changes, I do not think that sufficient ground exists for a fair Parliamentary opposition to the general scope of them. But every speech which I have heard to-night increases the regret I felt at the refusal of the noble Lord to give us more time for the consideration of these changes. The subject is now being regarded in all parts of the country with the greatest interest; and since it first gained public attention we never have had a fairer prospect, taking advantage of the valuable Report of the Commissioners, and aided by the experience and ability of the right hon. Gentleman opposite, of arriving at a final settlement of the difficulties which surround this question. Those difficulties are admitted by the course which the right hon. Gentleman himself has taken. Three times he has been compelled to revise his Code, and he himself must admit that the objections which have been urged to his plan have been perfectly well-founded, and that, in the discussions which have taken place, he has been met fairly on the merits of the question, without anything approaching to party spirit or hostility. I myself deeply regret, without the slightest party feeling, that advantage has not been taken of the present opportunity to come to a final settlement of the question. In order to arrive at that desirable result, it was absolutely necessary that we should have time to consider these changes. When I asked the noble Lord the other night, in the best spirit, to give us more time, he quoted a number of dates, telling us on what day of April the changes were laid on the table, what day they were printed, and so on; but he omitted to mention the somewhat important fact that this altered Code was laid on the table on the very night that Parliament adjourned for the Easter recess, and that we did not reassemble until last Monday night. During that time we have had, of course, no opportunity for conference, nor for ascertaining the feelings of the country. The noble Lord's reason was the state of public business; but really I never remember a Session when the state of public business gave him more opportunity for concession. In standing here I can scarcely call to mind a single Government Bill of importance which is before us or is likely to occupy our time. Nobody ever led this House who was less open to the charge of a want of courtesy than the noble Lord; but he certainly would have acted more in accordance with his usual courtesy, and would have served his own object better, had he given us the time we asked for. My right hon. Friend the Member for Cambridge University has to-night thrown out a suggestion which has been re-echoed by many other Gentlemen, and which the Vice President must admit is well worthy of consideration—whether, instead of taking the division of 4*s.* and 6*s.*, it would not be better to take 6*s.* and 9*s.* or some other figures. The noble Lord the Member for Middlesex (Viscount Enfield) has also suggested the importance of extending the notice to pupil-teachers from six months to twelve months. One of the most doubtful points of the right hon. Gentleman's changes in regard to the pupil-teacher system was their tendency to destroy that system, or to reduce it to a monitorial system; but the suggestion of the noble Lord might go some way towards modifying the effect of those changes. Here are two points on which we might have come to some agreement not necessarily hostile to the proposal of the Government, had we had the time for consideration which we asked for. To deal however with the question as it stands before us, I am very much afraid that the Code will not satisfy the country. Indeed, I doubt whether the course taken by my right hon. Friend to-night, though I quite concur in it, will give satisfaction. Great and well-founded apprehension still exists in the country as to the effect of the first of these changes, which relates to the taking of a part of the capitation grant on the general merits of the schools and the rest for examination. I myself find no fault with the principle of giving a portion of the grant upon examination, though I object most strongly to paying the whole of it for that test. The great complaint of the schools is—and I am afraid this will be found to be the practical result of the change—that though the best-conducted schools, those which require assistance least, will be nearly as well off as before, the poorer schools, which have to struggle with the greatest difficulties, will under these changes be exposed to great reductions in their annual receipts, which they can ill afford. The hon. Member for Perth (Mr. Kinnaird) has referred to the bearing of the Code on the certificated masters; and though I admit the difficulties in which the Government were placed on this part of the question, and the reasonableness of the wish of the right hon. Gentleman opposite to make the schoolmasters of England less dependent on the Government and to increase the connection between them and the managers, yet I agree with the hon. Gentleman that the actual arrangement of the Government, if not a breach of faith, is at least something so nearly approaching to it, that I very much regret the necessity in which the right hon. Gentleman has found himself of persevering with this portion of his plan. I have only made these remarks in order to justify the opinion which I entertain that this can only be regarded as an experimental plan, and certainly not as a final settlement of this long-disputed and difficult question. I will not enter upon the proposal of the hon. Gentleman the Member for Berkshire (Mr. Walter), but before sitting down I wish to advert to the mode of administration at present adopted by the Privy Council. The Committee ought not to forget that the Commissioners had strongly urged that point upon our attention. The system as it has hitherto been administered does not reach more than one-half of the poorer children of the country. Indeed, I believe that the number who participate in the State grant might be more correctly set down at three-sevenths than at one-half of those children. The right hon. Gentleman the Vice President of the Education Committee has, as far as his language goes, dealt with that portion of the question in a spirit of perfect candour. No one could admit more distinctly than he has done, that a large portion of the country is unaffected by the system as it is now worked; and I am anxious to know whether the right hon. Gentleman can give anything like a satisfactory assurance that the Code which is now submitted will meet this glaring defect. We cannot for one moment regard that question as settled, or as approaching a settlement, as long as we leave that great portion of the population untouched by the grants of the public money. I ask the right hon. Gentleman to tell us how he proposes under the new scheme to meet that great defect; and if the right hon. Gentleman cannot give any satisfactory answer upon that point—as I believe that he cannot—I will next ask the right hon. Gentleman how it happens that the Education Department, which has made such great concessions, has utterly disregarded and ignored all that portion of the Report of the Commissioners which bears upon this most important subject. Although I agree with much which my right hon. Friend the Member for Oxfordshire has said, I differ from him in the expression of satisfaction that the proposal of charging a portion of the expense upon county rates has not been adopted. I have more than once said in this House that it would be fair, and I believe it would be wise, and consistent with our institutions, to leave a portion of the burden to be borne by local funds. Whether by a county or a parochial rate the principle is the same, and I do not shrink from repeating my opinion, that we ought to deal with the intellectual wants of the poor in the same manner in which we have successfully treated their physical wants. The Poor Law has perhaps thrown too much upon local funds and not enough on personal property, but for the purposes of education, I do not see why local funds should not bear some share of the expense.

The Commissioners adopt that view, and, while I agree with their Report in this respect, I still more cordially agree with them in the recommendation that the action of the central department should be supported by local agency. They recommend the constitution of county boards. I recommend boards acting for smaller districts; but it is my firm belief that you can never hope to carry on education in such a manner as to reach the smaller schools and the more destitute districts unless you infused local aid into the system. Another portion of the Report of the Commissioners has also been ignored. It occupies no less than 90 pages of the Report, in which the Commissioners, upon conclusive evidence, treat with great ability the question of applying small educational charities to the purposes of general education. When I mentioned it on a former occasion, the right hon. Gentlemen the Vice President said he would not follow my example by recommending confiscation. I will not quarrel with that expression of the right hon. Gentleman; I leave him to settle the question of confiscation with the Members of the Cabinet, and especially with the Duke of Newcastle, who was Chairman of the Commission. Notwithstanding the charge of advocating confiscation, I retain the opinion which I have expressed, and I regret to find that the new scheme leaves that important point untouched. There are in England an immense number of educational charities not assisting but positively impeding education. The Commissioners state that there are no less than 13,000 such charities under £5 a year, and many thousands yielding only between £5 and £10 a year. There are a number of these in the district in which I live, and I find that without exception they are all impediments to education. I feel persuaded that it was a judicious recommendation that the Privy Council should be endowed with power—not to confiscate anything, not to divert these charities when they are useful—but when they are doing harm, to apply them in aid of the national funds, and, by promoting the cause of education, to carry out more effectually the intentions of their founders. I repeat, I think it right to accept the proposals of the Government, leaving with them the responsibility of putting them into operation; and I only regret that more time has not been given to the subject, by which those proposals might have been made to assume a shape far more beneficial to the cause of education.

LORD ROBERT CECIL said, that although he agreed with the right hon. Baronet who had just addressed the Committee that the proposal of the Government would not reach the most destitute districts of the country, he could not approve of the mode in which the right hon. Gentleman proposed to remedy that deficiency. Indeed, the right hon. Baronet had raked up the ashes of an ancient controversy, which he had hoped had almost been forgotten. The scheme of the right hon. Baronet was opposed upon the grounds that the ratepayers in the different districts were not likely to conduct education with success, and that the religious liberty of different denominations would be infringed. The recommendation of the Commissioners was not open to those two objections, and therefore the right hon. Baronet could not claim in his favour the authority of the Commissioners. Turning to the question more immediately under the consideration of the House, he agreed that the concessions which had now been made by the Government were far more than they had a right to expect, and that the right hon. Gentleman the Vice President deserved the highest credit for the manner in which he had dealt with the subject. But these feelings were succeeded by the reflection—what was the use of the remnant of the Revised Code after such large holes had been made in it? The object of the right hon. Gentleman's former scheme was to take care that he got money's worth for what was expended; but now the test was altogether abandoned. True, there was to be an examination, but the masters were to be allowed to fix for each child the subjects and standard of examination. Such a test, so far as any real progress was concerned, must be very illusory and inoperative, unless some rigorous rules were introduced under cover of these discretionary powers. He for one did not complain of that, but he wished to ask, when the scheme of the right hon. Gentleman had become powerless by the concessions he had so liberally made, why he wished to make this revolution in the whole system of education? He was far from maintaining that the existing system did not require amendment. The blot of that system was that it did not reach the poorer and more destitute districts. Those districts should be sought out and relieved; but the relief now offered to those districts was exceedingly small. The regulation with respect to the fourth class of masters was accompanied by objections of so serious a character, that probably it would be one of the first features of the scheme to be altered. The authority of the Royal Commission, on which to a great extent the scheme proceeded, had suffered serious wounds since this discussion commenced. Their Report was founded on the reports of the Assistant Commissioners; and the latter, it was now well known, had been made, in not a few cases, on no very good grounds. The Assistant Commissioners themselves had been examined—they had gone to examine the schoolmasters, and the schoolmasters in turn had examined them as to the grounds on which their reports were founded. Answers had been sent in which were placed in the hands of hon. Members, and, so far as answers had been received, it certainly appeared that in many cases the Assistant Commissioners had formed their judgment and made their report on the slightest basis that could well be conceived. Their reports were diametrically opposite to those made by Her Majesty's Inspectors, yet the right hon. Gentleman preferred acting on the reports of the Assistant Commissioners. Dr. Hodgson, one of the Assistant Commissioners, had reported most strongly against the existing system. He said, "Reading is by no means taught in general as it ought to be." "Writing in most schools is much more practised than taught." "Arithmetic is too often taught by rule instead of by reason." "In grammar he found great deficiency." But, what was the amount of investigation he gave to the subject before forming a judgment so damaging to the labours of so many men? In St. George's, Southwark, Dr. Hodgson made no examination. He said he had no authority to examine. At Bowyer's School, Clapham, "the Assistant Examiner stayed at the door and heard the children sing, 'Rule Britannia;' stayed five minutes." At Wurtemberg Place (Boys') School "made inquiries respecting statistics; asked elder boys a few questions on digestion." At Wurtemberg Place (Girls') School "did not even walk round the school." At the Model School, Westminster, "spent nearly two hours in the school, but did not ask the scholars a single question." At the Senior School, Westminster the Assistant Commissioner "spent two minutes in this school;" "no examination." That was a specimen of the evidence on which they were to condemn the whole system of education. The condemnation of the present system was not admitted. It had been too rashly assumed. He would read to the Committee a specimen of the mode of examination of a school conducted by an Assistant Commissioner. He had received the following from the master of a school at Ipswich. It had been assigned by the examiner as an exercise in dictation to his scholars. He did not know, however, that it could be made very intelligible by reading:—

"While hewing yews Hugh lost his ewe, and put it
in the *Hue and Cry*.
"To name its face's dusky hues
"Was all the effort he could use.
"You brought the ewe back by-and-by,
"And only begged the hewer's ewer
"Your hands to wash in water pure,
"Lest nice-nosed ladies, not a few,
"Should cry, on coming near you, 'Ugh!'"

Was the Committee to be told that, in consequence of the representations of such men, the system which for twenty-five years Parliament had been building up was to be reversed at a single blow? He could not look with the same feeling of acquiescence at the changes to be proposed as did his right hon. Friend the Member for Cambridge; but still, where Parliament had committed to the Executive Government the management of a system, the Legislature could not exercise the same rigid scrutiny over their proceedings as if they were embodied in a Bill before the House. He was therefore content to allow the proposed system to pass under protest from the stage of theory to the stage of experiment. The Legislature would soon see whether the fears that had been expressed were well founded. It was to be apprehended that the evil that had been done by the proposal of the Government could not be undone, whether the Government scheme were passed or not. The real evil of what had occurred during the last twelve months was that a blow had been given to the confidence of the managers. They had spent considerable sums and given a great deal of labour to the cause of education on the faith of a pledge; but the Vice President of the Committee of Education had taught them that there was no continuity of tradition in the office over which he presided—that the pledges and promises of one day were not those of the next, and that another turn of the political wheel might raise up some man with a theory which would render all their past labour and expenditure in vain. It had been rightly said that great discontent existed out of doors, and every hon. Member would be able to confirm that remark by reference to the letters he had received on the subject. A suspicion was generally entertained—he would not say it was just—that the right hon. Gentleman concealed under the decorous words suited to his official position a desire to revert to the voluntary system in education, and to put an end to the principle of State aid. If the right hon. Gentleman really wished to infuse an element of decay into the existing system, and gradually to make it crumble and moulder away, and if he desired that education should be ere long based on the voluntary principle, he could not but most heartily congratulate the right hon. Gentleman on his prospects of success.

MR. PEASE said, that he thought the Committee would feel that it was indebted to the right hon. Gentleman (Mr. Lowe) for the labour and pains he had bestowed on this subject, but for which the House would not now be in a condition to deal with it. He did not wish to charge the Government with having committed an absolute breach of faith, but it was not surprising that teachers had relied on the continuity of their position. There could be no doubt, that in dealing with education what the managers of schools had most to consider was, how far the staff which they employed was an educated staff; and the staff which had the *morale* which would enable them to carry out their best intentions for the good of the children. Under these circumstances, he personally deplored that so great a change in the position of the staff had been found necessary. His letters—and they were numerous—assured him that many of the best masters were now entirely unsettled in their views, and unless the measures of the Government were carried out in a conciliatory and forbearing way, the effect upon some excellent schools would be most deplorable. He therefore trusted that the Educational Department would carry out the Code with the greatest forbearance and kindness to the teachers and other persons to whom the country was greatly indebted.

MR. ADDERLEY said, he would beg to express his gratification at the course which his right hon. Friend (Mr. Walpole) proposed to take. At the same time, he should have preferred his right hon. Friend's Resolution to the proposal of the Government, because he understood his right hon. Friend to mean that the portion of the grant which should be paid on general inspection should still depend on some tests of good schooling. He should much prefer that the inspection should involve some conditions of satisfaction, instead of being nugatory as it had hitherto been, and simply, in fact, a process of drawing grants for attendance. If, however, as seemed to be the desire of the Committee, it was intended to take the whole plan of the Government, subject to such amendments as should be made in detail, he should be content to accept the amended proposal of the Government as an experiment. The whole system during the last thirty years, indeed, had been a series of experiments, nor could the Committee ever expect to come to a final state of things. If the noble Lord was correct in describing the object of the present proposition to be to induce managers to rally round the voluntary principle and to restrain the too great interference of the Government, then no greater recommendation of the Government scheme could be urged. The second object of the Government was to create something like a test of the education given. That test was not so stringent as it was originally proposed it should be, and in that respect he considered that the Code had been wisely modified. If, as had been said, the steps which had been taken were such as to shake the confidence of the certificated masters in the Government, they could have had no better result. The present system had broken in upon its original limits, and it was necessary, to some extent, to retrace their steps. The voluntary principle was the basis of the National system, and the only one consistent with our habits and with religious security. If there was any part of the administration of the country which more than another would suffer by centralization—if there was one thing which they ought most scrupulously to keep out of the hands of the Government, it was the education of the people. No doubt a Governmental system produced uniformity; but what was lost in that respect would be more than counterbalanced by the greater zeal, energy, and vigour of religious societies connected with the education of the poor, and it was only because it had been found that those societies were not able to undertake the whole task that the Government had been authorized to make any educational grants at all. If the Government, therefore, felt inclined to withdraw from their growing interference, by all means let the House help them to do so. It was, indeed, high time to take this subject out of the hands of the Government, and restrict them to aiding voluntary efforts. It was said that the propositions before the Committee would not deal with the poorer districts; but what suggestion had been made for an improvement on those propositions in respect of poorer schools? It had been suggested by the noble Lord that to the poorer districts a bonus should be given, in the nature of relaxed conditions, or exceptional grants on evidence of their own insufficiency. What could be more destructive than such a plan? They might depend on it, that poor districts would spring up fast enough if they established any such system. The only safe plan was one making education easy for all, and not affording peculiar facilities, such as those referred to by the noble Lord, for districts which failed in any way to meet those easy conditions.

Mr. LOWE: Sir, I have very often, at very unconscionable length, addressed the House on this subject: but on those occasions I had this excuse—that I was struggling for practical results. Now, I am happy to perceive that the Committee are disposed to give their approbation to the propositions of the Government, and, under these circumstances, I think it would be inexcusable in me to re-open the controversy which took place in reference to the Revised Code. I do not think it would be for the convenience of the Committee that I should follow the noble Lord the Member for Stamford (Lord R. Cecil) into the vexed question of the degree of efficiency under the former system, or into the reports of the Inspectors. For what purpose should I do so? In these discussions I have been unfortunately obliged to say a great deal of the evil results of the system administered by my own department. I have done so because there was a great evil to be remedied; but in the position which the question now occupies I think I should be inexcusable if I went back to those annoying topics and reiterated those charges, which I made most unwillingly, but which have resulted in bringing about what I believe to be very important amendments. The noble Lord asks me what advantages we expect from the system which we have put before the House; and he says it is very different from the one which we first laid before them. It is very different, and I am not going to enter into a comparison of the two plans. We have bowed to the decision of the House in the matter, and I shall not say a word against that decision, because I think, that taking the system as it is, it will effect a considerable improvement. First, it will get rid of vested interests growing up under the late system; and, if no other advantage be gained, I think that a great one. Then it will place the administration of our national education on a much simpler basis. It will simplify the working of the whole department. It will place the whole of the affairs of the school in the hands of the managers, who, for the future, will be its real masters. There will be no longer any divided control. Then the principle of examination to show results will be established. No doubt it does not remain with the same stringency as we originally proposed; but, even as now to be practised, it will record the progress of the school; it will enable every one to see how the school gets on; and a certain amount of Government aid will depend on the results which it will make known. As I before observed, I could desire more; but I am not one who, because I cannot get what I wish, would turn round and complain of the decision of the House. In what the House have given us I believe they have given us a great deal. It would be presumptuous, of course, in me to defend any act of my noble Friend at the head of the Government; but I must say that the effect of this debate appears to me very different from that which the right hon. Gentleman (Sir J. Pakington) takes it to be. While he finds in this discussion a reason for delay I find in it a reason for going on; because almost every hon. Member who has spoken this evening seems to have formed definite opinions on the subject. Some have approved the propositions of the Government; others have disapproved certain of them; but no one hon. Gentleman has spoken with doubt or hesitation. Perhaps the right hon. Gentleman wished to go into the question of a local rate and other matters of that kind; and if he brought forward those questions, it is probable that we should not be able to do anything on the subject this Session. [Sir John Pakington: The right hon. Gentleman is quite mistaken.] Well, *de non apparentibus et non existentibus eadem est ratio;* but there was a prophecy that we were not likely to get through this question by the end of the Session. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley) has charged me with entertaining erroneous views as to the position which the Committee of Council should hold in respect to religious instruction. I wished, as far as I was able, to give a true and fair account of what the working of the system is. What we have now done is to leave matters as we had them. We have introduced certain words to satisfy the scruples of those who did not think that we had framed sufficient safeguards; but we have not altered the case as it stood. The Privy Council now occupies an impartial position among all religious bodies — I will not say "sects," as that term appears to be offensive to the right hon. Gentleman—because, as far as it is a central body, it can know no difference between them. When, therefore, I said that the Privy Council represented the secular element, I think it could not be otherwise, because, having to deal with Jews and Christians, with Roman Catholics and Protestants, with members of the Church of England and Dissenters, it must stand on secular ground if it would be perfectly impartial. My hon. Friend the Member for Hertfordshire (Mr. Puller) asked me, with regard to evening schools, whether there is any direction in the Minute as to the period at which they are to be held. In reply, I have to say that there is not. He also asked me, with respect to the standards, whether it will be in the power of the master to place a child in any standard he pleases. It is for the master, at first, to place a child in any standard he pleases; but, when once he has done so, the Minute takes hold of the child and moves him from one standard to another. Any violation of the rule laid down on this head will be dealt with on the report of the Inspector. I abstain from going into calculations as to the sums which schools will receive. I have made many; but, as the Committee has been kind enough to accept my proposal, I think time may be more wisely employed than in entering into what, after all, must be to some extent conjectural, though I have the best reason for believing that the information upon which I have acted will not be of the unsatisfactory nature contemplated by some hon. Gentlemen. There is another point which has not been touched upon in this debate which I shall mention, because I think it will be satisfactory to the managers of schools. The first draught of the Revised Code require that scholars should have been in the schools sixteen days or a month before the examination. That provision has been struck out, and has never since been replaced in any shape. The result will be, and is intended to be, that if a child has been 200 days in a school in the earlier part of the year and then leaves, but is available and competent for examination, the managers may have the child examined and thus obtain the capitation grant. In other words, if the child has done the work, though he has left the school, the school will still obtain the benefit. I quite agree that this measure cannot be regarded, without the greatest arrogance and presumption on my part, as a final one; but there are principles for which I have always contended, and from which I am not disposed to go back. One is, that we should do away with all appropriated grants, and know no one financially but the manager of a school. The other is, that we should have, under such modifications as the House of Commons may be pleased to allow, some individual examination of the scholars. Those two principles I could not relinquish, for of their immense importance I was well aware; but as the House was kind enough to allow me to retain them, I was quite willing to give up anything else. I hope the Committee will believe that in this matter we were not striving for a victory, or to carry out any ideas which we may, perhaps, erroneously have entertained, but to substitute what we believe to be really sound principles of finance and management for those which we found in operation and which we perceived to be defective. Before I sit down, I must turn with the greatest pleasure to the right hon. Gentleman the Member for Cambridge, and beg to offer my sincere acknowledgments of the manner in which he has conducted this controversy. He has had the good fortune—which I cannot even bring myself to envy him—of having carried out substantially that which he proposed; and having done so, in the moment of triumph and victory he has had the wisdom and moderation to stop short, and to leave to the enemy almost lying under foot the remainder to which he still clung, having conceded all he could. It is a rare instance of candour, moderation, and good feeling; and I should be unjust if I did not include in this tribute those who acted with the right hon. Gentleman in this House. I return my sincere thanks to the Committee. I trust they will believe I speak with all sincerity when I say that the result, though not exactly what I had hoped for, is still exceedingly grateful to me, and I have no doubt it will be extremely beneficial to the country generally.

Motion, by leave, *withdrawn.*

MR. WALTER: Sir, in rising for the purpose of breaking fresh ground in this hitherto well-trodden field of debate, and in moving the Resolution which stands in my name, I am sure I may be allowed to congratulate the Committee, in the first place, on the peaceful and happy solution of the controversy raised by my right hon. Friend the Member for the University of Cambridge, which, had it proceeded, would at least have involved us in a protracted discussion, and perhaps imperilled the cause in which we are all so deeply interested—that of education itself. Into none of those questions which formed the subject of my right hon. Friend's Resolutions is it my business to enter. I think it is a mere matter of detail in what manner the two great principles of the Revised Code, to which my right hon. Friend has just alluded, shall be now carried out. Whether the examination of children shall be conducted according to age, or any other mode of classification; in what proportions the grant shall be distributed with reference to the different subjects of examination; and what securities shall be taken to provide for the efficient discipline and religious teaching of the schools, are, in my opinion, matters of detail which can only be tested by experience, and can be modified as they may be found hereafter to work well or ill. Neither is it my intention to enter into that wider question touched on by the right hon. Baronet the Member for Droitwich (Sir J. Pakington), as to whether the voluntary or compulsory system of education is, in the abstract, most desirable to be adopted. For my own part, I have never seen reason to change the opinion which I formed long ago on this question, that, considering the genius of the people for whom we are called on to legislate, and considering that the ground of education has already been occupied chiefly by the voluntary party, it would be almost impossible, if not most dangerous, to attempt any other than a compromise between the two systems. Such a compromise has hitherto in a great measure been adopted, in assisting voluntary efforts by State grants on the denominational principle, and so far creating a kind of public rate in aid of voluntary efforts. I always looked on this system of grants from the Committee of Privy Council as a substitute for the system of compulsory rates, and it is in order to obtain the assistance of the Committee in seeing it fairly and impartially applied and distributed, as it was meant to be, over the whole country, and not over a privileged part of it, that I venture to come forward on this occasion. The question I seek to raise is a very simple one. The cause I venture to advocate is freedom of trade between managers of schools and schoolmasters, in opposition to Government protection—the principle of open competition with reference to results, in opposition to departmental authority—in other words, the question whether the funds intrusted to the department for the education of the country are to be administered impartially, and with reference only to the work satisfactorily performed, or in accordance with the capricious rules which they may from time to time think proper to adopt. If I needed any other apology for bringing this subject before your notice, it would be furnished by a letter which I had the pleasure of receiving this morning, and which, with your permission, I will read, from a lady well known to be one of the most zealous and benevolent persons interested in the question of education. Miss Carpenter's name is widely known as a great promoter of ragged schools, and carries great weight on this important subject. She says—

"Sir,—Having learnt that you have given notice of a Motion to the effect that schools with masters who are not certificated may, if otherwise complying with the conditions of the grant in other respects, have aid, as other schools, will you permit me to say how important such an alteration would be in extending the benefits of the grant to the portion of the population which most requires it, instead of chiefly extending it, as at present, to those who are in a position to help themselves? This would be in strict accordance with the professed principle of the Code, to help according to results and to voluntary effort. You are aware that efforts have been made by many to obtain help for ragged and other poor schools, and I have laid before several Members suggestions whereby facilities for obtaining certificates may be extended. Your Resolution would be far better, and is based on an important principle.

"Wishing you every success, I remain, Sir, yours sincerely,

"MARY CARPENTER."

Perhaps I should do better to clear the ground of this discussion by asking the House to consider what is the real relation between the public and the Committee of Privy Council with reference to these grants of public money. I listened in the course of the previous debate to remarks made by my right hon. Friend the Member for Cambridge, and my hon. Friend — if I may be allowed to call him so — the Member for Bradford, to the effect that the provisions of the Revised Code amount to a breach of partnership and to a breach of contract between the Government and the managers of schools. On the other hand, I believe the ground taken by the Privy Council is that the managers of schools who receive these Government grants are in fact their agents, and nothing more than servants, carrying out the intentions of the Government with reference to the education of the country. Perhaps I may be allowed to say that both these sides, in my opinion, take somewhat too high ground. For my own part, should I ever as a manager of a school be so fortunate as to obtain Government assistance, the last thing I should dream of would be that by the fact of obtaining that assistance I had involved them in any partnership with me. I do not pretend to make any such claim on them. On the other hand, if I could only get assistance on condition of acknowledging myself their agent, most assuredly I should decline to do it. I think the Commission, whose Report is familiar to hon. Members, took a much more just and correct view of the relationship between the Government and the public. With the permission of the Committee I will refresh their memories by reading it. The Commissioners say—

> "The general nature of the administration of the Privy Council grants may be most easily understood by viewing the Committee of Council for Education in the light of a society, like the National or British and Foreign School Society, assisting local efforts to promote education without reference to the religious denominations by which they may be made, but supported by general taxation instead of voluntary contributions. The sphere of the operations of the Committee has been greatly enlarged since its first establishment, and the objects which it contemplates have been multiplied in number, but the principles of its administration have remained unchanged."

Certainly, in that statement there is nothing which can be construed either into admission of a principle of partnership on the one hand, or agency on the other, as between the Committee of Privy Council and the public who receive the grants. Supposing, then, that this money, administered by the Committee of Privy Council, is, as the Commissioners put it, public money, given by the State as a bounty on voluntary efforts for education, let me ask the Committee what would be said in an analogous case which I will put, borrowing an illustration from my right hon. Friend the Member for Oxfordshire :—If the Government for some good reason were to give a bounty on the production of razors and knives, and were to attach to it such conditions as these—that none but smiths certificated by the Government should be allowed to work; that the forges, anvils, hammers, and other implements employed should be of certain sizes, and none other should be admitted; suppose, under such circumstances, that some independent person came to the Government with a sample of knives and razors of very superior quality, and said to them, "I have turned out from my workshop as good knives and razors, articles of as fine a temper, that will cut as well, and that are as fit for use as any of those which you turn out from your certificated establishments; I challenge inspection; I am willing to be judged by results, and ask you to put them to the trial." And suppose the Government were to say, "No, unless you employ the persons whom we certificate; unless you use forges, anvils, and hammers of certain dimensions, you are not fit to compete, and we will not not look at your knives and razors;" what would the master cutler of Sheffield say to that? And what is the mind of a child but an instrument given to him by Providence to cut through the difficulties of life? And for what purpose are children sent to school but to have their wits sharpened; and what are schools but places where their intellects are tempered; blunted or sharpened, according to the skill and ability, or to the want of skill and ability on the part of the teacher? What right, then, have you to prescribe arbitrary and artificial restrictions, or to require the employment of particular means, provided that the results are satisfactory and able to stand the test of inspection?

I wish to guard myself against being misunderstood on one important point. I know the risk I run in bringing forward a question of this kind. I shall be told that I am the enemy of all the certificated masters and pupil-teachers throughout the country. I wish it to be distinctly understood that I do not stand here to prefer any bill of indictment against those two classes of persons; and if I am obliged to quote the opinion of others about them, I do so in self-defence. We are told that these people are indispensable to education, and that no school shall receive a farthing unless it employs them. Surely, then, we are entitled to ascertain what opinions competent judges, who are perfectly independent, have formed as to their efficiency and importance. All I say is, let those who wish to employ or feel the necessity of employing these certificated masters or pupil-teachers continue to employ them. I do not wish to deprive the masters or teachers of a single advantage which the present system of the Revised Code confers upon them, short of that monopoly of instruction by which they deprive me and other managers of unassisted schools of our fair share of the public money. For let this be continually borne in mind:—The certificated masters and pupil-teachers, and those who employ them, have been well represented in this House. The 7,000 schools and 900,000 scholars with which they are connected have been fully represented in this House. I stand here to represent the 1,200,000 scholars, and the 15,000 or 16,000 schools which have not been represented or heard in this place, who really have not had a word to say about the Revised Code, and who now, for the first time since the establishment of a system of public grants, have a chance of obtaining that to which I contend they are fairly entitled. If I am asked why I or some other person has not mooted this question before, the answer is very simple. So long as public grants were made without any attempt to ascertain results; so long as no questions were asked, except as to the size of the school and the grade of the master who was employed in it, I admit that the Government were perfectly right to use the only means at their command for obtaining efficient schoolmasters and properly instructed teachers. But they have themselves entirely changed the state of the question. They have proposed to test the value of their system by its results; and by so doing they have thrown open the whole matter to public competition, and have destroyed whatever right they may previously have had to enforce this exclusive system of Government control. Let me quote the words of my right hon. Friend the Vice President of the Privy Council, in which he attempted to anticipate my arguments by contending for the necessity of certificated masters. He said—

> "If we were logical and consistent, which I admit we are not, we should lay down no rules as to the sort of teachers that should be employed in schools. We should leave it to the managers to select such machinery as they thought proper; and if the children passed the examination, that would be enough for us. That remark does not, in my view, extend to certificated teachers, because we have the same right to require that there should be a certificated teacher, and to limit our patronage to him, as the public has to require that a man shall be regularly educated before he is allowed to practise as a lawyer or a physician. But as to the subordinate machinery, for which the managers engage to pay, we may, I think, be accused of inconsistency if we require it to be of any particular kind."

Knowing perfectly well how logical is the mind of my right hon. Friend, I am sure that it must give him extreme pain to be obliged to carry out any system which he deems to be illogical or inconsistent with the principles which he has laid down, and I think I can show that this analogy with reference to medical men and lawyers does not hold good. It must be remembered that doctors and lawyers can recover their bills whether or not their patients or clients get well or gain their suits. Results are not in their case made the tests of efficiency. If a patient dies, or a client loses his cause, the doctor or lawyer is still paid, and therefore there may be some ground for State interference to compel these men to give their clients or patients a chance of getting what they pay them for by securing the best education and preventing those who are not licensed from practising. But if you threw open the legal or medical profession, and established the principle of "no cure no pay," as you profess to do now with regard to schools, I do not see what right you would have to require degrees or any other test of the proficiency of the gentlemen who set up as doctors or lawyers. Therefore I think that the right hon. Gentleman's argument breaks down. I should like to quote the opinion of the Commissioners themselves with regard to this question of certificated masters and pupil-teachers. I find among the Inspectors a remarkable concurrence in the opinion that the efficiency of certificated masters is just about in an inverse ratio to their degrees. The Commissioners say—

> "The position of the teachers in the class list, though it regulates to some extent their salaries, is a doubtful indication of their comparative professional value. This is ascertained by the obser-

vation of the Inspectors of schools in all parts of the country, and was, of course, more apparent in the infancy of the system, when the certificates had reference solely to the examination, than it is at present, when they are not finally settled till the efficiency of the teacher has been tested by two years' school-keeping. In the year 1851 Mr. Cook reported that some of the best teachers in his district had either no certificate or a low one; and that others who were not remarkable for efficiency had comparatively high certificates. In his report for 1853 Mr. Brookfield said, 'It is an embarrassing, but undoubted truth, that of the good schools in my district under certificates the proportion is by no means in favour of those of the higher class. The number, of course, is not, because the number of the high certificates is comparatively small; but even allowing for this, the proportion of good schools still remains decidedly in favour of the lower class certificates.' Speaking of Wales, Mr. Longueville Jones observes, 'Managers state that they do not find the class of the certificate of merit to be any sure index of the value of its holder as a schoolmaster. In the justice of this I altogether concur. I never form my own opinion of a master with any but the slightest reference to his certificate. . . . I might also go further, and say that according to my own experience the good schoolmasters do not hold high certificates; certainly the best schoolmasters in Wales either hold none, or else those of the third class.' In 1856, Mr. Cook, while assuming the superiority of trained over untrained teachers, qualifies his observations as follows:—'I am far from saying that the most highly educated persons are the best teachers, or that their efficiency always corresponds to their position in the class list, or that teachers at least equal to the generality of these certificated masters are not to be found among those who have not presented themselves for examination.'"

Mr. Cook in 1853 thus summed up the advantages of employing pupil-teachers—

"They often conduct lessons in reading, arithmetic, and writing from copies and dictation better than many adult teachers of ordinary ability;" while "many of them can teach and examine a large class in grammar, geography, and English history, and the subject-matter of books of general information, with less waste of time and greater facility of illustration than the generality of untrained masters." "Their faults," he observes, "are that they are often too pedantic and too mechanical, and too much lost in the routine of school work," and "that they are apt to fall into the faults of meagreness, dryness, and emptiness, or the opposite and not less mischievous evils of presumption and ostentation."

I read these passages to show that the argument with respect to pupil-teachers is not all on one side. They have a great number of friends in this House, and I must bear the odium of being supposed to be not so friendly to them. As far as I am concerned, I have no personal objection to these masters and teachers; but when reports are placed in my hands for my instruction I cannot shut my eyes to them, and swallow the pupil-teachers as a class, without making any inquiry as to the opinion of others upon the subject. I hold in my hand a report, published in the year 1858, by the Rev. W. Frazer, who was employed by some influential gentlemen in Scotland to make an inquiry into the state of education throughout the whole country. The report is extremely ably drawn up, and dwells particularly upon the merits and demerits of the pupil-teacher system. After quoting the Parliamentary Report showing how very large a proportion of the pupil-teachers never enter fully into the profession of teaching, but leave it for others as soon as they can, Mr. Frazer gives his experience of the value of pupil-teachers, and he comes to this conclusion—

"Educationally viewed, it is a low and unsatisfactory expedient. Intellectually, the general education must suffer. Children only thirteen years of age are called from their proper work, learning, and apprenticed to teach. The time which should be spent in their own intellectual culture and equipment is spent on others, and thus their own range of improvement must be narrowed. The taught also suffer. Pupil-teachers, at least during the first two or three years of their apprenticeship, can deal only with the mechanical in education, with form and routine, such as spelling, grammar, geography, and the simple rules of arithmetic. In this, and in preserving order, they have their value. They often attain great expertness in the outer forms of questioning; but it is the expertness of jugglery, the tossing backwards and forwards of the same truths, the shaking into many kaleidoscopic combinations of the same well-known facts. But as for awakening thought, stimulating and directing inquiry, and evolving exercised energies of intellect, it is never dreamed of nor attempted. Morally, the pupil-teacher can have little power. Seriousness and dignity of look would be regarded at his age as unnatural, or as hypocrisy. What amiability of disposition and what high purposes can he foster? Reflexly, the system does mischief, in fostering in the young boy-teacher petulance, pride, impatience of restraint, and other qualities ill fitting him for his office. Many are marked by great excellence of character, and love their work, but the tendencies are often too painfully manifest. For hours daily the finest mechanism we know on earth—the human spirit, with all its intellectual and moral energies and capabilities—is left to be handled or tossed about by inexperienced teachers. The moral influence is, to say the least, merely negative when it should be positive."

And he goes on to quote, in a passage almost too long for the patience of the Committee, the still more serious evils of the system viewed in its religious aspect. He says—

"The pupil-teacher cannot throw around the classes with which he is daily so long in contact that well-known but undefinable power expressed by 'life,' 'tone,' 'atmosphere,' which often so imperceptibly but so effectively genializes, gladdens, and moulds the young heart and its history."

I merely quote these passages to show that among gentlemen who have made it their business to examine this subject very carefully, and who, as far as I know, are perfectly fair and impartial judges, there is by no means a unanimity of opinion as to the propriety of employing these pupil-teachers at all. As I said before, it is no business of mine to quarrel with them. I do not ask for any diminution of their privileges; I am quite willing that everybody who likes them should employ them; all I ask is that those who do not wish to have them may not be compelled to have them. Now, in the published Report, for which we are indebted to my hon. Friend the Member for Hertfordshire—I may call it the book of lamentations and grievances—there is a letter from a schoolmaster named Halle to the Secretary of the Committee of Privy Council which is so curious that I think I may venture to read it. It is dated "Jesus Chapel National School, Enfield, September 27, 1861," and says—

"Sir,—Having read with great satisfaction of the alterations that have been made in respect to grants to public schools, I shall feel greatly obliged if you will let me know where I can obtain the minutes of the alterations, as I think, from what I have seen of the observations upon them, a more just and equitable method could not have been devised, nor anything more disgraceful than the former minutes, which gave the public money to those schoolmasters and mistresses who were in possession of good salaries and pupil-teachers to do their work, and withheld both from those with small salaries; *e.g.*, I and my wife have conducted this school (a mixed one, of 60 scholars) for the last 10¼ years, for £50 a year and house; *i.e.*, £25 salary and £25 children's payments. I have been teaching more than 20 years, during which time I have taught more than 2,000 children the alphabet, to read, write, and to cast accounts, in schools varying from 211 to 60 scholars, during which time I have been well spoken of as a teacher, lecturer, surveyor, mathematician, and musician, but have been very unsuccessful in obtaining any assistance from the Government in any shape, never having received one farthing from the grant. I have been unsuccessful, after three trials, for a certificate, although I have taken up the whole of the papers, and answered as many of the questions as time would permit. It is not for the want of seeking. I am surrounded by four National schools, conducted by first-class certificated masters, assisted by three or four pupil-teachers each, who have been drawing large sums of money annually from the Government (£90 to £100), and yet the parents will rather send their children a mile or two further to me, and pay double the sum than those who live in the district do, because they consider their children are better taught by a master or mistress than by a pupil-teacher; and, judging from the children which have come to me from these schools, and the accounts which the children give me of the methods adopted, I consider a more wasteful method was never pursued. I have found, from inquiries, that out of all the pupil-teachers trained in the neighbourhood very few have become masters or mistresses; and why? In the first place, they are deterred by the severe examinations they have to undergo (as if any examination could be too severe for a schoolmaster; a certificate should certify what a teacher does know, much or little, as nearly as possible); secondly, by the many masters and mistresses they have to please; and, thirdly, the disgracefully low salaries which they get for their services. Consequently, as soon as they obtain a good education, they get situations as clerks or Dissenting Ministers; not that they prefer Dissent, but because they cannot so easily enter the Established Church. It has been said that pupil-teachers are an assistance to the master; I have always considered them a curse to the pupils, for what difference is there between the class that servantgirlism and flunkeyism spring from and the class from whence pupil-teachers are drawn? I contend that very little good will be done towards educating the people by such a class; that instead of making teachers of the lowest of the people they should be taken from the middle classes. Ask the Inspectors—ask yourself—if it be possible, in a general way, to make a gentleman or lady of an agricultural labourer's son; what he can know of the usages of polite society; how he will instruct his pupils to behave at table, if they should become servants; whether they will not attempt to veil their ignorance before their scholars by the assumption of arrogance, and before their superiors by assuming humility."

That is the opinion of the schoolmaster of an unassisted school about pupil-teachers. And if I may be allowed without the charge of egotism to do so, I will mention the case of a school in my own neighbourhood, of which I am myself the manager. I built the school originally for sixty or seventy children; and I was fortunate enough to obtain the services of a highly skilful and excellent teacher, a trained master, but not certificated. The number of scholars has risen from sixty or seventy to a hundred and forty—a greater number, I am bound to say, than the school can accommodate, but children walk three miles to attend that school who live in a neighbouring parish where there is a school with a certificated master and in receipt of the grant. Do you think these children would come to that school if their parents did not think the education it gives was better than that given in the assisted school? I have always found that the parents of the children, considering their ignorance, are extraordinarily good judges of the fitness of a schoolmaster or schoolmistress; and I am satisfied they would not send their children to my school unless they were convinced that the education to be had there was superior to that imparted in the other. It has been stated over and over again—and I need not weary the Committee by repeating such a well-known fact—that a great proportion; indeed, as the right hon. Baronet the Member for Droitwitch (Sir J. Pakington) said, the larger proportion, of children under instruction, namely, 1,200,000 as compared with 900,000, and also the managers who conduct their education, are precluded from receiving any share of the grant. I shall quote a letter from the Rev. Mr. Steere, contained in a work published by Mr. Garfit, which I think ought to be in the possession of every hon. Member, for it may really be termed a "handy-book" on the subject of education, showing the impossibility of providing assistance for these schools if the condition of employing certificated masters is required. Mr. Steere says—

> "It is notorious that the great mass of the poorest schools cannot afford to engage a certificated teacher. The consequence of this is, that in very extensive districts the clergy have the whole burden of supporting the schools cast upon them, while in richer places the Government is paying a large part of the expenses. There seems to be no real difficulty in the way of a general scheme of making grants to all schools, in proportion to their numbers, upon condition only that the instruction is of a fairly good and effective character. I ask why, if I keep up an effective school in my village, I am not as much entitled to help as some neighbour whose school is worse conducted, but who has the fortune to possess a certificated master? I know that a large portion of your readers are working unassisted schools at great pecuniary loss, but with very good educational success."

I had a letter a few days ago from a clergyman in Norfolk, who writes to me in the following terms:—

> "Sir,—I understand that it is your intention to bring forward a Motion with reference to schools; that, provided the scholars pass a good examination, it shall not be necessary to have a certificated master in order to obtain a grant from the Privy Council. I enclose reports just received respecting my schools. You will see that the results are attained, but I can obtain no grant, because neither my master nor mistresses are certificated."

And this is the Report which he encloses—

> "Aylsham School, mixed—Religious knowledge is very good in both schools. [This I think would satisfy my right hon. Friend the Member for Oxfordshire.] Discipline is good, especially in the girls' school. Writing is good, especially in the boys' school. Reading is good in the girls' school, and fair in the boys' school. Arithmetic is weaker than the other work in both schools. Infants—The tone and order of this school has greatly improved under a new mistress. The school is now very useful and efficient in preparing children for the boys' and girls' schools."

Now, I will ask the Committee, do they not think that gentleman has a right to complain that he should not only be called upon, as he probably is, to pay largely out of his scanty income for the support of his school, without getting a farthing from the Government; but should also be compelled to contribute as a tax-payer to assist schools and managers who are in far more prosperous circumstances? If the Committee would bear with me for a moment, I should like to read an extract from the letter of a gentleman who, if any person is specially qualified by long experience as a secretary in the Privy Council Office to speak with more authority on this subject than any one else, seems to me to be that person—I mean Mr. Harry Chester, who, in a letter published the other day in *The Times*, wrote as follows:—

> "The certification of schoolmasters and schoolmistresses, and the annexation of a stipend to the certificate, has a powerful effect in raising their *status*, and improving the schools; but such inducements are now but little, if at all, required, and the evils of the system begin to preponderate over its advantages. It is an evil for a Government to be permanently vested with the power of granting degrees. It would be felt to be grossly unconstitutional and dangerous for the Government to grant certificates to the teachers of schools for the upper and middle classes. Why, then, should it continue to grant certificates to the teachers of schools for the lower classes, now that the necessity for such an abnormal exercise of its authority has passed away? The power of testing and certificating the capacity to teach should be lodged somewhere; but why not in some depository more consonant with the genius of our institutions than a Government office? . . . It is an evil to mark off the elementary teacher from all other teachers as the stipendiary certificatee of the Government. It is also an evil to teach him to look on himself as a Government official, depending on a Government office for his character and for a considerable portion of his emoluments, to make him serve two masters—one, the office in Downing Street, the other his committee of management. It is a great evil to invest the certificated teachers with their peculiar privileges, and to subject them to their peculiar restrictions. They have a monopoly of the privilege of teaching under the patronage of the Government, and they are subject to restrictions as to whom they shall teach, what they shall teach, where and when they shall teach, and what they shall not do when they are not teaching. Here are monopoly, privilege, protection, Government interference, all at variance with the laws of political economy, all therefore injurious to the teachers and to the taught. Is it not time to begin to simplify this system—to cease to interfere between the managers of schools and their servants the teachers, to relieve the latter

> from all the restrictions but those which are imposed on them by their employers, to allow the stipends to depend on the natural operation of the teachers' market—in a word, to let things find their natural level?"

I do not see how this question could possibly be stated in plainer or more decisive language than that of the gentleman whose letter I have just cited. If the Committee will permit me, I will now quote a few instances to show the very partial, and, I think, unequal and unsatisfactory manner in which the grant is at present administered. We are indebted to my right hon. Friend the Member for Oxfordshire (Mr. Henley) for a voluminous report exhibiting the distribution of the grant during the year 1860, and specifying the names of the parishes and places which obtained a portion of it; and if any one takes the trouble to analyse these figures, he will be rather amused at the conclusion to which they will lead him. I mentioned lately, speaking at a meeting in my own county, that it appeared to be specially favoured by the Committee of Privy Council. The county of Berks, with a population of 176,000, received £3,867 of the education grant; the town of Reading, with 23,000 inhabitants, obtained £905; Windsor, with 10,000 inhabitants, received £722; while Newbury, with 7,000 inhabitants, received only £96. Wokingham, with a population of 4,000, has nothing, not because there is no school there, but because there is none of the description especially patronized by the Privy Council. Bedfordshire, with a population of 136,000, received, in 1860, £1,945, of which Bedford town, with a population of 13,000, got nothing; while Woburn, with 2,050 inhabitants and a British and Foreign Society's school, got £53. Buckinghamshire, with a population of 166,000, got £1,243; the town of Buckingham, with a population of 4,000, getting £93; Woburn Sands, a place of which I cannot find any description in any document, getting £56—the two Woburns in Bucks and Bedfordshire, together, having £119. Cambridgeshire, with a population of 176,000, got £3,074, of which the town of Cambridge, with its 26,000 inhabitants, received £1,194, or nearly one-half of the whole grant. Cheshire, with a population of 450,000, obtained the enormous sum of £12,699, of which Birkenhead received £848. Chester, with 31,000 inhabitants, got £630, or less than Windsor. Stockport, with a population of 54,000, got £622. Sussex, with 340,000 inhabitants, obtained £4,478, of which Brighton, with 87,000 inhabitants, got only £312, while Hastings received £370.' But the most curious results are in Wiltshire. I have not added up all the figures relating to that county, but I believe that while Calne, with a population of 6,000, got £315, Chippenham, with 5,000, got only £18. Wilton, with its 8,600 inhabitants, got £230; while some fortunate little place called Castle Combe, with 560 inhabitants, got £116; and Cricklade, with 1,900, had only £8. Rutland, with a population of 22,000, received £205; Oxford City, with 27,000, had £595—rather less than half the amount granted to Cambridge. Why there should be such a difference between the allowance to the sister University towns I can form no notion. York city, with a population of 45,000, got £2,045; Scarborough, with 20,000, £198; and Bradford, with 106,000, had £2,197. I quote these as samples taken casually from the returns just to illustrate the exceedingly partial and unequal distribution of these money grants. I do not think it can be at all satisfactory to the public that such a state of things should be allowed to continue. It does not represent any true principle, because we shall probably be told that the principle acted upon is, *Aide-toi et Ciel t'aidera;* and that "Whosoever hath, to him shall be given." But I think that another and a juster interpretation may be placed upon that text. We have it proved as an undoubted fact that so far from these unassisted districts, which receive no aid from the State, doing nothing for themselves, there are no less than 15,000 schools now existing which do not receive one farthing of the public money; and I contend that there should be some attempt on the part of the Government to distribute this money more fairly and impartially. I may be met by objections on the score of economy and efficiency. As to efficiency, I think I can best deal with that point by stating the plan which I would recommend the Government to adopt in order to give effect to the Resolution which I am about to propose. Supposing that I want my school to receive Government assistance, it would be my business to write a letter to the Privy Council requesting that an Inspector might be sent down. Upon the report of that Inspector would depend whether the school would receive assistance or not. If he finds the school badly built, insufficiently drained, ill ventilated, or over-crowded, or open to any of the objections which it is the duty of the Government to prevent, then I could have no claim to any share of the public money. Again, if the children should fail to pass the required examination, my claim would fall to the ground. But if the children succeeded in passing the examination, and my school be as well conducted in all respects as the schools favoured by the Government, on what ground could I be refused a grant? But is it a question of expense? I do not think that is so formidable an objection as some hon. Members appear to consider. If the Committee will bear in mind what I quoted just now, the grant of £722 to Windsor with a population of 10,000, I think all will agree that that is an excessive amount, and I believe it is the largest amount given in proportion to population in any place. But suppose the grant was £500 to 10,000, or five per cent upon the population, which I think would be much above what would be required throughout the country, the total Vote for England, with 20,000,000 of people, would be £1,000,000. Would that be an excessive grant? It amounts now nearly to that sum, with all the disadvantages of our imperfect system, and liable to all the objections which I have mentioned; whereas the utmost I anticipate, supposing the system be put upon a fair and equal footing, would be a grant of £1,000,000; or equal to five per cent upon the population of England, which would be the outside expenditure. I fear that I have trespassed too long upon the Committee. I do not know that I could add additional weight to the arguments I have used. The whole question lies in a nutshell, and, although I might expand the argument, I should fail to make it clearer. I shall therefore confine myself to moving the Resolution of which I have given notice, and which I trust will receive the impartial consideration of the Committee, believing as I do that it is the one great question which remains to be decided upon the subject of education, and that if this Resolution be not carried, something in its spirit, and having the same object, must soon be adopted to make it possible to continue these Government grants. The hon. Member concluded by moving—

"That to require the employment of Certificated Masters and Pupil Teachers by Managers of Schools, as an indispensable condition of their participation in the Parliamentary Grant, is inexpedient and inconsistent with the principle of payment for results which forms the basis of the Revised Code."

MR. THOMPSON seconded the Resolution moved by the hon. Member for Berkshire, but proposed a somewhat different mode of carrying it out. The weakest point in the Revised Code was the absence of any provision for the poor schools, which were now excluded from the grant, in consequence of being unable to comply with the requirements of the Privy Council by engaging trained masters at high salaries. No settlement of this question could be either satisfactory or permanent which did not throw open the public grant to all schools which were really in need, and which could produce satisfactory results. He therefore suggested that the capitation grant of 8*s.*, now offered for scholars who had attended 200 times in the previous twelve months and who could pass a satisfactory examination in reading, writing, and arithmetic, should not be confined to schools where certificated masters and pupil teachers were employed, but should be offered to all public schools for the poor which could obtain a favourable report from the Government Inspectors of their discipline, teaching, buildings, and other conditions required by the Revised Code. The capitation grant of 4*s.* per scholar in average attendance throughout the year, he suggested should be confined to those schools where certificated masters were employed. The financial result of this scheme would be as follows:—From the Estimates for the coming year now before the House it appeared that the whole grant for the purposes of education amounted to £842,000. From this he would deduct the sums appropriated to building, training schools, inspection and establishment, and some minor items, none of which would be affected by the alteration he proposed. After making these deductions there would remain £550,000, which represented the three great heads of augmentation of masters' salaries, payment of pupil-teachers, and capitation grants (according to the old system). The whole of these would under the Revised Code be replaced by the proposed capitation grants of 4*s.* and 8*s.* respectively. He had taken some pains to ascertain the proportion which these new grants would bear to those under the old Code. He had received returns from schools under very different circumstances; from small rural schools, large schools in towns, manufacturing and mining schools; and on the average it was found that the Revised Code now proposed to the House would effect a reduction of 20 per cent in the amount received by those schools from the public grant. This result has been obtained by assuming that the whole of the children who had attended 200 times in the year would pass a favourable examination and obtain the whole 8*s.* per head. If this reduction of 20 per cent should be the general result over the whole country, the figures would then stand as follows:—The £550,000 which now represented the amount to be voted for the purposes to be hereafter supplied by the new capitation grant must be reduced by 20 per cent, or £110,000, and would then be £440,000. But by his plan the 4*s.* capitation grant would be confined to schools having trained masters, and would therefore not be liable to increase in consequence of extending the 8*s.* capitation grant to other schools. It was true that the 4*s.* capitation grant was to be given for scholars in average attendance, and the 8*s.* grant to those who attend 200 times; but the difference between the two was not considerable, and he would assume, for the purpose of this calculation, that they were identical. The £440,000 to be voted for the capitation grants would therefore have to be divided into two portions, of which the smaller one, amounting to one-third (£146,666), would represent the 4*s.* capitation grant, and the larger one, amounting to two-thirds (£293,332), would represent the 8*s.* capitation grant. This amount of £293,000 represents the capitation grant of 8*s.* as applicable to the 1,000,000 of children contained in the schools now under inspection, and receiving grants. By the Report of the Education Commissioners, there are 1,600,000 children in the public schools for the poor in England and Wales. Consequently, by a simple rule-of-three sum, it would be found that if the capitation grant of 8*s.* when applied to schools containing 1,000,000 children required £293,000, the same grant applied to 600,000 more children would require £176,000 more money; and the net result of the calculation would be, that if the whole of the unassisted public schools for the poor were suddenly enabled to share in the grant, and could show equally good results with the schools now under inspection, the *maximum* addition to the grant would be £176,000 per annum. It must be borne in mind, however, that the unassisted schools of the class under consideration are above 15,000 in number; that many of them are endowed schools, great numbers have bad buildings and inefficient teaching, and would be utterly unable to comply with the conditions on which alone any portion of the public money is given. It seems, therefore, not an unfair supposition that the increase in the Vote resulting from throwing open the 8*s.* capitation grant to all public schools for the poor, would not for some years exceed the diminution in the grant to the schools now under inspection, arising from the working out of the Revised Code when compared with the old system. At all events, the net increase would be so small as not to be alarming even to the most sensitive Chancellor of the Exchequer. He must now look at the question in a different point of view; namely, in its bearing on the Training School system. The establishment of training schools had been of great service to the cause of education. Those whose recollection enabled them to recall the state of this question twenty-five years ago would remember the great dearth of schoolmasters which then existed; and although the requirements of managers of schools in those days were very moderate, it was extremely difficult to meet with schoolmasters who knew anything of their business. The Report of the Education Commissioners speaks very decidedly on this subject. Not only do they give their own impressions, but they quote the words of several of the Assistant Commissioners, and show that many witnesses had been examined by them, and they dismiss the question with the brief but significant announcement, that opinions were all but unanimous as to the superiority of trained over untrained masters. These establishments, however, could not be maintained in a state of complete efficiency without liberal aid from the public grant. He had for many years been one of the committee of management of a large training college in the North of England, and until he had the honour of a seat in that House he took an active part in its affairs. Until the Committee of Council commenced its present system of Queen's Scholarships, the training college in question, like most others, laboured under considerable financial difficulties. Twice he had been requested by his colleagues to examine and report upon the financial position of the college, and its prospects of becoming self-supporting. On each occasion he was obliged to express his decided opinion that there was no reasonable prospect of its becoming able to pay its way, without liberal assistance from the two dioceses with which it was connected. From his own experience, therefore, and the accounts he had heard of similar difficulties in other training colleges, he was convinced that without liberal Government assistance these establishments could not be maintained in an efficient state. There was an impression abroad that the education given to the trained masters was not in all respects suitable to its purpose. He confessed that he shared this impression, that he considered the standard of teaching too high as a preparation for grounding village children in reading, writing, and arithmetic. He might be asked why he and other managers of these schools did not correct the evil. The answer was easy. Training schools were dependent on Government aid for their existence, and must prepare their students for Government examinations. The Government examiners were talented and conscientious men, but they were men of great acquirements, and required too much of the young men. He would quote a few questions from an examination paper set in 1857 to the second year students—

> "What was the position of the Jews in North Africa? How did this influence the Christian dogma? Which of the early heresies may be attributed to the Grecian philosophy as distinguished from the Egyptian? What was the probable source of ascetic doctrines? Give an account of the Essenes and character of the sects which sprang out of the ascetic idea."

That was of course an extreme case; but still the possibility of such questions being asked of young men who were being trained to instruct the poor showed that education in the training schools could not be exactly what it should be. The best counterpoise which could be devised was to be found in the action of public opinion, and in gradually subjecting the trained masters to the natural law of supply and demand. At the same time, if young men were induced to bind themselves for five years as pupil-teachers, and then pass two years in training schools, they ought to have some advantage and protection, at any rate for some years to come. He therefore would propose that the 4*s.* capitation grant should be confined to the schools which had trained masters, while the 8*s.* for results should be given to results wherever they were to be found.

SIR STAFFORD NORTHCOTE said, he had seldom listened to a speech with more disappointment and regret than he had done to the speech of the hon. Member for Berkshire. When he saw the Resolution his hon. Friend had placed on the paper, he was anxious to support it; but really the speech of his hon. Friend was so opposed to much that he felt on the subject that he was in some difficulty as to the course he should pursue. At all events, it was impossible he could follow his hon. Friend into the lobby as he originally intended, without stating the reasons that induced him to support his Resolution. His hon. Friend had rested his proposition upon an attack on the present body of certificated masters and pupil-teachers. Now, there was no body of men to whom the country owed a deeper debt of gratitude than to the certificated schoolmasters and pupil-teachers. They had had a difficult task to perform, and, on the whole, they had performed it to admiration. Taking the testimony borne by the Report of the Commissioners, they might fairly say that no body of men had rendered greater services to the present generation than the certificated masters. He was sorry to hear his hon. Friend raking up stories and reading letters from unassisted schoolmasters tending to throw a sort of odium and bring into contempt so valuable a body of men. Nor could he agree with the hon. Member for Whitby (Mr. Thompson) that the questions put to the students in the training colleges were, upon the whole, not well chosen, although extreme cases might be found. The training colleges and the trained masters were among the greatest blessings of this century. Any one who recollected what schools were before this system was introduced would see what a great advance had been made, and what the country owed to it. On the whole, he was well pleased with the general principle on which the Revised Code was founded. The difficulty he felt with regard to it was that he had feared it would inflict too severe a blow upon the trained masters. But he no longer had that fear. Had he retained it, he should have been prepared to oppose the Code. He believed that, owing to the merits of the teachers themselves, they would, under any system, command their value in the market; the country would never go back to the teachers the trained masters had suspended. But, while he said this, there were other grounds on which he was prepared to support the proposition of the hon. Member for Berkshire. Where it was possible for schools to have certificated masters, he believed it was to the advantage of the school to have those masters, assisted by pupil-teachers; and he felt sure that all schools which could employ them would do so; but there were many schools in the country which were not in a position to pay these gentlemen; and in making sacrifices to extend a scheme of education they ought to do their best to secure to the schools in the poor districts the advantage of it. If it turned out that the certificated masters suffered, it could only be to a trifling extent; and he was sure the small amount of suffering they endured should not be allowed to stand in the way of securing the operation of the grant in favour of the poor districts which could not avail themselves of the services of certificated masters, or comply with the expensive requisitions of the Government system. But he believed that the trained masters would not be losers by the change; and what followed? Those poor schools which could not obtain the trained master, because they could not afford it, would become participators in the grant. He wished to make an appeal for the schools established for the poorest and most destitute classes. Unless they could in some way enable them to secure the advantage the assistance of the Government gave, without requiring them to adopt its expensive machinery, they were not doing what these schools were entitled to. There was a disposition on the part of the House to sympathize with the wants of the poorest class of children. But it was met by a considerable difficulty. It was impossible to adopt an exceptional system of legislation for the poorer schools. There was a good deal in this argument. But when they got rid of this and came to a totally different system, he hailed that system, because it offered a ray of light for these unfortunate children. From the continuance of the old system there was nothing to hope for them. But now he thought it would be possible to give them some assistance. They could not at present settle positively what should be done; all they could do was to throw out the suggestion for the consideration of the Government. The Committee was aware that there were schoolmasters who had not gone through a regular course of training, or taken out a certificate, who were allowed to offer their schools for examination and payment by results, if they had satisfied an Inspector in two separate examinations at a year's interval that the school was entitled to assistance. He would ask the right hon. Gentleman to modify that provision. One of the witnesses before the Select Committee last year was a gentleman who had charge of a school at Bristol. He was not a trained master, but he had passed an examination in a satisfactory manner, and he was conducting a large school very successfully. But he was not entitled to aid from the Government, and, according to the new system, his school would not be entitled to receive anything until he should be in charge of it for three years, and until it should be twice inspected. What had happened since? For some reason or other, the gentleman in question had left that school and gone to another. He might have been succeeded by another person in exactly the same position, and in that case the school, although instructed by a competent master for three years, and by another competent master for the same period of time, would not have been brought up for examination or paid by results, because the masters had not passed through a certain amount of training. Moreover, the first master, when he went to another school, would not be allowed to receive any advantage from the experience he had acquired in his original charge. Anything more absurd than such a state of things could hardly be conceived; and he would ask the right hon. Gentleman the Vice President to make a slight modification in one of the articles of his Code, providing that when any master had once satisfied the Inspector he should be entitled to bring up his school for examination and payment by results. If the Committee could come to some general Resolution that the principles of the new Code were something approaching to freedom of trade in the matter of masters, it would take a great step. He would leave it to the Government to work out the details of the system, but he trusted they would not lose that opportunity of putting matters upon such a footing that the poorest and most unfortunate class of children might derive some advantage from the Parliamentary grants. The circumstances of those children were very hard. They were truly the motive power which set the whole of the machinery for education originally in motion. It was because their condition was felt to be so distressing that the educational movement was first commenced, and yet the benefits of the system had been reaped, not by them, but by a class above them. He trusted the Government would now extend to them that which their more fortunate neighbours had already received. It was impossible that such a change as the present could be made without exciting some fear, and without injuring some interests; but, at all events, let the people have the advantages as well as the disadvantages. Let the Government try to make themselves friends among the poor, and among those who were promoting the interests of the poor. The right hon. Gentleman the Vice President would find no difficulty in remedying the evils under which the poorest class of schools were labouring. While recording his Vote in favour of the Resolution moved by the hon. Member for Berkshire, he would do so, not at all as sympathizing with the expressions he had used in regard to the unfitness of the certificated masters, but because he desired to see the system further extended, and the advantages of it given to a class of schools which had hitherto been deprived of them.

MR. WALTER said, he wished to say a few words in explanation. He denied that he had made an attack upon the certificated masters. He had merely quoted from the Report of the Commissioners to show that all the Inspectors who had expressed an opinion on the subject had come to the conclusion—and he challenged the hon. Baronet to contradict it—that the efficiency of the certificated teachers was in an inverse ratio to their class or degree; so that, as a general rule, the higher the certificate the worse the master. That statement was not his; it was made by the Commissioners, and was founded upon the reports of the Inspectors.

MR. ADDERLEY said, he could not quite understand the explanation of the hon. Gentleman. Why had he made the quotations?

MR. WALTER said, that in contending that the certificated masters were not indispensable to the efficiency of schools, he was bound to refer to the highest, and, indeed, the only authority on the subject—namely, the Report of the Commissioners.

MR. ADDERLEY said, the proposition of the hon. Gentleman would end in abolishing the training colleges. Now, it seemed to him that those institutions had rendered great services to the country, and must be continued if they wished to maintain the present system of national education. If ragged and poor schools could get equally good masters in a cheaper way, there might be some reason for abolishing the training colleges; but on the other hand, if they could get only an inferior class of teachers, the effect would be to lower the qualifications of masters throughout the whole country. To abolish the training colleges would be to diminish the supply of teachers and to increase their price, and the poorer schools, so far from being assisted, would be damaged by such a change.

MR. DEEDES said, he wished to call the attention of the Committee to the question actually before them. The right hon. Member (Mr. Adderley) seemed to think that the proposition of the hon. Member for Berkshire was directed against all certificated masters; in fact, that it was an attack upon them, although he (Mr. Deedes) fully appreciated the services of the certificated teachers, but there were many instances in which schools might be conducted in a perfectly satisfactory manner without having recourse to that class of masters. He took his stand on the words of the Resolution, and while recognising to the utmost the value of the certificated masters, he maintained that the schools which were well conducted by uncertificated masters ought not to be ignored, and ought to have an equal claim to the advantages of the grant. He would ask the Committee to show by their vote that they did not wish to restrict the work of education, but to extend its blessings to all.

MR. HENLEY said, that after the indulgence which had been extended to him already that evening he should not again have trespassed in the debate, but that he had since received a petition from the school Inspectors of the diocese in which the hon. Member for Berkshire and himself lived, and he thought that the Committee ought to be placed in possession of their views. One point dwelt upon by the school Inspectors in that petition was, that whilst it was desirable that the capitation fees should be given to those schools which were under certificated masters, the grants on examination should be extended to all schools were the results were satisfactory. In supporting the Motion before the Committee he desired to state that in so doing he had no wish to do anything in the least disrespectful to the certificated masters. He agreed with his hon. Friend

(Mr. Deedes) that they were a most valuable class of men; but he thought that the extension of that system, for the support of which all were taxed, could not be fairly carried out in small places if they insisted upon the employment of such expensive masters. He had himself, when the education Vote was under discussion, over and over again pressed upon the Government that they should make the principle of their grants more elastic. He would tell the Committee how the system acted in Oxon—of course, he looked after his own county; and if every hon. Member took the same course, they would have accurate information. From a return which he had moved for he found that in his county 300 places were represented in the census returns, and among these some sixty schools were assisted, some of the larger places having two or three schools. The population of the whole county was 170,000, of which the assisted places had 70,000 or about forty per cent, whilst, according to the income tax returns the same places represented about thirty per cent of the property of the county. The other 240, where there were no wealthy people to support schools, got nothing, and in many places the small sum which could be obtained was not worth asking for. On the other hand, in many instances where schools were principally supported by clergymen of humble means, a few pounds would be a great help, and the granting of it would heal a sore place. The Inspector in his neighbourhood in 1846 reported that during the previous year he had been very carefully looking after results as well as into the causes from which those results were speedily to follow, and in doing this he fancied that he had learned to regard their present system, imperfect as it unquestionably was, as one from which at times he had certainly found the most unexpected results. He should conclude what he had to say by expressing the hope that the Motion would be carried, for he believed that it was by some such means as that proposed that they would be able to extend the benefits of their system to those places which stood in need of assistance.

Mr. LOWE: Sir, this is a matter of great importance, and though the notice has been some time on the books of the House, I have no doubt that it has taken many Members somewhat by surprise. I will therefore beg their calm attention while I endeavour to point out to the Committee, what is the effect of that which we are asked to do. The present system of Privy Council grants is that we take what I think are rather exaggerated precautions to see to the application of the money which is intrusted to us. We do not receive the money merely to distribute among a number of schools, but to maintain a certain standard of education and teaching. That has hitherto been the practice of the Privy Council, and we have appropriated certain monies as grants to teachers of different kinds, the only exception being the present capitation grant. In the Revised Code we propose to abolish these appropriations, and so far we propose to weaken the assurance which the public has that the money which has been voted reaches the purposes for which it was intended. We proposed, however, to substitute for the security which was derived from the appropriation of this money another kind of security — that which is called payment by results, on a strict examination of children grouped according to age, the payments depending on that examination, and on nothing else. We thought that was an equivalent for the appropriation for which it was substituted. It has not, however, been the pleasure of the House to allow that system to be carried out. They have expressed their wish that a portion of the grant should be given without examination, and that the portion given on examination should be given on an examination not of that searching kind which would be the result of grouping by age. What I want to point out to the Committee is that payment by results exists no longer in the present Code, and that the proposition we have before us really does away with the former security we had by appropriations to certificated masters, who had been carefully trained and taught for the purpose, and substitutes for it an imperfect security by examination. Now I put it to the Committee whether an examination conducted by an Inspector, in which it is competent for the master to place his pupils in whatever class he pleases for the purpose of being examined, is one which is likely to afford adequate security to the public, the guardians of whose purse we are, that their money will be properly expended? It would be well, in my opinion, that you should also have the collateral security that the school is intrusted to a competent master. Then there is the financial result. You are asked to admit, as far as I can form an estimate, some 654,000 children more to the capitation grant, and to introduce between 15,000 and 16,000 fresh schools. What demands may in consequence be made on the Exchequer it is at present impossible to calculate. They would, no doubt, be very considerable, nor could we hope for any large diminution of the grant until the existing race of pupil-teachers had passed away. I am therefore afraid, looking the matter in the face, we should be incurring an enormously increased expenditure, without those guarantees which Parliament has hitherto deemed to be necessary for the due expenditure of the public money. Then we must bear in mind the manner in which we should be treating the certificated masters. They have before this complained of me as one of their worst enemies; and though it has never been my wish to be such, I have never condescended to say anything to assuage their wrath. I must now, however, observe, that although I am ready to maintain, as I have always done, that they have no vested interests to set up, and that their salaries should be regulated, as in all other cases, by the rules of supply and demand, yet I think they are entitled, at the present moment especially, to receive a good deal of consideration from the House. Indeed, it would, in my opinion, be a proceeding inflicting great hardship at once to destroy the monopoly which they have hitherto enjoyed. Then comes another point which is worthy of serious attention. I cannot for a moment doubt that the result of the adoption of the course which we are asked to take would be the destruction of the training colleges, from which we have hitherto kept our hands, not so much on account of any outcry which might have been raised by the withdrawal from them of a certain amount of Government assistance, as because we felt convinced that such a step would really destroy many of them. I am not now speaking of whether it is advisable to keep up those colleges or not, but I cannot conceive that they can be ultimately supported unless you hold out some object to those by whom they are passed. If you had established an examination of the stringent character which was originally proposed, it might be that the superior training required to fit pupils for the examination might make it worth a man's while to go to a training college; but now that you have determined to adopt a more lax system, it is doubtful whether this would be the case to such an extent as to secure the maintenance of those colleges. I have made these remarks in order to induce the Committee duly to weigh the magnitude of the Resolution to which we are asked to assent. We cannot, I may add, pass it in the form in which it at present stands, because it contains a statement which is inaccurate. It sets forth that "to require the employment of certificated masters and pupil-teachers by managers of schools as an indispensable condition of their participation in the Parliamentary grant is inexpedient." Now we do not require the employment of pupil-teachers as an indispensable condition, and the Resolution cannot, therefore, be very well put in its present shape. I have simply to say in conclusion that I hope the Committee will consider well the step which they are asked to take before giving to it their sanction. I do not say the proposal is one which would strike a fatal blow at education, but I do believe that, for the reasons which I have stated, it would bring about a revolution a great deal more comprehensive in its results than any which the Revised Code as now proposed is calculated to effect.

MR. WALTER said, he wished to express his readiness to amend his Resolution, in order to meet the objection raised to its form by his right hon. Friend, by the substitution of the word "or" for "and" immediately preceding the words "pupil-teachers." He must add that he was unable to reconcile the arguments just used by the right hon. Gentleman with the statement which he had made a short time before in reply to the right hon. Gentleman the Member for the University of Cambridge, and wished to know what principle he had retained in his Revised Code if it were not payment for results as ascertained by examination.

MR. LOWE said, the Amendment proposed by his hon. Friend would not quite meet the objection to the form of the Resolution as it stood. He should suggest that the words "and pupil-teachers" be omitted, inasmuch as the employment of pupil-teachers was not an indispensable condition of participation in the grant.

MR. WALTER intimated his willingness to comply with the suggestion.

Motion made, and Question put,

"That to require the employment of Certificated Masters by Managers of Schools, as an indispensable condition of their participation in the

Parliamentary Grant, is inexpedient, and inconsistent with the principle of payment for results which forms the basis of the Revised Code."

The Committee *divided* :—Ayes 156; Noes 163: Majority 7.

MR. BAINES said, he then rose to propose a Resolution which must be regarded as the antithesis to that which the Committee had just negatived. The effect of the Resolution of the hon. Member for Berkshire was to extend the Government grants downwards, while the object of the Resolution he intended to propose was to contract the range of those grants upwards. In consequence of the advice of a most experienced Member of that House, he had somewhat modified the Resolution of which he had given notice, and the shape in which he intended to move it was as follows:—

> "That, in order to prevent an unnecessary and undue expenditure of public money, it is expedient that the Managers of a School, before receiving Capitation Money from the Committee of the Privy Council on Education, should satisfy the Inspector that the circumstances of the parents on behalf of whose children such capitation grant is claimed are such as to require public assistance for the education of their children."

It would be seen that he had omitted the final clause of his Resolution as it originally stood, which was—

> "That the district in which the school is situated is one where a good and efficient school would not be likely to be maintained without aid from the public purse."

His object was to prevent the waste of public money. He should not repeat quotations and figures which he had used upon a former occasion, but briefly state his case, leaving it to the serious consideration of the Committee whether, as guardians of the public purse, they ought not to put an end to an abuse which brought discredit upon the system of national education. The practical working of the present system was to give the greatest amount of public money to the richest schools, instead of affording the greatest assistance towards the education of children belonging to those who supported themselves by manual labour. The amount of the grant ought to bear some proportion to the amount of voluntary subscriptions; but in the case of Faversham, which was only one of many instances, the subscriptions were £38, while the Government grant from the public purse was £382, although the schools possessed endowments and other sources of income which amounted to upwards of £600 a year. He was also cognizant of many cases where schools were receiving amounts which no one would pretend to justify—schools belonging to wealthy proprietors, liberal friends of education, who were perfectly able and willing to support their own schools. In the case of Durham the Assistant Commissioner reported that out of twenty-nine schools in his district receiving grants, not one was entitled to them, and the very managers of the schools themselves expressed their astonishment that money should be wasted by grants being conferred upon them to which they had no title whatever. The reports with respect to Bristol, Plymouth, and in various parts of London, went to establish this point, that the amount of school fees was kept down by the large and unnecessary grants of money; and Mr. Watkins stated positively that that was the result in many cases of the capitation grant, and that it was no benefit, but a positive injury to the poor, by inducing them to take a low view of education, and by destroying that effort on behalf of their children which it was their duty to make. In many schools the children of tradesmen, and of persons well able to pay for education, were educated at the same cost as the children of the humblest of the population. In the mining and manufacturing districts there were many artisans and mechanics earning £3 and £4 a week in wages, and they were only required to pay a pittance of 1*d.* or 2*d.* per week for the education of their children. There was another class of schools which possessed large endowments, and there was not the smallest pretence for giving them public aid. It was a great advantage that parents should feel they were making sacrifices for their children; and if they did not, they were apt to hold in light estimation the advantages of education. Another prejudicial effect was the check which employers and wealthy landlords experienced in the natural desire to assist their poorer neighbours. If he were to carry out his own convictions, he should go much further in the way of reducing the public grants; but he now only required managers of schools to eliminate from the schools for which they claimed public money those who they themselves believed did not require it. It was the duty of that House, as guardians of the public purse, seriously to consider his proposal. He concluded by moving his Resolution, as follows:—

> "That, in order to prevent any unnecessary and undue expenditure of public money, it is ex-

pedient that Managers of Schools, before receiving capitation grants from the Committee of Council on Education, should satisfy the Inspectors, that the cirumstances of the parents in behalf of whose children the capitation grants are claimed are such as require public assistance for the education of their children."

MR. BARROW said, he rose to second the Resolution, because he hoped it would have the effect of bringing back national schools to the use for which they were originally intended. The grants were in many instances misappropriated, and the children of the poorer classes were no longer educated in these schools, but were elbowed out of them by the children of the middle classes. The result was that a description of education was given in the schools which was not suited to the requirements of the poorer portion of the population.

LORD JOHN MANNERS said, that the effect of the Resolution of the hon. Gentleman would, if carried, be to impede the business of the schools, to throw an unnecessary *onus* on the managers, and to change them into private inquisitors. It should be remembered that the Inspectors had at present the power of reporting that a school was attended by a class of children who ought not to be found there, and the Privy Council could then take the necessary steps to remedy that abuse.

MR. BARNES said, he should support the Resolution on the ground that the grant went now in a considerable degree to the education of a class of children for whom it was never designed. The House would not have consented to the first grant of £20,000 had it not been distinctly stated that it was for the education of the poor. On that account it appeared to him that the House had shut its eyes to the facts, for it was under the delusion that by granting large sums of money it was promoting the education of the children of the labouring classes. He held in his hand a statement which showed that at a school of considerable reputation near the metroplis, which received large grants from the public purse, the children of a superior class of tradesmen, who could as easily afford to pay 1*s.* as 3*d.* a week, were being educated. In Lancashire and Yorkshire, and all the large towns, it was well known that the pupils attending the schools were in a great measure the children of parents well able to pay. In a school with which he was well acquainted, which was attended by 250 scholars, and received no grant from the State, the balance-sheet of last year showed a loss of only £8, and at a little distance was another school which received a large public grant, but which had no more necessity for it than the other.

MR. HARDY said, that they were all desirous, he believed, that the children of those parents who supported themselves by manual labour should be those who received the greatest share of benefit from these schools. He could not, however, regard them as objectionable if persons of a higher class were desirous of availing themselves of them. If, for example, in such schools as those to which the hon. Member for Bolton alluded, which persons of a higher class frequented, they were to charge those children 6*d.* instead of 3*d.*, they would by so doing involve those schools in many difficulties, and place the managers in a position that would prevent the schools being properly carried on. He thought it would be a benefit to the poorer classes that the children of the higher classes should be sent to those schools. It should be recollected that the capitation grant was not paid to the child, but to the persons who conducted the school. If those persons, then, conducted the schools in such a way as to induce the higher class to avail themselves of their advantages, he thought that the community generally would be benefited by the results. The speeches in support of the Resolution almost all went to the root of the matter; and, indeed, the hon. Member for Leeds did not disguise that he wished to place the schools entirely on a voluntary footing. Any person who knew what the schools had been and what they now are could never suppose that the State by its grants had done harm to the cause of education. The children of the poorer classes could not but benefit from intercourse with children in a better position. He believed, however, that the great mass of the scholars were the children of those who supported themselves by manual labour. If the Motion were carried, it would throw upon the managers a duty which it would be impossible for them honestly to discharge unless the hon. Member undertook to fix the limit out of the rate-book or otherwise, by which the managers were to be guided. In many villages the national schools had been brought into such a state of efficiency that the farmers, even if they sent their children to a distance, could not obtain for them so good an education elsewhere. The more respectable children also contributed to the funds of the school and to the income of the master by extra payments for learning drawing and in some cases Latin, which the certificated masters were qualified to teach. These children maintained the tone of the school, and they well earned the capitation grant the school received on their account.

MR. LOWE said, that the fourth clause of the Code declared that "the object of the grant is to promote the education of children belonging to the classes who support themselves by manual labour." That was the principle on which the grant was founded. He would recommend his hon. Friend not to press his Motion, because, if it were carried, it would only affirm that which was already the principle of the Department; and if the hon. Member lost his Resolution, it would very much shake the principle in question.

Motion made, and Question,

"That, in order to prevent an unnecessary and undue expenditure of public money, it is expedient that the Managers of a School, before receiving Capitation Money from the Committee of Privy Council on Education, should satisfy the Inspector that the circumstances of the parents on behalf of whose children such Capitation Grant is claimed are such as to require public assistance for the education of their children,"

—put, and *negatived.*

MR. BAINES said, he then rose to move his other Resolution—

"That, although Evening Schools are valuable, as means of confirming and carrying on the education received in Day Schools, it is unnecessary and inexpedient to grant public money for their support, inasmuch as the youth attending them are generally in the receipt of wages, and are well able to pay the small charge for evening instruction, and also because numerous Evening Schools and Classes already exist in connection with the voluntary institutions, and are constantly increasing in number and efficiency."

MR. LOWE said, he could not agree to the Resolution. The young persons who attended evening schools very often received exceedingly scanty wages.

Motion made, and Question,

"That, although Evening Schools are valuable, as means of confirming and carrying on the education received in Day Schools, it is unnecessary and inexpedient to grant public money for their support, inasmuch as the youth attending them are generally in the receipt of wages, and are well able to pay the small charge for evening instruction, and also because numerous Evening Schools and Classes already exist in connection with voluntary institutions, and are constantly increasing in number and efficiency,"

—put, and *negatived.*

MR. H. A. BRUCE said, he quite agreed in the principle that unless a strong case was made out no exceptional legislation ought to take place. But a line could be drawn sharply and distinctly between England and Wales. The great majority of children in Wales spoke only Welsh, although the English language was making steady progress, and parents showed an eager desire that their children should be thus instructed. Everywhere, except in the national schools, those children spoke, and were spoken to, in the Welsh language; and so different was that language from the English, that Dutch or German children would make more progress in a year, so as to come up to the requirements of the Committee of Council. He would, therefore, move the following Resolution:—

"That inasmuch as the great majority of children in Wales are, on their admission to Schools, either altogether ignorant of, or imperfectly acquainted with the English language, through the medium of which they are instructed, and in which their examination is conducted, such examination shall not, in any School in the Principality, be commenced until the children have attained the age of seven years; that group 1 shall include children between seven and eight years of age; group 2 those between eight and ten; group 3 those between ten and twelve; and group 4 those above twelve years of age."

MR. LOWE said, it was not in his power to consent to the Amendment. He was happy to say that among a large number of the Welsh people there was a desire that their children should learn English. It would appear that Welsh children were much quicker than English, and he had no doubt that by their superior ability they would make up for the disadvantage under which they laboured in English not being their own language. There was a capitation grant for children between the ages of three and six, and the best thing they could do was to go to school and learn English.

COLONEL PENNANT said, he thought that the Resolution was founded upon truth and justice, and that the right hon. Gentleman was not justified in treating the proposition in the cavalier manner that he had done. The Welsh language was, in his opinion the curse of Wales, and he should be glad to see it replaced by the English; still they must deal with the state of things that existed, and which he believed justified the Committee in adopting the Resolution which had been submitted to it by the hon. Member.

Motion made, and Question put,

"That, inasmuch as the great majority of Children in Wales are, on their admission to Schools, either altogether ignorant of, or imperfectly acquainted with the English language, through the medium of which they are instructed, and in which their examination is conducted, such examination shall not, in any School in the Principality, be commenced until the Children have attained the age of seven years."

The Committee *divided*:—Ayes 61; Noes 136: Majority 75.

MR. ADDERLEY said, he feared some of the divisions that evening had been a great discouragement to the training colleges; but he was afraid the Code in the present shape would have the effect of starving them. He had given notice of a Resolution which he would now beg to propose.

Motion made, and Question proposed,

"That it is desirable to maintain a premium on the acquisition of the present standard of a second year's training by Schoolmasters undertaking large Schools."

MR. LOWE said, he hoped his right hon. Friend would not press his Resolution. He did not see how it would be possible to give a premium to schoolmasters without undoing all they had already done; and if they gave them anything in the shape of a monopoly, it would probably be resented by the managers.

MR. ADDERLEY said, he would withdraw his Motion, and would take some other opportunity of having the point discussed.

Motion, by leave, *withdrawn*.

House *resumed*.

[No Report.]

INCLOSURE BILL.—COMMITTEE.

BILL REFERRED TO SELECT COMMITTEE.

Order for Committee read.

SIR GEORGE GREY said, he had no objection to agree to the proposal of the hon. Member for Finsbury, for referring this Bill to a Select Committee, as far as related to the inclosure of Chigwell, in Essex, on the understanding that the Select Committee would be named by the Committee of Selection in the same manner as any private Bill.

Order *discharged*.

Ordered,

"That the Bill, so far as relates to the Inclosure of Chigwell, in the county of Essex, be committed to a Select Committee, to be appointed by the Committee of Selection, in the same manner as in the case of a Private Bill."

WRITS OF HABEAS CORPUS INTO HER MAJESTY'S POSSESSIONS ABROAD BILL.—THIRD READING.

Order for Third Reading Read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. AYRTON said, he would move as an Amendment, that the Bill should be recommitted, in order that he might propose the addition of a clause providing that where any court or Judge refused to issue a writ of *Habeas Corpus* there should be a right of appeal to Her Majesty in Council.

Amendment proposed,

To leave out from the words "That the" to the end of the Question, in order to add the words "Order for the Third Reading of the said Bill be discharged."

—instead thereof.

MR. CHICHESTER FORTESCUE said, the provision proposed to be inserted by the hon. and learned Gentleman was entirely novel in its character; and as it seemed to him altogether unnecessary, he felt bound, on the part of the Government, to oppose it.

MR. CRAUFURD said, he would support the Motion of the hon. and learned Member (Mr. Ayrton). As he read the Act, it would apply not only to the colonies, but it would deprive all the Queen's subjects of the advantage of a prerogative writ. He objected to the Bill *in toto*.

MR. CHILDERS said, he wished to point out that in all the colonies proper there was no appeal in criminal matters to the Privy Council. The effect of the clause would be to give such an appeal, and the result would be that the due course of justice in the colonies would be seriously impeded.

THE ATTORNEY GENERAL said, he thought his hon. Friend was singular in his opinion that the act would be attended with inconvenience. The object of the Bill was to place the supreme courts in the colonies to which it would apply on the same footing as the superior courts at home. Nothing could be more inconvenient than to sent out writs of *Habeas Corpus* from this country. During the period which must elapse between the issue and the return of the writ the proper time for trying the prisoner might have occurred, and then would arise the question whether he ought to be tried in the interval, or whether he ought to be kept untried. If the former, of what use would be the writ? If the latter, the object of the writ would be altogether defeated.

MR. WALPOLE said, he could not but express great doubts as to the wisdom both of the Bill and of the Amendment. It was a very grave question whether they ought not to continue the supreme protection which the Queen now had the power of extending to all her subjects whenever their freedom might be put in jeopardy by a wrong decision. There would be no great harm in leaving the law as it stood.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 62; Noes 24: Majority 38.

Main Question put, and *agreed to.*

Bill read 3°.

Bill *passed.*

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Tuesday, May 6, 1862.

Minutes.]—Public Bills.—2ª Transfer of Stocks (Ireland).

3ª Exchequer Bonds (£1,000,000).

Their Lordships met; and having gone through the business on the paper, without Debate,

House adjourned at a quarter-past Five o'clock, to Thursday next, half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, May 6, 1862.

Minutes.]—Public Bills.—1° Sites for Places of Worship (Ireland); Public Works and Harbours Act Amendment; Transfer of Land; Declaration of Title; Security of Purchasers: Real Property (Title of Purchasers).

3° Summary Jurisdiction (Ireland).

VENTILATION OF SHIPS OF WAR.

QUESTION.

Sir JAMES ELPHINSTONE said, he rose to ask the Secretary to the Admiralty, If he will lay on the table of the House the Report of a Committee appointed by the Admiralty to consider the ventilation of Her Majesty's Ships; whether Her Majesty's Ships and Vessels destined for tropical climates since the reception of that Report have been fitted in conformity with the opinion of that Committee; and whether the Officer commanding the *Coquette*, a gun vessel now preparing to sail for China, has applied to have the ventilation of his ship improved; and if so, what reply has been given to his application?

Lord CLARENCE PAGET replied, that he should have no sort of objection to lay the Report upon the table; but it was in fact only a preliminary Report, and was not complete. The proposals that had been made by the Committee on Ventilation were some of them quite impracticable; but the Admiralty were carrying out certain of the recommendations in several classes of ships with the view of giving a fair trial to the system, and great hopes were entertained that the ventilating system adopted would prove highly advantageous. The *Coquette* was fitted with the improved ventilating apparatus.

CIVIL SERVICE SALARIES.

QUESTION.

Sir STAFFORD NORTHCOTE said, he had a question to put to the Secretary to the Treasury with regard to the Superannuation of certain classes of Civil Servants. The House was aware that the principle upon which Superannuations were fixed was, that the Salaries the Civil Servants received were taken as a basis upon which the Superannuations were allowed, regulated according to the years of service. There were, however, certain officers, Poor Inspectors and others, employed in travelling about, who received, in addition to their salaries, allowances for travelling expenses, and those allowances had been commuted into a fixed annual allowance. He wished to know whether this class were required to pay Income Tax upon the commuted allowance; and if it appeared that that was the case, whether they were allowed to calculate the emoluments upon which they paid Income Tax as part of the Salary upon which they could claim superannuation?

Mr. PEEL said, that the Salaries only, and not the travelling expenses, were allowed to count towards the pensions of these gentlemen. No more of any commuted allowance than the excess received over what they actually paid for their travelling expenses was liable to Income Tax.

Sir STAFFORD NORTHCOTE: Have the Civil Servants a right to reckon the emoluments upon which they pay Income Tax as part of the Salary upon which they may claim superannuation allowance?

Mr. PEEL: Certainly not.

PROCEEDINGS AT HERAT.

QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the First Lord of the Treasury, Whether, with respect to events now occurring at Herat, any proceeding or operation, Diplomatic or Military, will be undertaken, either by the English or Indian Government, which should have a tendency to pledge this Country to any act of hostility against Persia, or to any step for or against any of the other powers of Central Asia, without the full knowledge and consent of Parliament and the Country?

VISCOUNT PALMERSTON: Sir, the only answer I can give the hon. Gentleman is that neither Her Majesty's Government nor the Indian Department have received any information whatever tending to show that any such operations against Herat have been undertaken by the Shah of Persia; and putting all the circumstances together, we are inclined entirely to disbelieve the report.

FORTS AT SPITHEAD.

QUESTION.

SIR JAMES ELPHINSTONE said, as the season for carrying on works was rapidly passing away, he wished to ask the First Lord of the Treasury, When a discussion will be taken on the propriety of proceeding with the erection of the three Forts at Spithead?

VISCOUNT PALMERSTON: Sir, the Commission to whom that question was referred in deference to the obvious opinion of the House of Commons, have not yet reported. Whenever their Report is made, it will be necessary, as we stated before Easter, to come to Parliament for a Vote, and on that occasion, of course, the question will be discussed. I am quite aware that that reference, together with the suspension of the works, has been attended with considerable expense; and if it should turn out, on the Report of the Commissioners, that these forts are necessary to co-operate with and support the nautical defences, then of course a certain amount of valuable time will have been lost. That we stated to the House; but the House were so entirely run away with, owing to the report of the encounter between the *Merrimac* and the *Monitor*, that it was in vain to attempt to stem the tide; and we felt that our duty compelled us to yield to what in debate and by other signs was manifestly the wish of the great majority of hon. Members. I will only add this—if I may be allowed to say so, without meaning anything in the least degree discourteous to the House—that when the House of Commons takes into its own hands administrative details, and takes them out of the hands of the executive Government, the probability is that such a course will be attended with increased expense and diminished efficiency.

MR. BENTINCK: I will beg to ask the noble Lord whether he is able to say at what probable time the evidence and the Report of the Defence Commission will be in the hands of Members.

SIR GEORGE LEWIS: The Commission, I believe, are considering their Report, or are about to consider it, and the information I have received leads me to think that they are likely to agree to it in about a fortnight; but I cannot pledge myself as to the particular time when the Report will be in print and ready to be laid on the table.

CEYLON.—RETURN MOVED FOR.

MR. LYALL said: Sir, in bringing before the House the subject of which I have given notice, I am well aware that there are probably many Members here whose acquaintance with the East and personal experience in that part of the world to which I am about to refer would have enabled them to call your attention far more effectually to the consideration of a question of so much importance. Those Gentlemen will, however, I trust, give us the benefit of their knowledge and experience this evening; and, for my part, I may say that I have not been induced to undertake this duty through any external influence, or at the instigation of any interested parties, but solely by a desire to promote the good government of our dependencies, and, as far as is consistent with justice and sound policy, to save the Imperial Exchequer. With this object, I hope to occupy the time of the House very briefly, and will take care not to weary it by reading many extracts and statistics; for this subject ought to be as interesting as it is important, if it had fallen into the hands of those who could treat it with the ability it deserves.

In advocating the transfer of so important a dependency as the island of Ceylon to another department of Her Majesty's Government, it may be as well, however, that I should refresh the memory of the House with a few facts respecting that colony. This island appears by all accounts to be perhaps the most beautiful, and in many respects the most interesting, in the world. Though tropically situated, it has a healthy climate and every variety of temperature. Nearly the size of Ireland, or about 25,000 square miles, it had a population of 1,876,000 by the census of 1860, and, in accordance with its usual ratio of increase it has probably, now, not far off 2,000,000. In 1835 it had 1,240,000, so that its annual increase has been about 2 per cent. The shallow channel dividing it from India is about sixty-five miles across, and in character, climate, religion, and to some extent in race, and in all the characteristics which mark a nation, it is essentially Indian. In Asiatic poetry it has been styled the pearl which has dropped from the brow of India ; and certainly within its comparatively limited area nature seems to have granted it everything which can make life interesting and attractive to mankind. Mankind, however, seem to have taken care that this paradise of our first parents, as it is sometimes regarded in Eastern story, should suffer here all the evils of the Fall, for its annals present a long career of war, famine, and misery ; but I will not trouble the House with any details of its early history. It is sufficient to state, that at the beginning of the sixteenth century the Portuguese took possession of its maritime provinces, and remained in the island till the days of Cromwell, when the Dutch drove them out; and these last, in their turn, were expelled by the East India Company, who in 1796 fitted out an expedition from Madras, and wrenched the island from their dominion in about three weeks without loss or difficulty. For two years, or till 1798, it was administered by the East India Company, when it was transferred to the Crown, and settled at the Peace of Amiens as a Crown colony in spite of the strongest remonstrances of the Marquis Wellesley against such a transfer. The province of Kandy, in the interior of the island, had, however, never been conquered by Europeans, but that mountainous region had always remained under its native princes. The treachery and cruelty of the last King of Kandy, and his invasion of our territories, obliged our Government in 1815 to dethrone him and expel him from the island. In 1817-18 another insurrection in that country followed, which was also soon quelled, and since that time no serious rebellion has taken place, for the insurrectional disturbances in 1834, and during Lord Torrington's rule, can hardly be called by that name. Good roads have now been made through the previous inaccessible district of Kandy, and, indeed, over the whole island, and I believe these highlands of Ceylon are as tranquil now as those of Scotland.

This Crown colony, as it is called, having comparatively few of our race, not more than 7,000 Europeans, and composed chiefly of Asiatics and Eurasians, is governed, like India, despotically; but the Governor is assisted, like the Governor General of India, by two Councils—one executive, composed of four or five of the principal officers of the colony; and the other, legislative, more numerous, representing planters, chiefs, and other proprietors in the island; but the paramount authority ever rests with the Governor. The civil service, though much improved of late years, appears at the same time to have become more expensive, absorbing more than a third of the largely-increasing revenue, and, according to Sir Emerson Tennant, who wrote in 1859, it is still in an unsatisfactory state; and of course, with such a limited area of selection, it is not easy to get men of the stamp and ability which has shed such a lustre over the service of the other part of our Indian Empire.

To quote the words of Sir Emerson Tennant, he observes—

> "Those who seek Administrative Reform will here find a rich field for their exertions. It is cumbrous and embarrassed, complicated in its processes, and slow in its performances. It is in reality a relic of the old Dutch system patched and altered by successive Governments to meet emergencies; but requiring at the present day fundamental changes to adapt it to the transition through which the colony is passing."

He then goes on to say—

> "Few servants of ability have been trained in the colony, and in fact the narrow area of selection obliges the Governor to refer to England for the higher posts in the service."

Further changes have lately been made at the Colonial Office, and cadets for the Ceylon civil service submit to a certain kind of competition in this country, the effect of which time alone will reveal.

With regard to the troops maintained in the colony, it appears by the Military Colonial Expenditure Committee of last year, that their numbers consisted of 846 European Infantry, 1,356 Native, and 135 Artillery, and 7 Sappers ; the colonial military disbursements amounted to £70,000, and the Imperial expenditure connected with this garrison, and to which I wish more particularly hereafter to direct your attention, amounted to £110,268, or altogether £180,268. Before going further, however, into the military question, I wish to state the amount of the revenue and expenditure of the colony during the last few years. It appears that the revenue, which in 1854 was only £408,000, had risen in 1860 to £767,000, or an increase of about 90 per cent, and an annual increase of about £50,000 on the average. The ordinary expenditure during the same period rose from £393,268 to £705,440, or an increase of expenditure in these years of nearly 80 per cent, or an annual increase of about £40,000; and altogether, after an outlay of £1,270,000 on roads, bridges, and other public works, there still remains in the hands of the Government a large accumulated revenue. The extension of coffee planting may be regarded as the leading cause of this improvement of the revenue, and of the general prosperity of the island. The exports of coffee in the year 1835 were only £1,870,143; in 1847, £33,000,000; in 1860, £69,454,847. The land revenue and customs more than doubled, as well as the tolls from the extension of roads; and nothing but the want of labour, which is dear, prevents extensive cotton planting. Though Malabars come in swarms from India, like the Irish for the harvests in England, still the supply is not equal to the demand.

But now, having shown such a flourishing state of affairs in the colony, perhaps I shall be asked, Why suggest any change now? Why not let well alone? Why not follow the old political maxim "*Movere non quieta*"? We could understand such a Motion immediately after the disturbances during Lord Torrington's government, when that noble Lord expressed his regret that Ceylon was not united to India; but now, when neither distress nor disaffection prevails, when is all calm, clear, and prosperous, surely, however geographically anomalous is the rule of the Colonial Office, you had better leave things as they are. I fully understand and appreciate the force of the argument, but in reply I would observe that this transfer is merely a very mild change, and not a revolution. The administration of the island under the orders of the Secretary of State for India and Governor General need involve very few alterations, and in fact none in the form of the internal government of the island. When under Dutch rule, though it had its separate governor and council, yet it was always subject to the paramount authority of the Governor General of the Dutch settlements at Batavia. It might, therefore, and probably would, retain its *quasi* representative institutions and character as a separate government or presidency. The change would lead probably to a considerable improvement in the civil service. It is, however, the military expenditure to which I have before adverted, and to which I would particularly direct your attention, because such a charge ought not to be thrown on the Imperial exchequer as £110,000, under whatever department the colony is in future administered. India has probably sent to England 180 millions for home expenditure of Government, and has never cost the public exchequer one 6*d*. from the time of its conquest. Why should Ceylon, which is really an insular portion of the same empire? In proportion to its population, the country and the Government are much richer than India. The revenue of India is about 6*s*. per head, that of Ceylon nearly 8*s*. 6*d*. or 9*s*.; and it has also a surplus revenue, after large deductions for public works. It has far less to fear from foreign aggression, as its iron-bound coast and insular position enable our navy to give it efficient protection. The garrisons, therefore, can only be required for police purposes, and internal pacification. If the whole forces of our Indian possessions, insular and continental, were under the orders of one Commander-in-Chief, he could secure the military protection of the island on more efficient and economical terms; for, with the facilities of intercourse that steam creates, and the additional power which unity of action and command will afford, the forces of India might be employed at such times and in such a manner that the garrison of Ceylon would involve a very slight increase of the whole Indian army.

I could here quote the opinions of many statesmen to whom the House has been accustomed to listen more or less in favour of this view. Before the Committee on Colonial Military Expenditure, last year, both Lord Grey and the Duke of Newcastle thought that ultimately Ceylon should defray her whole military expenditure. Mr. Herman Merivale, formerly Under Colonial Secretary and now Under Secretary at the India Department, declared before the same Committee that he did not see any reason why the colony should not, like India, pay its whole military expenses, and that the present system, to quote his exact words, was based merely upon practice. Sir William Molesworth observed, that physically and morally it belonged to our Indian Empire, and advocated in the strongest terms its transfer to the Indian Department. Lastly, the Marquis of Wellesley deprecated most strongly the transfer of the island to the Colonial Office in several most able despatches, well worthy the consideration of Her Majesty's Government, where he lays down the principles and reasons which induced him to propose that this bulwark of our Indian Empire, as he calls it, should remain under the orders and control of the Governor General and Commander-in-Chief.

Now, Sir, concurring with these authorities in recommending to the House the annexation of Ceylon to our Indian possessions, I will not presume to suggest what changes the Secretary of State for India, with the concurrence of Parliament, might establish. He would, I imagine, be influenced by the general opinion in the colony, as there is a mode of ascertaining the views of all the leading merchants, planters, &c., in that island, through their Legislative Assembly. If they wished to pursue their present form of government, distinct from any other Presidency, there could be no objection, I imagine; provided always that the paramount authority of the Governor General prevailed there as in other parts of India. The exchequer might be kept separate, as, of course, Ceylon could not be held responsible for any portion of the debt of India; and as we see that there is a very decided surplus revenue, no additional burden would in any way be attached to that country to which it would be annexed.

I believe, Sir, I have now stated the principal reasons which have induced me to lay this subject before the House, and they may be summed up as follows:—1st. Unity in the military administration of our Indian Empire; 2nd. Improvement in the civil government of the island; and 3rd. Economy to the Imperial exchequer. I would have referred, if I had not been afraid of wearying the House, to the intimate connection which steam is daily increasing between this island and the peninsula—to the many questions rising up in which they are mutually interested, such as the improvements of Galle Harbour, the Lights on Bass Rocks; also, the improvement in the navigation of the Straits, a Committee on which last subject is now sitting up stairs.

Important as these commercial questions are, it is the military one which is of paramount importance, and I trust that this House will not delay legislation on this subject till the mistakes and disasters of some future war show the evil of a double government and divided command in our Eastern dominions.

Mr. CHICHESTER FORTESCUE said, he was glad to find that the hon. Gentleman had not called upon the House by a substantive Motion to pledge itself to any opinion. When he first saw the hon. Gentleman's notice in the books he was under some fear that the hon. Gentleman had discovered some abuse in the Government of Ceylon, or discontent on the part of its inhabitants, which had certainly not reached the ears of the public or of the Government of this country. He was, however, reassured by a knowledge of the fact, which, no doubt, was known to the hon. Gentleman and to other Members of the House, that there were other possessions of the late East India Company in the East, the inhabitants of which, there was every reason to believe, desired to see a contrary process take place to that proposed by the hon. Gentleman—namely, a transfer of themselves from the Indian department to that of the colonies. Upon listening to the speech of the hon. Gentleman, he was gratified to find, as a representative of the Colonial Department, that the hon. Gentleman's reasons for making his proposal were not that he conceived Ceylon to be ill-governed, or that any discontent or want of prosperity prevailed there. On the contrary, the hon. Gentleman admitted that Ceylon of late years had been well governed, and had consequently attained such a degree of prosperity and wealth that he was anxious to liberate it from the tutelage of the Colonial Office, and to relieve the Imperial Government from any expense whatever on its account. About the prosperity of Ceylon he (Mr. C. Fortescue) thought there could be no question. That prosperity was of very recent date. There was every prospect that it would continue. It dated only from the suppression by Viscount Torrington of the last Kandian insurrection. Since that time the finances of the colony had been restored to a healthy state and Ceylon had continued to progress in prosperity. The revenue was the best test of prosperity. In the year 1854 the revenue of Ceylon was £400,000. It had remained stationary at that point for many years antecedently. But shortly after the year 1854 the revenue increased, and in the year 1860 it became £760,000. That increase of the revenue was closely connected with another gratifying fact—namely, the amount of public works undertaken in the colony. Between the years 1855 and 1860 no less than £1,000,000 had been expended in public works, of which £630,000 had been spent upon roads and bridges and means of internal communication, which were essential to the prosperity of a country like Ceylon. Up to last year no less than 1,800 miles had been made of those magnificent highways which penetrated the mountains and destroyed all prospects of disaffection in the central parts of the island. Education was at the same time advancing, and the social habits of the people were improving under the influence of growing prosperity and of the example of the European settlers. Within the last few years an ordinance had been passed by the Ceylon Government, at the request of the natives, which would have the effect of putting an end to polygamy. An opinion certainly had been expressed by Lord Wellesley in favour of transferring Ceylon to the Indian Government; but that was as long ago as 1803, and the opinion was almost wholly founded on the contingencies of a state of war, when it was advisable to concentrate all the military power in one hand. But that did not apply to the present state of things. Under these circumstances there seemed to be no reason why the people of Ceylon should desire to be transferred from their present system of Government under the Colonial Office to the Indian Department; but if such a wish were manifested among them, and if its gratification should be generally considered in this country to be desirable, the Colonial authorities would not offer any opposition to its accomplishment, although they would naturally feel some regret at parting with an island whose general condition reflected, he believed, some credit on their administration. As to the saving of military expenditure, the number of troops in Ceylon was only 2,200; ten years ago the ordinary number was 4,000. The annual military expenditure of the Imperial Government was £110,000; but the Colonial expenditure for the same purpose was a larger amount, £116,000; and in Ceylon the Imperial Government held very valuable harbours and military stations. The question of the military expenditure in Ceylon had been under the consideration of the Colonial Department. His noble Friend the Secretary of State was well aware of the important evidence given by Mr. Merivale and Lord Grey before the Select Committee, and had expressed his own opinion that the time was come when Ceylon ought to bear, if not the whole, a large proportion of that expenditure. The circumstance that Ceylon was in the immediate neighbourhood of India, which was full of Imperial troops, was a good reason why the charges on account of military expenditure in Ceylon should be reduced. It would not necessarily follow that the charges on Ceylon would be increased. Indeed, strong remonstrances had been addressed to the Colonial Office upon the present excessive amount of the military expenditure, and he thought it might turn out that the garrison could be so far reduced as to diminish the charge upon the Home Government without any serious increase in the amount to be borne by the finances of the island. The Government were fully alive to the importance of the subject, and he could assure the House it was still under their consideration.

LORD STANLEY thought it was better, on the whole, to leave the administration of Ceylon where it was. In the first place, to put it in plain words, India was quite large enough already. If the extent of that empire was one of the great difficulties of its administration, tasking to the utmost the energies of any man, it was unwise to increase the labour and responsibility of the Governor General, especially as the difficulty of governing was likely to increase with the growth among the native population of European ideas. In the next place, he did not believe the people of Ceylon desired the change. When he knew something of the island, some ten or eleven years ago, union with India was the one thing deprecated as contrary to their interests. As the matter now stood, they were in direct communication with England if any question arose which could not be dealt with by the Government on the spot; but if Ceylon were connected with India, upon any such question there must first be communication with Calcutta, and then communication from Calcutta to England. It was obvious that that could not be done without considerable delay and inconvenience; they would become, in fact, the dependency of a dependency. There was some advantage also in the smallness of the island, compared with India. The Governor of Ceylon, if a man at all equal to his post, ought to have a personal knowledge of every part of the country and of every official person who was employed in it. The value of the master's eye was proverbial, and that would be lost if the colony were turned into a lieutenant governorship. He thought there was a further advantage in having the experience of working two different and separate systems of administration, much as they resembled each other, in Ceylon and India, where the population was nearly of the same character. As to the finances, the debt of Ceylon was insignificant. India had a heavy debt; and if the two administrations were fused, some very inconvenient and complicated arrangement would be necessary to avoid the manifest injustice of making Ceylon responsible for obligations which it had no share in incurring. It was said that there would be a wider choice of civil servants; but practically it was found, as in the case of Singapore and the other Straits settlements, that the ablest men shrunk from volunteering for outlying posts, where they would be distant from the notice of the Governor General and in danger of being forgotten. Only a comparatively small number would qualify for service there by learning the languages, which would be useless to them if transferred to the mainland. As to the importance of military union, all that was required was to give the Governor General something like the same supreme power over the island which the Governor General of Canada exercised over the other North American colonies. The question had never practically arisen, and he did not see why it should raise in future. The future dangers of India, in a military point of view, could not well be greater than those already gone through. As to the anomaly of Ceylon paying only part of the military expenditure, while India paid the whole, he thought his hon. Friend was quite right, and certainly the hon. Under Secretary, in treating that part of the case, showed that it was difficult to give a satisfactory answer. Singapore and Malacca had for years asked to be transferred from the Indian to the Colonial department. He thought their request was reasonable, that they understood their own interests, and that an opposite change in the case of Ceylon would be very much objected to by the people of the island.

Mr. LYALL: I am well aware that the House is very anxious to go to a division on another subject. I will therefore not detain it by any reply, but content myself with observing that I am glad, at any rate, to have the assurance from the Government, that although they are not prepared, and perhaps not in favour of the transfer of Ceylon from the Colonial to the Indian Department, yet they agree with me that its military expenditure ought not to fall upon the British Exchequer; and I trust that the Government will take care that no charges in future connected with that colony are entailed upon this country. I beg, Sir, to move for the returns of which I have given notice.

Motion *agreed to.*

Return *ordered—*

"Of all Charges, Civil, Military, and Naval, defrayed out of the Imperial Exchequer on account of the Colony of Ceylon during the five years ending the 31st day of December 1860."

MAYNOOTH COLLEGE.

COMMITTEE MOVED FOR.

Mr. WHALLEY said, he rose to move—

"That this House will immediately resolve itself into a Committee to consider the Act of the 8th and 9th of Victoria, for the endowment of the College of Maynooth, with a view to the Repeal of the same, due regard being had to vested rights and interests."

He owed an apology to the House for again bringing the subject under its attention. He desired hon. Members to observe, however, that the Motion was not for the withdrawal of the grant to Maynooth, but for the repeal of the Act of 1845, by which that grant was withdrawn from the control of the House. The only effect of the Motion would be, to restore to Parliament the power of dealing with the question in any way it might think proper, and to superintend the administration of the grant. The subject had been so often discussed in former years, and the House had so very recently expressed an opinion by a large majority in favour of small grants for the payment of Roman Catholic chaplains, and also in favour of a grant for the erection of a chapel in connection with some Hibernian college, that he thought it only respectful to the House to present the matter to them in some other shape than it had hitherto borne. The fact was that the grant of £30,000 a year directly to Maynooth College was of itself but a mere trifle compared with other grants to Roman Catholic priests in this country. As much as £300,000 was paid to these men openly and avowedly, but indirectly and surreptitiously they received as much again, if not more, in the shape of grants to female refuges, reformatories, and so on. The time had arrived when the whole question, whether the Roman Catholic religion and the education of the Catholic priests should be supported out of the revenues of the country, should engage the real and earnest attention of the House. Upon that subject he begged to refer to the speeches of the noble Lord at the head of the Government and the Chancellor of the Exchequer, which had been re-echoed throughout the whole of Europe, with regard to the affairs of Italy. The question was not one of mere money, but of principle. It was bad enough that we should maintain an institution which taught young men lying, perjury, thieving, and homicide. ["Oh, oh!"] These were not his own words, but the language of others. It was not merely a question of averting that civil war, to prevent which the late Duke of Wellington granted Catholic emancipation, but it was a question involving the consistency and the honour of this country in its relations with foreign powers. How could the Government profess to sympathize with Italy in her struggles for liberty when they gave directly £30,000 to Maynooth, and £300,000 surreptitiously and indirectly for the maintenance of those priests who belonged to the identical body which was described by the noble Lord and the right hon. Gentleman as arrayed in opposition to the Italian people? By making those grants they had actually enabled those priests to save their own money and to spend it in equipping brigades for the support of the Pope, which, though it was an evasion of our law, was done, he might almost say, with the sanction of the noble Lord himself. So far as the Roman Catholic religion was concerned, he had nothing to say on that occasion; he left that to be discussed in pulpits and elsewhere, and he would endeavour to deal with the question on a broader view—to bring it before the House not only as respected the grant to Maynooth, but as regarded the various other surreptitious grants he had mentioned. It was time that they laid down some principle as to the extent they were prepared to go in endowing Roman Catholic priests in this country. [*Cries of* Divide, divide!] He was sensible of his inability to engage the attention of the House; but he was desirous to save it from future discussion on the subject. Hon. Gentlemen on the other side of the House seemed rather over confident, but the matter was really entitled to the earnest attention of the Government. What were the advantages which Sir Robert Peel professed would accrue when he adopted the extraordinary course of withdrawing the grant from the annual consideration of the House? They were, that it would avoid discussion and prevent irritation. But was a Minister, when he happened to have sufficient power for the purpose, to put a stop to all further discussion on such grants by passing an Act of Parliament—grants which engaged the interest and feelings of a large portion of the community, and which at other times he would probably have found it difficult to get the House to pass? If the object which Sir Robert Peel had in view was to prevent discussion, that object had been defeated. The subject had continued, and must, so long as this country remained a Protestant country, continue to be discussed. A serious violation of the constitution had been committed by with drawing the grant from the consideration of the House. The withdrawal of the grant from discussion was considered to be the advantage of the Act of Parliament; but what were its disadvantages? They were these—No sooner had the Act passed than the whole policy of the College of Maynooth was changed. Previously the doctrines taught at Maynooth were those which were termed Gallican; but the moment the Act was passed they were abandoned, and the doctrines of the Ultramontane school were substituted for them. The complete effect of those doctrines was exhibited by the Papal aggression of 1851, and the introduction at that time of the whole body of the Canon Law into this country. To show how rapid had been the progress of the Roman Catholic religion since the grant was made permanent, he might state that in 1845 there were in England 757 priests, now there were 1,388; in 1845 there were 517 chapels, now there were 1,019; in 1845 there were three monasteries, now there were 50; in 1845 there were 31 nunneries, now there were 162. The aggression of 1851 was condemned by almost the whole people of England. Every county and every town indignantly protested against it. The Government undertook to meet it, and the result of their promise was the passing of the Ecclesiastical Titles Act. Many Members of the present Government were then in office, and he asked how they could continue and even extend these grants, when the provisions of that Act were continually, and almost daily, violated by the prelates of the Roman Catholic Church. A few nights before, when objections were made to the Vote of £550 for the Catholic gaol chaplains, a right hon. Gentleman on the Treasury Bench had asked, would they dare to take away the money voted for army chaplains? He told the House plainly that the doctrines taught at Maynooth, and all other exclusive Romish seminaries, were theft, homicide, murder, and sedition. It was impossible to speak more plainly than that; but for him to attempt to substantiate the statement would be idle, because the House would not listen to the proofs. The chronic spirit of disloyalty organized and disseminated at Maynooth sufficiently occounted for the difficulty of governing Ireland and the obstacles encountered in all their attempts to promote the happiness and welfare of that country. Could there be anything more inconsistent than for the colleagues and subordinates of the noble Lord at the head of the Government to support a grant to a section of that very Ultramontane power against which the noble Lord himself had launched such a thunderbolt a few evenings since? What possible reason could there be for removing the grant from the control of the House? What would be thought of a proposition to make perpetual the grant for education, or for the army or navy? Such a proposition would be scouted by the House, and would not be tolerated for a moment. Was it not right that he, on the part of those he represented, should ask the House to consider this matter? If the Motion were granted, and the Act were repealed, some person of more importance might take up the question. It was said that this grant was the result of a compact, and consequently that they could not repeal the Act; but in a former debate Earl Russell said there never was a compact. Sir Robert Peel also said that the Act was passed without any stipulation or compact with the Roman Catholic priests or authorities at Maynooth, and the matter was left entirely open for the future consideration of Parliament. It was said that the Protestant population of Ireland were much less in point of number than the Roman Catholics; that their Church was better endowed, and that the sum of £30,000 a year was but a small pittance to give to the Roman Catholic population. In that he would entirely concur if he could assume that there was any parity between the two classes. It was said the Roman Catholics formerly possessed the Church revenues; but supposing that was the case —which it was not—the very fact of their having forfeited them by massacres, and by every offence that it was possible for any incorporated sect to commit against all laws, human and divine, was a fitting reason for not restoring them, until, at all events, they had the matter fairly considered. The numbers of the population or the amount of the endowments had nothing to do with the question. The question was one of principle. Either the Protestant Reformation was right or it was wrong. If persons thought it a mistake, let them raise the question broadly, and have it discussed. But if that Reformation had been right and just, it was an act of political suicide to endow institutions diametrically opposed to Protestantism. Then it was said that the principle of civil and religious liberty required that they should tolerate all opponents, and that it would be quite inconsistent that this country, representing as it did the principle of civil and religious liberty, should make any distinction in favour of one sect. There could not, however, be a greater abuse of the phrase "civil and religious liberty" than to employ it in extenuation of endowments to men who were the hereditary and avowed enemies of civil and religious liberty, and who treated the idea itself as a farrago of nonsense. If the House favoured him for a few minutes longer, he would wish to allude to some observations which he had occasion to make a few evenings ago. An hon. Member had denied that disloyalty was taught at Maynooth. When that denial was made, he had not an opportunity of replying to it, but he should now do so. He asked that the House should resume their power over the Maynooth grant; and, notwithstanding the warning given to him by his hon. Friend the Member for Liskeard (Mr. B. Osborne) against quotations, he should take a future opportunity of proving to the House that the students at Maynooth were indoctrinated with sentiments utterly inconsistent with loyalty, and that those sentiments accounted for the difficulty of governing Ireland. In spite of the efforts which had been made to conceal those things, there was now at the command of the House evidence amply sufficient to prove that disloyalty was taught at Maynooth, and that it would be inconsistent with the instruction imparted there that the priests sent forth through Ireland should be anything but seditious and disloyal. Let hon. Members go to Wales. The people of Wales, in point of race and language, were aliens to this country in a greater degree than were the natives of Ireland; yet there was no disloyalty in the Principality. In conclusion, he had only to direct the attention of the House to the particular form of his Resolution. He did not ask the House to go into Committee for the purpose of withdrawing the grant. He had no hesitation in saying that for this year he would support the grant to Maynooth, in order that there might be no violent interruption, and that there might be time for full inquiry. What he wanted was to have the Act of 1845 repealed; and with that object he begged to move that the House should immediately resolve itself into a Committee to consider the Act of the 8th and 9th of Victoria, for the endowment of the College of Maynooth, with a view to the repeal of the same, due regard being had to vested rights and interests.

MR. SOMES seconded the Motion. He said, I rise with great pleasure to second the Motion which has been so ably brought before this House by the hon. Member for Peterborough, and I do so with a lively, but not a very grateful recollection of the reception I met with on a former occasion from certain hon. Members below the gangway on both sides of the House. I have this day had the honour of presenting a petition from the Borough of Hull, with upwards of 5,000 signatures attached, praying for the withdrawal of all endowment from the College of Maynooth, which is some warrant for my occupying the attention of the House. I think, that as a mere question of money, the matter now before us is not unimportant, for, as the House is aware, the expenditure on Maynooth College up to 1845 was £500,000, and from that year to the present it has reached to the sum of £900,000. It is important to remark that the cost to the country of each priest educated at Maynooth, as shown in a return moved for by the hon. Member for Peterborough, and recently presented to this House, is £500. I also find that the grants to Romish Schools in Ireland in thirty years, from 1833, amount to about two millions and a half, and to those in England in the course of the last ten years about a quarter of a million. I venture to say that in the opinion of the great body of Protestants throughout the kingdom this outlay is worse than thrown away, and that no possible good can be expected to arise from it. Moreover, I do not find that any sum is levied from the taxation of the country for the education of pastors of any other religious community, and therefore I contend that this grant is an anomaly which ought to be reconsidered by this House. To show the tendency of the teaching at this College, I may observe, that although all the Roman Catholic Prelates in Ireland, except three, have been educated there at the public cost, they do not set the example to their flocks of obedience to the laws by constantly signing their names to pastoral letters with the assumption of ecclesiastical titles in direct violation of the law. I need scarcely allude to the events of the late election for the County of Longford; but I hold in my hand a letter from a priest, from which I will read an extract——

MR. VINCENT SCULLY: May I ask the hon. Member whether he is speaking or reading his speech?

MR. SOMES: If the hon. Member is anxious to speak, I beg to assure him I shall not be long.

MR. VINCENT SCULLY: The hon. Gentleman has not answered my question. I want to know whether he is speaking or reading his speech.

MR. SOMES then read the following extract from a letter of the Rev. J. Vaughan, P.P., who is a leading member of St. Patrick's Brotherhood, as lately published in the *Irishman* newspaper:—

> "From the coast of Labrador to the Mississippi, and from the Mississippi to San Francisco, I shall rouse the anger and execration of every portion of my countrymen, and of every lover of freedom and mankind, on the murderous assault now being made on the defenceless, destitute people of this country by the English Government.
>
> "Very faithfully,
>
> "JEREMIAH VAUGHAN, P.P."
>
> "D. Holland, Esq."

He also read an extract from a speech of the same gentleman delivered in the Rotunda, Dublin, 17th March, 1862, as follows:—

> "As we have no hope of aid from the Government, I would suggest that a deputation should go to France, and ask our Celtic brethren to come to the aid of our broken-hearted, neglected countrymen. I will offer myself as a member of that deputation, and assist to place Ireland in her sores, not only before France, but before every city gate in Europe; and by that means bring the withering execration of the civilized world on the Saxon destroyers of our blood and kindred."

Such, then, it appears, is the gratitude to be expected from the recipients of such bounty. But by far the most important part of the question is the principle involved. We have, thank God, a Protestant Queen on the throne, whose first title to that throne is her Protestantism, and who is sworn, in the words of the Coronation Oath, to maintain "the laws of God, the true religion of the Gospel, and the Protestant Reformed Religion, established by law." And yet this House calls upon Her Majesty to sanction this grant. For what? For the education of priests at Maynooth, where the books in use lay down rules subversive of all authority save that of the Pope of Rome, who calls Her Majesty a heretic, and absolves, or claims to absolve, her subjects from their allegiance. For these and other reasons I cordially support the motion for the repeal of the grant.

Motion made, and Question proposed,

"That this House will immediately resolve itself into a Committee to consider the Act of the eighth and ninth of Victoria, for the Endowment of the College of Maynooth, with a view to the repeal of the same, due regard being had to vested rights and interests."

Sir ROBERT PEEL: I wish, Sir, before the House goes to a division to say a few words on this subject. I admit that the question now before us has given rise to considerable difference of opinion; but as it is one which has been so often discussed without producing any change in the conscientious convictions of those who agree with the hon. Member for Peterborough (Mr. Whalley), I shall, with the permission of the House, as far as possible pursue the course which has been followed during the last few years. If I have risen to address the House on this occasion, it is rather from a feeling of respect for the honourable motives and conscientious convictions of those hon. Members who desire to withdraw this grant than from a desire to enter into any discussion upon the merits of the case. The hon. Member referred to the Act of 1845, introduced and passed by the Government of that day. Of course it is not at all necessary for me to enter into the history of this grant. The House is well aware of all the leading circumstances connected with it, and I would therefore merely refer to one point as bearing upon certain statements made by the hon. Gentleman. The House is aware that this grant was originally made in 1795 by Mr. Pitt, of whom Lord Macaulay has said that "he was the first English Minister who entertained a really sanguine intention of benefiting Ireland by endeavouring to place the people of Ireland upon a footing of equal laws, equal rights, and equal liberties." Well, what had been done by Mr. Pitt remained, with various modifications, until 1845; and the hon. Gentleman is quite correct in saying that the grant, as it exists at present, was established by the Government of Sir Robert Peel in that year. I am bound to say that the grant was established by Sir Robert Peel with a sincere desire to conciliate certain interests in Ireland, and to promote and accomplish those great results which Mr. Pitt formerly aimed at; and I maintain that, from motives of justice as well as policy, the House of Commons has adopted the principles of those two Ministers. The hon. Gentleman has said that it is not the withdrawal of the grant, but the repeal of the Act of 1845, that he seeks to accomplish; but that is precisely the same thing, and therefore I think the House cannot agree to the Motion. I am quite ready to admit that the expectations of the Government of 1845 have not been thoroughly realized. But at the same time, when the hon. Member makes use of the language which he has employed, I am bound to say that the object of that measure was to endeavour to relieve and remove religious irritation, and to unite in one common bond, without distinction of creed, all the subjects of the Crown. I say, perhaps that result has not been accomplished; but I am bound to add that, in my humble judgment, it would not be well for the House of Commons to rescind the arrangements made in 1845. But if the House of Commons does decide upon that course, I would ask whether it would be becoming in me, looking to the past, to be in any way the direct official agent in the reversal of a policy which successive Parliaments have confirmed, and which has been in operation since 1845. The Government must therefore oppose the Motion. I would make one other observation with respect to the grant before I sit down. The hon. Member for Peterborough said that it was surprising that the noble Lord at the head of the Government and the Chancellor of the Exchequer should be in favour of this grant, because to support the grant to Maynooth was to manifest hostility to Italy. Now, the hon. Gentleman has quite misinterpreted the views of the Government. The Maynooth grant is a question between Protestants and Catholics, but in Italy the question is between Roman Catholics themselves. I maintain, therefore, that the policy of Her Majesty's Government is perfectly consistent. Entertaining these views, I beg to say that it would be quite impossible for me to give my assent to the Motion of the hon. Member.

Mr. NEWDEGATE said, that whenever an attempt had been manifested in the House of Commons to treat with disrespect a large section of opinion in this country, he had always known it to fail. He had had some experience of the House, and had seen many efforts made to crush debate; but he thanked God he had never seen one successful when directed against any opinion entertained by a large body of the people of England. He rose to correct a misapprehension into which the right hon. Gentleman the Secretary for Ireland seemed to have fallen. The right hon. Gentleman had said that the principles of the Act according to which the present Maynooth Grant was administered were the same as those on which the scheme of Mr. Pitt was proposed. No two sets of conditions could be more different. Mr. Pitt simply granted a charter to Maynooth in order that the Roman Catholic community of Ireland might educate the priesthood of their communion, as all other denominations in this country educated the ministers of their religion. There was no pretence for saying that the endowments of colleges and universities of Oxford and Cambridge were the gift of Parliament. They were the gift of the people, who held the religion they desired should be taught. It mattered not whether the nation were Roman Catholic formerly and Protestant now; those endowments had merely followed the change in religion which had taken place at the Reformation. They were granted by a denomination, and were the property of that denomination; and all that the hon. Member for Peterborough, whose able speech he rejoiced to have heard, asked the House to do was to replace Maynooth in the position in which Mr. Pitt had placed it, as an institution maintained by the Roman Catholics for the education of the priesthood of their religion. That was no unreasonable request. It was idle to say that the whole Roman Catholic ecclesiastical property belonged to the Pope. It never belonged to the Pope, but belonged to the people. It was wished that Maynooth should be in the same position. Looking to the state of the Continent, and of Roman Catholic countries, it was obvious that it was for the real interest of Roman Catholics that the proposal before the House should be adopted. In Spain the religious endowments had been resumed by the people. In France the religious endowments had also been resumed; and at that moment there was before the Legislature of France an able document, drawn up by M. Dupont, recommending the Government to prevent an unlimited appropriation of the property to convents. In short, the modern history of the Church of Rome showed that a particular political sect in that Church—having grasped the supreme power in that Church—had throughout Europe of late years exercised it so tyrannically, that it was for the interest of Roman Catholics that they should take back into their own control such endowments as were the subject of discussion. He wished the Roman Catholics of Ireland to have the same power over Maynooth as the Roman Catholics of Spain and France and Italy possessed and had exercised over similar institutions in those countries. The country had had proof that the teachers of a political sect in the Romish Church—called the Ultramontanes, but who were, in fact, Jesuits or their followers—had grasped the endowments, and were using them to educate the priesthood of Ireland for their own political purposes. There was no religious intolerance in making that assertion. It was this same grasping spirit of Jesuitism that sent out the brigands in Italy, and disgraced the head of the Roman Catholic Church. Nothing could be more unwise than to leave in the hands of that sect the uncontrolled means of disseminating their destructive doctrines throughout the sister country. That was the position he took—that was the justification of his vote. He rejoiced to hear the right hon. Baronet the Secretary for Ireland (speaking with all that deference which was due of the benevolent feelings which actuated his father in proposing this grant) acknowledge that the change which had taken place in the action of the Church of Rome under the Ultramontane influence to which he (Mr. Newdegate) had referred, had defeated the object with which the Maynooth Act was framed, and the grant was made in 1845; that object was the restoration of peace to Ireland. The fact was, that Government after Government had permitted the Jesuits to form establishments in this country. They were avowedly a political body; they were avowedly an aggressive body. They had been ejected not less than fifty times from Roman Catholic and Protestant States, who found that their actions were inconsistent with the welfare of society. That was matter of history. If it was the pleasure of the House and the Legislature, acting on the lax principle of modern Liberalism, to permit the existence and action of a body, which was the sworn adversary of the religion of the majority—if it was their pleasure to permit that aggressive body free action, they must either succumb to all their demands, or the House must resist them. But it was better that the contest should be conducted in a fair spirit than that excitement should grow upon the subject. He remembered a conversation he had had with the late Mr. Hume, who deprecated the agitation of the question. He (Mr. Newdegate) asked him whether it was not better to decide these matters in the House of Commons, with the opportunity of fair discussion and deliberation, than to leave the controversy to accumulate until it resulted in violence. At the termination of the conversation Mr. Hume said, "It will come to this, do what you will: we shall have to take to the hill-side, with the claymore in one hand and the Bible in the other." The repeal of the law under discussion was no more beyond the power of the House than the repeal of any other law. Some hon. Gentlemen seemed actually to believe that they could not interfere with the Act of 1845: they based their opinion upon a continuity of the grants before the Union with Ireland, but that continuity had been broken. They likewise sought to found themselves on a guarantee given for the grant at the time of the Union; but that guarantee, if ever valid, had been but for twenty years, and that period had long since elapsed. The conduct of this Ultramontane sect proved, that whether it acted through a democracy or through a despotism it was equally the enemy of constitutional freedom. There were advocates of that sect who boasted that they could take advantage of the benevolence of the people of England and frustrate their laws, but he told them that the people of this country had power to counteract such efforts. In supporting the Motion of the hon. Member for Peterborough, he claimed for the Roman Catholics of Ireland the same liberty of controlling the education of their priesthood which was possessed by the Protestants of England.

Question put.

The House *divided:* Ayes 111; Noes 193: Majority 82.

HARBOURS OF REFUGE.

RESOLUTION.

MR. LINDSAY said, he rose for the purpose of submitting to the House a Resolution on the subject of Harbours of Refuge. The Resolution to which his Motion referred was in favour of carrying out the recommendations of a Royal Commission of which he (Mr. Lindsay) had been a Member. In the course of the debate upon a similar Resolution, which he moved two years previously, the hon. Member for Montrose (Mr. Baxter) objected to the formation of the proposed harbours of refuge, and moved the Previous Question, not that he was opposed to the granting of public money for the purpose of saving life and property, but because, representing a maritime town, he was in favour of grants to existing harbours. The hon. Member and the Provost of Arbroath had both given evidence before the Commissioners, and they stated that an outlay of £10,000 at Arbroath would prove a great public benefit. With respect to Arbroath, however, the Commissioners were of opinion that it was one of the last places at which they would recommend Government money to be laid out. On the former occasion, the right hon. Gentleman the President of the Board of Trade, whilst he opposed the Motion, seemed to agree generally in his (Mr. Lindsay's) views. He admitted that the want of harbours of refuge was a great evil—that it was the duty of the Government to do what they could to remedy that evil, and he repudiated the idea that the Government had any intention of evading the question or of shuffling out of the Resolution at which the House had arrived in a previous Session. The noble Lord at the head of the Government on that occasion also said that it was impossible for any one who had gone through the Reports of the Committee and the Commission, and had seen the vast amount of life and property lost by shipwreck on the coast, not to be convinced of the absolute necessity of providing harbours of refuge; and he assured the House that it was most unjust to the Government to state that this matter had not occupied their serious attention; that they were not fully alive to the importance of the subject, or that it was not their intention to deal with it, as it undoubtedly would be their duty next Session to bring the matter before the House in some practical shape. The same pledge had been made by various Governments for ten years, and yet nothing had been done. Two years ago he divided the House, and carried his Resolution by a majority of seventeen, and yet in the face of that Resolution and those pledges on the part of Her Majesty's Ministers nothing, he might say, had been done. It was true that last session a Bill was introduced for the purpose of giving facilities for loans for Harbour Works, but upon the main question of constructing harbours of refuge nothing had been done; and, consequently, he had felt bound, though reluctantly, to bring the subject again under the consideration of the House. It had, in fact, been under consideration for the last ten years; and a Committee, of which the late Mr. James Wilson was Chairman, and which sat for two Sessions, reported that they earnestly pressed upon the House their strong conviction of the necessity of these works being undertaken at as early a period as possible, and upon a system that would secure their steady and speedy progress. Since that time there had been an enormous and rapid increase in the amount of shipping. In the eleven months ending the 31st of December, 1851, there entered and cleared from our ports, vessels employed in the foreign and colonial trade, to the amount of 12,500,000 tons. But in the eleven months ending in December, 1861, there were entered and cleared no less than 23,560,000 tons—showing an increase of nearly double in ten years. In the eleven months ending with December, 1851, there were entered and cleared of vessels engaged in the home trade 20,500,000 tons; whilst in the same period in 1861 there were 32,000,000 tons of such vessels; so that the increase in the amount of shipping employed in our coasting, foreign, and colonial trade in ten years was no less than 23,000,000 of tons. Now if the measure were necessary in 1851, if it were necessary in 1857, how much more was it needed in 1862, when the number of vessels entering and clearing out of our ports was nearly double! The Committee were unanimous in recommending the construction of harbours of refuge, and they also recommended that a Royal Commission should be appointed to visit the coasts and report as to the proper sites for these harbours. Of that Commission he (Mr. Lindsay) had the honour to be a Member. They visited the whole coast of Great Britain and Ireland, and examined all the proper spots which might be selected for harbours. Commencing at Wick, they found that from Pentland Frith to Cromarty, a distance of eighty miles, an iron-bound and dangerous coast, there was not a single harbour which a boat could enter at low water. They also found that no less than 1,700 boats and 8,000 fishermen were engaged in the herring-fishing trade on that coast. It was given in evidence before the Commissioners that in one gale alone thirty-seven of these brave and hardy men were lost in the space of four hours in sight of the inhabitants of Wick, who were powerless to assist them; and it was clearly shown that if a harbour had existed there, they would not have been lost. From the north-east of Scotland they proceeded to the north-east coast of England. They found that for a distance of 105 miles northwards from Flamborough Head there were none but tidal harbours. In fact, there were no harbours into which even small vessels could enter at low water. It was no unfrequent thing to see as many as 500 vessels at a time from Flamborough Head. It often happened that as many as 1,000 vessels left the ports on the north-east coast at one tide. Now, let hon. Members imagine an easterly gale coming on. What would the effect be? In two gales of wind between the years 1854 and 1857 as many as 138 ships and 109 lives were lost on that coast alone; and during the years 1860 and 1861, since he had last addressed the House on the subject, within seven miles of Hartlepool no less than 101 vessels of 109,000 tons, had been stranded or wrecked, and 65 lives lost. The Commissioners then went to the Land's End. They found that from the Land's End to Hartland Point, a distance of sixty miles, there was no harbour of refuge. St. Ives was the point at which they thought it would be most desirable to construct one, as it was in their opinion "contiguous to the great highway of all ships entering or leaving either the English or Irish, as well as the Bristol Channel." They then visited the coast of Ireland, where they inspected the magnificent natural bays of Carlingford and Waterford. They considered it most desirable that the natural advantages of those bays should be turned to account, and they recommended that the channels of entrance should be improved so as to make them six hundred feet wide and thirty feet deep at spring tides. A sum of £50,000 was all that was necessary to be expended in widening and deepening each of these bays, and that sum would make them excellent harbours of refuge. Proceeding next to the Isle of Man, they found that there was a total absence of deep-water harbours in the island, and that its shores were generally of a rocky nature.

A harbour of refuge at Douglas would be of great value to ships navigating the Irish Channel, as well as to vessels trading to and from the Mersey and the Clyde. The Commissioners, therefore, recommended an outlay of £50,000 there, subject, however, to the condition that the inhabitants of the Isle of Man should raise £50,000 more, so that £100,000 in all should be expended. They further recommended the expenditure of £800,000 in the construction of a harbour at Filey—a larger sum than at any other place; but they considered that to be the most favourable point along the whole north-eastern coast of England. They also made recommendations in favour of an outlay of £40,000 at Padstow; of £100,000 at Wick, provided the inhabitants raised another £100,000; of £100,000 at Peterhead, provided the inhabitants contributed £200,000 and of £50,000, as he had already said, at Douglas. At Hartlepool, on the north-east coast, they recommended the Government to lay out £500,000, provided the inhabitants raised £500,000 more; and at the mouth of the Tyne to give a grant for a harbour to the extent of £250,000, on the condition that £750,000 was expended by the local authorities. On the whole they advised the outlay by Government of a sum of £1,340,000, provided £1,600,000 more were raised by local rates. His hon. and gallant Friend opposite (Sir F. Smith) would, perhaps, favour the House with his opinion as to whether the works proposed could be completed for these sums, as the Commissioners believed they might. Now, it was ascertained that during the last ten years eight hundred lives were lost upon the average upon the coast every year, exclusive of those lost at sea, and £1,500,000 of property. So that during the last ten years, while they had been discussing the matter, whilst Committee after Committee had recommended that something should be done, 8,000 of their best and bravest men, and £15,000,000 of property had been sacrificed. Allowing for the increase of trade, it was perhaps not too much to say that in the course of the next ten years the loss of life would exceed 10,000 men, and the loss of property would be upwards of £20,000,000. Then let the question be looked at as a matter of account. He did not say, nor did he wish the Committee to be led away by supposing, that the construction of harbours of refuge would necessarily save even half the number of these lives and of that amount of property. But from an examination he had made of the loss of life which had taken place near Filey, he believed that one-sixth of this loss of life would be prevented, and one-sixth of this amount of property saved. The total amount to be expended was £2,500,000, which, capitalized at four per cent, was about £100,000 a year. That sum in the space of ten years would amount to £1,000,000; and if only one-sixth of the property now lost would be saved by the proposed harbours, the amount saved would be £3,500,000, showing a clear gain over the outlay of £2,500,000. The construction of the harbours he had referred to would also save thousands of human lives, upon which no price could be set—the lives of men most valuable to the country and deserving of its gratitude for the noble manner in which they had recently come forward to man our ships. It had been said, that if these harbours were constructed, ships would not enter them, but the best answer to that was to refer to the number of ships which availed themselves of the existing harbours, imperfect as they were. In 1859, 633 vessels entered Kingston harbour for refuge, 815 availed themselves of Portland, and 2,913 entered Holyhead harbour. The construction of a harbour at Filey would not only be a great boon to the mercantile marine, but it would be a means of national defence. He would only add that, as we had adopted the principle of free trade, and invited all nations to send their vessels to our shores, it was our bounden duty not to leave our dangerous coasts unprotected, with no harbour in which vessels could seek refuge in stormy weather. He would therefore conclude by proposing his Motion.

ADMIRAL DUNCOMBE said, he entirely agreed that it was necessary that the harbours should be constructed, though he was bound to admit that the present moment was not the most opportune at which to ask for an increase of expenditure, as their financial arrangements left no large margin. At the same time, they ought to bear in mind that the demand now put forth could not involve any very great outlay at the outset, and whatever was spent would be usefully employed, which could not be said of expenditure upon forts at Spithead and Plymouth. Besides, the harbours of refuge would also be a means of defence. His hon. Friend had referred to the loss of life on the north-east coast of England and

Scotland. It was a melancholy reflection that it should take place; that annually the lives of so many brave men should be lost. It was time that steps should be taken to save these lives, and also the property which was sacrificed in ships frequenting these coasts. He thought that loans should be made in the case of the smaller harbours to enable the local authorities to carry out their designs. However, there were difficulties in advancing money. Take the case of the Tees; if a breakwater were formed, there it would make a very large roadstead, and the amount required for that purpose was £100,000. The Commissioners would not advance that sum; the security could not be given in the form they required; it therefore seemed that the Act of Parliament required alteration to facilitate assistance of this kind being given. The larger harbours of refuge would be useful not only for the safety of our merchantmen, but for the repair of our men-of-war; and if they were to have those black, insignificant-looking vessels creeping over the sea in order to carry on the present system of warfare, there must be harbours for them to enter in the case of an emergency. In every point of view it seemed to him that those harbours should be made, and he had therefore much pleasure in seconding the Motion.

Motion made, and Question proposed,

"That, in the opinion of this House, it is the duty of Her Majesty's Government to adopt measures to carry into effect the Resolution of the House, of the 19th day of June, 1860, in regard to Harbours of Refuge."

MR. BAXTER said, he rose to express a hope that neither the Government nor the House would lightly give their sanction to the Motion of his hon. Friend the Member for Sunderland. It was quite true that a Resolution was passed by that House two years previously to the effect that the recommendations of the Royal Commission ought to be carried out. But under what circumstances was that Resolution passed? It was one of those instances—many of which must be within the recollection of the House—of a Resolution passed *per incuriam*, when a division was not expected, and he maintained that it ought not to be taken as a deliberate expression of opinion on the part of that House. It was quite true that both a Select Committee of that House and a Royal Commission had recommended a very large expenditure on harbours of refuge, but he must say he entertained the very strongest objection to the mode in which both these investigations were conducted. Instead of the Select Committee being composed, as it ought mainly, and indeed entirely to have been, of gentlemen whose constituents were not in the least degreee interested in any of those ports where the expenditure would most likely take place, it consisted to a very large extent of the representatives of those very places where it was proposed to expend the public money. But not content with that, the Chairman of the Committee, after the evidence in favour of a particular locality had been finished, obtained leave from time to time for the representative of that locality to retire from the Committee, in order to make way for the Member representing the seaport the case of which was to come next. He spoke with knowledge on this subject, because he was himself asked by the Chairman to serve for a limited time on the Committee, but he most positively declined. With regard to the Commission, it was directed to visit and report upon the special localities where this money should be expended, but he (Mr. Baxter) did not conceive that it was any part of their duty to report either upon the general subject of harbours of refuge or the financial aspect of the question. His hon. Friend had that night laid great stress upon the recommendations of the Select Committee and Royal Commission, but had carefully kept out of view the fact that they most materially differed. The Select Committee proposed that the larger portion of the expenditure which would be necessary to incur if its views were to be carried out, should be defrayed by a passing toll; but the Commission was much more bold, and reported, that inasmuch as the general interests of the country were concerned, the greater portion of the expenditure should be paid by the public at large. They also differed as to the amount of expenditure; for, whilst the Committee recommended an expenditure of £2,000,000 for all purposes, the Royal Commission recommended an expenditure of £4,000,000. Again, the Committee recommended that £400,000 of the expenditure should be defrayed from the Consolidated Fund, whilst the Commission recommended that £2,390,000 should fall upon that fund. The hon. Member must not assume that he was the only advocate in that House of the claims of humanity, for no Gentleman present would hesitate to promote any measure which would save the lives or even increase the comforts of the British seaman. But in his opinion the Royal Commissioners had taken a sanguine view of the effect of their recommendations, if carried out. They advised that £125,000 should be expended on the harbour of Wick if the inhabitants expended an equal sum; but the late representative of Wick told them they might as well ask his constituents to pay off the national debt. They also recommended that £300,000 should be spent on the harbour of Peterhead, of which £100,000 was to be defrayed by the country. Now these recommendations were made in face of the unanimous and clear testimony of all the captains that no harbours of refuge were necessary in that quarter. It was held, indeed, by persons of experience that more vessels were lost in running for harbours of refuge than in putting out to sea or in keeping at sea. The real fact was, that these casualties were caused, not by the want of harbours of refuge, but by sending out ill-found ships and incompetent or drunken captains. It was a vulgar proverb that no one ever saw a dead donkey, and in the northern coal ports there was a saying that no one ever saw a collier unfit for service. What, then, became of the worn-out colliers? According to a credible and competent authority, a large proportion of the old colliers were bought by shareholders out of earnings derived from a business which gave them no knowledge of the sea, then covered by high insurances, and sent to sea, many of them to perish with their crews, while the owners lived upon the insurances. When ships were well found, and properly manned and commanded, they did not in stress of weather run to harbours of refuge, but went to sea. Screw steamers, moreover, were rapidly superseding on all our coasts that very class of small vessels for which the hon. Member for Sunderland wished to provide harbours of refuge, and even in the case of those small ill-found brigs and schooners none of them would be benefited by harbours of refuge unless they happened to be close to them when the gale came on. In 1859, out of 1,645 lives lost 926 were lost in three fine ships, the *Royal Charter*, the *Pomona*, and the *Blervie Castle.* The *Royal Charter* was wrecked just after passing the harbour of Holyhead, and where the other two were lost nobody had ever proposed to construct harbours of refuge. It was true that a large proportion of wrecks took place on the north-east coast, where there was no harbour of refuge; but it was also true that an equally large number of wrecks in proportion to the number of vessels occurred at the mouth of the Frith of Forth, which the Select Committee had described as one of the best harbours of refuge in the country. In the storm of February, 1857, the second greatest loss of life took place at Kingston, where there was an excellent harbour of refuge. When the harbours of Dover, Alderney, and Portland were proposed, it was said that the effect would be to diminish the premium of insurance upon vessels passing them. Nothing of the kind had taken place, and until now the want of harbours of refuge had never been mentioned among the grievances of the shipowners. He believed that the construction of harbours of refuge would cost far more than the Royal Commissioners had been led to expect. The expense of existing harbours had amounted to double the original cost. The original Estimate for Portland was £548,000, but the actual expenditure already amounted to £973,000. There was a difference of something like 75 per cent between the Estimates of the Select Committee and those of the Royal Commissioners. Such a fact ought to induce the House to pause before commencing an expenditure which was not justified by the present financial condition of the country, and of which no man could say where it would end.

Sir FREDERIC SMITH said, that having had the honour of being a Member of the two Committees on this subject, and also of the Commission appointed by the right hon. Baronet the Member for Droitwich to carry the inquiries of those Committees, he further wished to take some part in this discussion. The hon. Member for Montrose had found great fault with the Commissioners because they had increased the estimates of the Committees. The hon. Gentleman did not seem to be aware that there was any great difference between estimates on such a subject as that under consideration framed by a Committee of that House and the estimates framed by the members of a Commission, with the aid of celebrated engineers and the advantage of a personal inspection of the harbours to which the estimates referred. The Commissioners had investigated the matter with the greatest possible care; and he would venture to assert that the estimate which they had made would carry out the whole cost of the works in question, because a large margin had been left for contingencies. Estimates framed without care were undoubtedly not to be relied on; but when Gentlemen pledged themselves to their accuracy they were bound to be on the safe side. And such was the course taken by the Commissioners. Mr. Coode, the celebrated engineer of Portland, was one of them; Captain Veitch, a very old officer of Engineers, and now employed by the Admiralty, was another. He (Sir F. Smith) was a third; and during the fifty years of his professional life he had never made an estimate which did not cover the cost of the work. The hon. Gentleman opposite admitted that a certain number of lives might be saved by these harbours of refuge. At what price did the hon. Gentleman value those lives? Why, the men whose lives were lost owing to the non-existence of harbours of refuge on the dangerous parts of our coast formed the nursery of the Royal Navy. If the men employed in their merchant vessels were lost to us, whence where they to supply the Royal Navy? The Commission found that 700 or 800 vessels were not unfrequently driven away from Flamborough Head by strong gales, and were obliged to go before the wind, holding on as long as they could, and many of them eventually getting swamped. That showed that a harbour of refuge was wanted on this coast. The hon. Member for Montrose had alluded to the port of Wick. If ever any people had reason to complain of the conduct of their Government, they were the people of Wick. For several years they had expressed an anxiety to construct a harbour of refuge upon their coast, and they were willing to undertake the construction of one; but the Government constantly stopped them by saying, that as the Government intended to construct one, any harbour that the people of Wick might construct would interfere with that proposed by the Government. It would require £250,000 to construct a harbour at Wick, and the inhabitants were willing to advance one half of that amount. Every yard of the harbour that might be constructed there would tend to save the lives of many men. It had been said that the Committee of which Mr. Wilson was Chairman was a packed Committee. He never knew any Committee that was more anxious to bring out the truth. On the Report of that Committee the Commission was appointed. He denied that it went about the country as a roving Commission, as stated by the hon. Member for Montrose. They endeavoured to ascertain how the greatest amount of protection could be secured at the least cost. They tried to discover what was actually necessary; and that was all they recommended. The whole of the north-east coast was dangerous. It was an ironbound coast without shelter. In rough weather Whitby could not be approached, except at or near high water, but Peterhead and Filey could be made secure ports. A harbour at Redcar would, no doubt, be highly desirable; but it would cost £4,000,000, and therefore the Commissioners abstained from proposing an expenditure of that amount, and confined themselves to the recommendation of such harbours as were absolutely necessary. With regard to Ireland, the Commissioners proposed that £50,000 should be expended at Carlingford and a like sum at Waterford. Those sums would make harbours which, if not first-rate, would give safety to vessels. He thought the Government ought not to hesitate to give these pitiful sums even if they should be the means of saving the life of only one man. At Padstow, on the Cornish coast, there was no protection whatever from the west winds, but he believed that a small cost would make that a perfectly safe harbour. In the case of St. Ives the Commission had recommended that £400,000 should be given. That was a point of vast importance both in a commercial and a military point of view. No doubt it was a considerable sum, but the object justified it. When they were lavishing money in the construction of fortifications over all parts of the country, why should they begrudge the expenditure of small sums in the construction of harbours of refuge? What was the use of the House having voted two years ago that harbours of refuge should be constructed, if that Vote was not to be acted upon? He hoped to hear the right hon. Gentleman the President of the Board of Trade, say he regretted that he had not already commenced operations, but would do so next year. If the hon. Member for Sunderland received that promise, it would be the beginning of a work which would require ten years for accomplishment. Let the House consider the melancholy loss of life on the coast during the last eleven years; the returns of the Board of Trade stated it at 6,836 souls. All these might not have been saved by harbours of refuge, but the loss of life would have been much less. The wrecks were chiefly caused by gales from the N. N. E. and the E. If there were proper harbours of refuge on the north-east coast of England, the losses would not be so great. He was free to admit that the colliers were old vessels, badly found and indifferently manned; but the poor sailors must either go to sea or starve. If the colliers were not fit to go to sea, the right hon. Gentleman should stop them. But while they were allowed to run, the Government ought to provide harbours of refuge. With the present competition in carriage, they were generally laden to the deck; and when a gale came, they were in jeopardy. The owners of first-rate ships in Glasgow and Liverpool said, they did not want harbours of refuge, for they told their captains to go to their port and not to let them hear of them until they arrived; but the coasting trade did want protection, and the Government was bound to do something to save the lives of men whose services they might some day require. He had no local views to serve, but he felt strongly that this great work, which could be done at a small cost, ought at once to be commenced.

Lord ADOLPHUS VANE TEMPEST said, the question of harbours of refuge was in a most unsatisfactory condition. Five years ago the Committee appointed to inquire into the subject first assembled. They assiduously prosecuted their inquiries for two Sessions, and received the acknowledgments of the House for their attention. A Commission was then appointed, for which they were indebted to the late Government, and the right hon. Baronet, the Member for Droitwich. Two able Members of that Commission had addressed them to-night, and he should not repeat their arguments. But he must be allowed to impress upon the House, that from St. Abbs to Flamborough Head, a distance of nearly one hundred miles, there was no really safe harbour. Along the eastern coast 48 per cent of the coasting trade and 35 per cent of the whole trade of England passed; and, out of 5,580 vessels, 2,104 were lost there. If only 30 per cent of the property lost by wrecks on the coast of England could be saved, the whole expense of these proposed harbours of refuge would be recouped in four years. Millions had been spent upon the south coast, and something ought to be done for the east coast. The opponents of the Motion said that there was a difference of opinion between the Commission and the Committee, but that was not so. The late Mr. Wilson proposed a passing toll, and upon a division in the Committee it was carried, but it was accompanied with a recommendation that a large proportion of the expense should be defrayed out of the Exchequer; and he could assure them that Mr. Wilson made his proposal with the view to place the case favourably before the House of Commons, and to prevent the Report of the Committee being a dead letter. The Committee were unanimous; the Commission were unanimous; the House had passed a Resolution by a large majority; the late Government took an interest in the subject, and the only portion of the country which seemed to regard it with apathy were the present occupants of the Treasury bench.

Mr. PEASE observed, that the hon. Member for Montrose went too far when he said that the former Resolution in favour of harbours of refuge was carried only by the votes of those whose constituencies were likely to profit by it. It was impossible that all the three hundred Members who were present on the occasion could be interested in the matter. The question was of a national character, and was not a mere shipowners' question. The want of proper shelter for shipping on our coasts placed an additional charge on our exports and imports, and that injured our commerce, and infringed the comfort of every one. He held that the plan recommended by the Commissioners was just and reasonable. The Government ought to do something to protect a mercantile marine, which was of such importance to the country.

Mr. BLAKE said, the hon. Member for Montrose had most unjustly left the House to infer that the Committee were influenced in their commendation of certain localities as harbours of refuge, by the circumstance of being connected with them. The best proof that they had decided on the best places was the fact, that the Royal Commission, subsequently appointed, concurred in their decision. The members of the latter, soon after their appointment, met in London and determined on the elements necessary in a good harbour. "The first object being to save life; next, property, to facilitate commerce; and lastly, our defences, and in connection with them to secure a rendezvous for our ships of war." The places they adopted fulfilled these requirements, and were the same as those recommended by the Committee, and so far the latter were fully vindicated against the insinuations of the hon. Gentleman. Another objection urged by him was, that in the instance of Waterford and Carlingford the Committee deemed £20,000 sufficient in each case, but the Commissioners suggested £50,000. The reason was very easily explained. The former deemed the sum they named would improve these harbours considerably, and make them valuable as refuges; but when the Commissioners came round, they were so impressed with their many advantages, both as regarded commerce and also with regard to State purposes, that they were unanimous in recommending an additional sum of £30,000 in each case in order to make them perfect. He (Mr. Blake) felt as great a desire for the construction of harbours on the English coast, and it was no want of sympathy for the disasters that occurred there prevented him from pointing out their necessity; but as that had been done so ably by other Members, he would confine the few observations he intended to make to the locality with which he was connected; and he felt he was in an independent position to do so, because it would derive little or no benefit from being made a harbour of refuge so far as its own shipping was concerned, as the entrance was quite deep enough for the vessels trading to the port; but the benefit it would prove to English and foreign shipping would be incalculable, if once the shoals near the entrance of the harbour were removed. Waterford was situated at the south-east angle of Ireland, and commanded the entrance to St. George's and the Bristol Channel. The greater portion of the trade of the east and west coasts of England had to pass close to it. The commanders of the American ocean steamers had strict orders in winter to take the southern passage, so that nine-tenths of English commerce to America, at the most perilous period of the year, had to pass Waterford; and should any of the valuable vessels engaged in that trade encounter a southerly gale on entering the Channel, their position would be very difficult, as they would find it hard to reach the English coast, and there was no harbour for them to run to between Kingstown and Cork; there was no harbour for them to shelter in if they could not enter Waterford. He would not trouble the House by recapitulating the number of disasters which had occurred off Waterford for some years past, which might have been averted if a small sum were expended in the manner he advocated, but would confine himself to the wrecks of the last winter. Within four miles on either side of the harbour eight vessels were totally wrecked, and, as usually occurred, none were bound for the port. They were all going to or returning to English ports. He would just name two of them which would doubtless have been saved if the recommendation of the Royal Commission had been carried out. On the 22nd of January last the *Tiger*, a splendid vessel, from Liverpool to New York, entered the harbour in a storm; but the master was afraid to face the shoals, as southerly wind was prevailing at the time. She was unable to clear off, and got to sea, and struck at Templetown, a mile below the harbour; and thus a vessel worth £13,000, her cargo worth £11,000, and two valuable lives were lost, which would have been saved had a refuge been formed. It was the same sad story with the *Anglia*, a Genoese vessel, worth £2,000, her cargo £6,000 to £8,000. She could not get in either, and became a total wreck, striking at the southern end of the shoals. She was going from New York to Sunderland. He would not trespass on the House with the more terrible details of casualties, which more than probably would never have occurred if the Government had acted with becoming promptitude regarding harbours of refuge. Since the last debate on the subject a new feature had presented itself, showing still more forcibly the great necessity for their construction. He alluded to iron-clad ships. Whatever their other merits might be, they were admittedly deficient in seagoing qualities; and if caught in a storm on a lee shore, their destruction would be inevitable. They would often, probably, require to pass up and down the Bristol and St. George's Channel, and with an adverse wind and unable to make either Kingstown or Cork, unless Waterford were deep enough for their reception, these costly vessels would be destroyed. As this point was worthy of consideration, especially at the present moment, when such a vast revolution in maritime matters, was taking place by the reconstruction of the navy, the Government had not given Ireland any coast defences. If they were to be defended by a *Merrimac* or a *Monitor*, surely there should be a harbour into which in bad weather the vessel could run. If such a vessel as the *Warrior* were overtaken in a storm in the Channel, with its bad seagoing qualities it would certainly be lost for want of a harbour of refuge, and thus a vast amount of property and great loss of life would be entailed. There was the greatest want of a harbour of refuge felt along the whole eastern and southern coast from Dublin and Kingstown round to Waterford and Cork, off which coast is St. George's Channel, the great highway between England and Ireland, as well as the Channel by which American vessels arrive and depart. He would observe also, that for all local purposes the harbour of Waterford was quite sufficient as it was. It was sufficiently deep for the local trade, and therefore he spoke in the interests of the country generally, when he advocated the carrying-out in Waterford of a harbour of the importance suggested by the Commissioners in their Report, and not merely of local interest. When the subject was brought forward last session, the noble Lord at the head of the Government said, that in regard to the loss of property owners of ships might protect themselves by insurance; but he could assure the noble Lord that the charges on shipping had already become so severe, and the freights so low, that it would not pay shipowners to effect insurances to such an amount as would cover risks of the kind alluded to. On that occasion one remark was made by the noble Lord, for which he thought he was entitled to the greatest credit—namely, that whatever might be done in the way of insurance, there was no means of insurance to afford protection to human life. On that ground they had the promise of the noble Lord that something should be done with respect to the harbours of refuge during the then coming session to prevent such disasters. Now, the only thing that had been done was the bringing in of a Bill by the right hon. Gentleman, the President of the Board of Trade, to enable Harbour Commissioners to borrow money for the purpose of improvements. He was not, however, aware that any thing effectual has been accomplished under that Bill. Before sitting down he should say that Ireland, as well as England, should feel greatly indebted to the hon. Member for Sunderland (Mr. Lindsay) for his repeated efforts in this important matter—efforts made in the interests of humanity. And he ventured to express a hope that the hon. Gentleman would press his Motion to a division, and that the result will be of such a character as to convince the noble Lord, the First Minister of the Crown, and the Government, that the time had arrived, in the opinion of Parliament, when practical effect should be given to the recommendations of the Commissioners, who had with such zeal inquired into this most important subject. There never perhaps was an instance where the interests of commerce, the requirements of the State, and the claims of humanity more forcibly appealed to the House to carry out an undertaking than on the present occasion.

Mr. BAINES said, that he had been in communication with many chambers of commerce in Lancashire and Yorkshire, who had entreated himself and his Colleague to do all that they could to advance this cause. He trusted that the Government would see that both humanity and the public interest demanded that the work of making these harbours should be commenced without delay.

Mr. MILNER GIBSON said, that many general statements had been made in the course of the debate in which they must all concur. They must all regret, for instance, the lamentable losses which were annually caused by shipwrecks, and admit that a country which had good harbours had an advantage over a country which had no harbours, or only bad ones. They might also admit the gallantry and daring of our sailors, and the existence of some amount of indifference to their welfare on the part of those who sent ships to sea in an unseaworthy condition. But the question the House had to consider was, how far these things threw light upon the proposition of his hon. Friend the Member for Sunderland, or would enable hon. Members to form an opinion as to whether or not they ought to pledge themselves to the carrying-out, at a large expense, of certain works at particular points on the coasts of the United Kingdom. It had been said that since the adoption, in the year 1860, of his hon. Friend's Resolution, recommending that the Commissioners' Report should be carried out, the Government had done nothing in the matter. He could not admit that that had been the case. On the contrary, they had done a part, and a very important part of what the Commissioners recommended should be done. The Commissioners recommended that "large sums should be devoted to the improvement of trading harbours through the medium of the Public Works Loan Commissioners; that those loans should be made at 3 per cent interest, and should be repaid by means of a sinking fund in the space of fifty years." The Government introduced a Bill embodying that identical proposition. It was passed and was being acted upon. Advances of money had been agreed to be made under it during the present year, and several applications for loans were now under the consideration of the Loan Commissioners; and he submitted that time ought to be given to allow that scheme to work, in order to see how far it would mitigate the evils which were complained of. With reference to the saving of life, nothing was, in his opinion, so important as the improvement of the access to existing trading harbours. It was at the entrances of such harbours that vessels congregated; and if they were prevented from entering them by want of water or other causes, they were often detained during the long winter nights upon a lee shore, and ended by being stranded or suffering damage from collisions. A glance at the wreck chart would show that a great proportion of losses, both of lives and vessels, happened off harbours which were much frequented by shipping, but which were not accessible at all times of tide. Therefore the Government had done something which would in the course of time tend to diminish the loss of life which was complained of; and he believed that the plan which had been adopted would produce much benefit. His hon. Friend would, no doubt, tell him that loans at interest were not the same things as grants, and he quite admitted the soundness of that position. His hon. Friend now asked them to adopt a Resolution pledging themselves to carry out all the recommendations of the Commissioners, and to give large grants of money to particular localities mentioned in their Report. In the absence of his right hon. Friend the Chancellor of the Exchequer he felt rather embarrassed in discussing the question; because, before pledging the House to so large an expenditure, he should like to know whether it would be necessary to resort to an increase of taxation in order to provide for it. They could not honestly pledge themselves to a large expenditure without at the same time saying that they were willing to impose upon the public any additional taxation which it might render necessary; and he was afraid that they could not carry out this plan without making some addition to the ways and means of the country. Engineers always said, that in constructing works of this description, exposed to injury by sudden storms, you could not adopt a more expensive course than that of proceeding by slow degrees; and that the most economical plan was to carry such works out with all possible vigour and despatch. He believed that that was a sound view, and therefore if the House pledged itself to the adoption of the scheme, steps ought to be taken to provide the means which would be necessary for carrying it out with energy and without unnecessary delay. The Commissioners proposed that £4,000,000 should be spent upon these harbours of refuge. Speaking on behalf of the Government, he should be sorry to be responsible for the statement that they would be completed for £6,000,000. He must tell the House deliberately, that if the works recommended by the Commissioners were fully and completely carried out, he had been assured they could not be executed under £8,000,000. That even the working estimate of an engineer should be exceeded was nothing extraordinary. For the harbours referred to by the hon. Member for Montrose, most elaborate working estimates had been prepared by the engineers about to undertake the work; they set down the probable cost at £2,500,000, yet £5,000,000 were spent. What reliance, therefore, could be placed on estimates of a conjectural character, furnished by Commissioners appointed merely to determine the fittest sites for harbours of refuge, into the scope of whose inquiry the expense did not properly enter? How were these £4,000,000, which the Commissioners spoke of, to be procured? For it was not sufficient to plead the general question of humanity—they must look at the matter from a business point of view. According to the plan suggested, £1,600,000 of that amount was to be raised from local aids, which he ventured to say would not be forthcoming; that portion of the Commissioners' speculations—for after all they were nothing more—was perfectly illusory. Of that £1,600,000 Wick was to contribute £100,000; but the House had been reminded of a statement by the former representative of that borough, who was then discharging important financial duties in India, to the effect that his constituents could as soon think of paying off the national debt as of contributing any such amount. Peterhead was to give £200,000, but what chance existed of its being able to do so? Its entries annually amounted to only 47,000 tons; the fishing boats at Peterhead were some 400 in number, and communications which he had received disclosed that there was no evidence either of the ability or willingness of that port to contribute anything towards harbours of refuge. The Tyne was relied upon for no less than £250,000. It was true the Tyne Commissioners had power to raise money for certain purposes; but not for the construction of harbours of refuge. In the same way Hartlepool was to give £500,000, notwithstanding the fact, that after having obtained a Harbour Bill, it had failed in two attempts to procure loans, one for £50,000, and the other for £100,000. The House, he thought, would be entirely deceiving itself if it relied upon obtaining £1,600,000 from these various localities. There was no use in disguising the fact that reliance could not be placed upon these local subscriptions; but that if the House determined on the construction of these harbours of refuge, they must provide the ways and means by a Parliamentary grant. Before making up their minds that these were indispensable for the saving of life, hon. Members ought to look into the Returns, and see how many of the lives actually lost would have been saved had the proposed harbours of refuge been in existence. Nobody, for instance, would say that lives lost on the West coast of Ireland could in any degree have been affected by a safety harbour on the coast of Yorkshire. When those whose fate was thus unaffected by the existence of harbours of refuge were eliminated from the total returns, it was surprising to what an extent the area was narrowed. For the eleven years ending in 1860 it appeared that 6,924 lives had been lost on the coasts of the United Kingdom from stress of weather and similar causes, collisions being excluded from the Return. Of that number less than one-sixth were lost on the coasts specially selected for harbours of refuge. Reference had been made to particular losses of large ships, in which hundreds perished at one time. Wrecks of that character swelled the returns greatly; but on examination it would be found that during those eleven years in not a single case coming under this head would a harbour of refuge been of any use. No less than 3,412 lives, or one half of the entire number, were lost in great casualties, such as that of the *Royal Charter*. In the year 1860 the *Royal Adelaide* was said to have been destroyed by the bursting of a boiler, and 206 persons were drowned. In 1852 the *Amazon*, a large steamer, was burnt at sea, and 100 lives were lost. The loss of the *Mobile* caused the death of 72 persons; that of the *Queen Victoria*, 83 persons; that of the *Annie Jane*, 360 persons. In the *Tayhun* 290 lives were lost; in the *Havannah*, 190. Besides these there were the *Pomona*, the *Royal Charter*, and the *Blervie*. As far, therefore, as harbours of refuge were concerned, half the number of lives lost might be left out of the calculation. If they went into a calculation as to the number of lives which could have been saved by those harbours of refuge which it was proposed to erect, they would find it very small indeed. It was a mistake to suppose that the greatest loss occurred on the north-east coast. By tables which had been laid before the House it would be found that during a period of eleven years the number of lives lost annually by shipwreck between the Fern Islands and Flamborough Head was 47, and that for the same time the number of lives lost annually between Start Point and Land's End was upwards of 40. Between Start Point and Land's End there were five harbours—some of them magnificent harbours, which could be taken day or night; and yet the loss of life, exclusive of that caused by collisions, was as great on that short line of coast as on the coast between the Fern Islands and Flamborough Head. The greatest loss of life was between a line from Lambay to the Skerries and the Mull of Cantyre, on the west coast of Scotland. Between those two points 130 lives were lost annually, or three times as many as were lost between the Fern Islands and Flamborough Head. The subject now under discussion was, no doubt, one which appealed to the feelings and sympathies of hon. Members; but when, with the view of saving human life, they were called on to undertake certain works—to enter on a large expenditure—it became their duty, without being the less humane, to look narrowly into the proposed scheme, and see whether it would have the desired effect. Why was it that there was no application from the shipowners in favour of the plan now before the House? That body had evinced no desire to take on themselves any share of the expense of those harbours of refuge. If they felt that those harbours would be the means of saving life to the extent alleged, it was natural to suppose that they would express their willingness to contribute a certain portion of the expense by the payment of passing tolls on ships. The House had never heard that the shipowners would be willing that the lights should be put out rather than that they should pay for them. They had heard them ask to have the lights paid for out of the Consolidated Fund, but they had never heard men say, "Put out the lights rather than call on us to pay for them." That, however, was what had been said in the case of the harbours of refuge. The shipowners had said, "We would rather not have them if they are to impose upon us the payment of those charges." That being so, he hoped the House would pause before they would take upon themselves the scheme of his hon. Friend. If his hon. Friend had brought forward a plan for one single harbour in the first instance, he would have found himself involved in no small amount of difficulty arising from rival schemes, but he had avoided the difficulty by allowing himself a large margin, and making his Resolution apply to several places. The Resolution of his hon. Friend was, no doubt, a taking one, coupled as it was with an appeal to our feelings of humanity. He (Mr. M. Gibson), however, believed that they would be taking a most unwise course if they adopted it. If the House looked into the matter, they would find that more was being done by lifeboats, rockets, and the mortar apparatus than could possibly be effected by erecting at an enormous expense three harbours of refuge along the line of coast indicated for their erection. During six years there had been saved, by a small expenditure in lifeboats, rockets, and mortar apparatus, no less than 365 lives a year. That had been done at a total cost of some £2,000 a year. If they were to give effect to the whole of those recommendations, he would prefer himself to be guided by a Committee of their own House, to whom the matter had been referred, rather than by the recommendations of the Commission to whom it was not referred. The Commission never was authorized to give any recommendation whatever as to grants of public money. The Committee of that House had properly given advice as to how the funds should be supplied, and recommended that the shipping interest should constitute three-fourths of the cost of construction, and three-fourths of the cost of maintenance. There was no evidence that they were willing to accept that proposal. For himself, he confessed he preferred to be advised on financial matters by a Committee of the House of Commons rather than by a Royal Commission, which was never authorized to recommend any expenditure of the public money.

Mr. LIDDELL said, he wished to remind the right hon. Gentleman, that although it was true the Trading Harbours Bill of last Session, which would, doubtless, in due time bear good fruit, was recommended by the Merchant Shipping Committee, yet that it was but a secondary recommendation, while their chief proposition—the construction of harbours of refuge—had been disputed and over-ruled by the Government. With regard to the arguments of the President of the Board of Trade against the Motion, he was answered and refuted by his own officer, Captain Sullivan; for it was on his evidence and that of Captain Washington, and the facts they adduced, that the calculations and recommendations of the Commission were mainly founded. The right hon. Gentleman had met the statements of gentlemen of professional experience and local knowledge by a plain negative. Of course, it was easy when a statement was made to dispose of it by saying, "I don't believe it;" but the evidence in favour of these harbours of refuge was not to be got rid of in this manner. The right hon. Gentleman had alarmed the House by the financial difficulty which he raised, and which, in the absence of the Chancellor of the Exchequer, could not be solved. He (Mr. Liddell) confessed he was not sorry at the absence of that right hon. Gentleman, because he very well knew that the Chancellor of the Exchequer had made up his mind that the proposed expenditure of the public money would be inexpedient. The right hon. Gentleman asked the House whether they were prepared to vote an addition to the taxation of the country for the construction of those harbours. Now, such a contingency was not absolutely necessary. There were two ways of meeting an additional expense—the one was by an increase of taxation, the other by a reduction of our ordinary expenditure. Why should not the latter course be adopted instead of the former? He also thought he had a right to complain that the Government, after resisting the entreaties of the maritime population of this country, and the recommendations of a Committee and a Commission, were sanctioning the outlay of sums the utility of which was exceedingly doubtful. The Government, for example, were going to ask for £90,000 in a few days for Alderney harbour, which was useless as a harbour of refuge, and which many regarded as an enormous sink of the public money. It was the duty of the Government to protect the lives and property of Her Majesty's subjects, and they took measures to defend our shores against invasion on this principle. But, while this danger was doubtful and problematical, the Government were now asked to protect life and property against dangers which, on the other hand, were as certain of recurrence as the winds of March or the fogs of November. Even in a warlike point of view, it was not very satisfactory to know that for 150 miles of the most rugged portion of our shores there was not a single harbour where a man-of-war could coal in the event of a war. Upon the Government would rest the responsibility of rejecting this Resolution. Depend upon it, the time was coming when the country would take up the question, and insist on the construction of harbours of refuge where they were required. At present, England, which owed so much to her maritime population, was the country of all others in the world that had done the least for them in return.

Sir MORTON PETO said, the right hon. Gentleman had asked the House to consider the matter in a business spirit. He (Sir M. Peto) would ask what the House had already done. Who was it that had appointed the Committee and the Commission to report on the subject? On the other hand, what had been done by the Government? What the Government should have done was to endeavour to give effect to the recommendations of the Committee and of the Commission, supported as those recommendations were by the deliberate decisions of the House. The Government ought to have obtained estimates based on those recommendations, and there was no difficulty in defining the cost of works of the kind. The fault of the Government hitherto had been that they had not been sufficiently careful in the first instance in ascertaining the cost. What the Government should do should be to come down to the House and say the cost of these various works would be so much money. Then, with regard to the manner in which the money might be raised, they had had an instance lately with regard to the fortifications, for erecting which £11,000,000 was to be raised by terminable annuities. Let a similar course be pursued with respect to harbours of refuge, and the sum to be raised for a period of thirty years upon terminable annuities would be inconsiderable as compared with the good that would be done; it would be probably about £200,000 a year. A great many questionable Votes had been passed by that House; that for Alderney was an instance; but if that Vote were to be again proposed, he believed hon. Members would scarcely grant a single shilling. He trusted the right hon. Gentleman, having duly weighed the question of harbours of refuge, would come down and ask the House to consider it in a proper spirit.

Sir JOHN PAKINGTON said, that as several hon. Members had referred to him as having appointed the Commission which sat upon this subject, he felt bound to remind the House that it was not the late Government who originated that Commission, though it devolved upon them to appoint the Members of which it was composed. The appointment of a Commission was recommended by a Committee which sat under the previous Government, and of which the late Mr. Wilson was Chairman, and it was in consequence of their Report that the Commission was appointed. He (Sir J. Pakington) acted on that occasion upon the same principles which influenced him two years ago when the hon. Member for Sunderland brought forward the question, and upon the same principles he was prepared to act that night, because the question was one which involved the commercial interests of this country. He confessed that he had heard the speech of the right hon. Gentleman with considerable disappointment. The right hon. Gentleman had said that the Government had carried out the recommendations of the Commission. [Mr. Milner Gibson: To some extent.] To a very limited extent. The right hon. Gentleman had told them that the Bill enabling certain localities to raise money to improve their harbours had been acted upon, but he did not say what places had availed themselves of it. [Mr. Milner Gibson: I mentioned the Tyne.] He begged the right hon. Gentleman's pardon, but he did not hear him specify any particular locality. It had been well said that the question was a national question, and it was not to be expected that limited localities would raise from their own funds a sufficient sum to carry out what the national interests required. Then, the right hon. Gentleman, setting aside the authority and disregarding the Reports of the Commission, had given his own loose and unsupported conjectures as to the cost of carrying out that great national work, stating that the expense would be four times as much as had been set down in the Report.

MR. MILNER GIBSON: I said it would be £8,000,000 instead of £4,000,000.

SIR JOHN PAKINGTON: I speak from recollection, but I believe the real estimate is £2,500,000.

MR. MILNER GIBSON: The Commission says £4,000,000.

SIR JOHN PAKINGTON: The public grant, however, would be only £2,500,000. It was only in the latter part of his speech that the right hon. Gentleman endeavoured to grapple with the merits of the question, and he did it by informing the House, that if they had those harbours of refuge to-morrow, they would not save all the lives that might be in danger. They all knew that perfectly well. And then the right hon. Gentleman used the extraordinary argument that they had the lifeboats to trust to. The debate had lasted four hours, and not a single Gentleman, except the hon. Member for Montrose (Mr. Baxter), had taken the view advocated by the right hon. Gentleman. The hon. Member for Montrose had endeavoured to show that the opinions of the Committee and of the Commission did not agree, but he passed by the important fact that both Committee and Commission concurred in thinking that the national interests would be promoted by the construction of harbours of refuge, and that that opinion had been confirmed by the deliberate decision of the House taken a few years ago. But they were wasting time in deliberating upon what had been decided over and over again. The Royal Commission and the Committee of that House declared their opinion that the establishment of harbours of refuge would tend in a great degree to diminish the loss of life and property experienced every year. Another fact of importance was, that they had only two harbours of refuge in this country, Holyhead and Portland; and whenever heavy weather came on, those harbours were filled with hundreds of vessels, which otherwise would have to face the dangers of the open sea during the terrible storms of winter. And what was the reason of the right hon. Gentleman for opposing the present Motion? It was one founded on finance; and having exaggerated the cost, the right hon. Gentleman asked where he was to find the ways and means. He would listen to any fair argument on the question, but one argument to which he would not listen as coming from the present Government was that of finance; for in 1860 they knew what was the Report of the Commission, and what was the opinion of the House of Commons on the subject, and yet in 1861, in order to court popularity, they recklessly wasted the resources of the country, which now might have been applied to the useful object contemplated by the present Motion. Therefore he could not hesitate to repeat the vote he had given on a former occasion, and should support the Motion, as it involved the well-being of great commercial interests, and was well worthy of the consideration of the House.

SIR GEORGE LEWIS said, it was in vain to attempt to represent the question as one in which the Government alone were interested, or to think that the matter could be decided by a mere *argumentum ad hominem.* It necessarily involved a large expenditure of money, which the Government could only provide by additional taxation, or by proposing a loan. Such measures, if adopted, must be carried by the consent of the House, and the question was one ultimately for the responsibility and decision of the House of Commons. Night after night proposals were brought forward by hon. Gentlemen, some of a very attractive character, and some of a very philanthropic nature, but necessitating a large outlay of public money. Only last week a comprehensive plan was suggested for building offices; and no doubt they would all be gratified if they could see a pile of public buildings erected at an expense of £2,000,000 or £3,000,000. But the House, as he thought, very wisely rejected that proposal. Again, a Motion was made on the previous night, the object of which was, that there should be a grant of money or a loan for the relief of distress in Ireland. There was also a notice on the books for a Motion to consider some mode of meeting the distress in the cotton districts; and that night they had, not proceeding from the Government, but pressed upon them, a Motion for a large expenditure of money for constructing harbours of refuge. His right hon. Friend, who felt it his duty to resist the Motion, admitted that if he could have what he wished, he would have harbours of refuge; but, not only what was desirable, but what was practicable, must be regarded. The estimate of cost which his right hon. Friend had given, according to the calculation of the Commissioners, was perfectly correct, though impugned by the hon. Member for Sunderland and the right hon. Baronet. The total charge was stated at £4,000,000, and the amount to be obtained from local sources was put at £1,600,000; but his right hon. Friend had shown that the supposition that £1,600,000 was to be obtained from local sources was perfectly illusory. Nobody could suppose that Hartlepool would provide £500,000 or the Tyne £750,000, though that was the extravagant and absurd supposition of the Commissioners. His right hon. Friend had shown, that if these works were undertaken, £4,000,000 would, according to the calculation of the Commissioners, have to be spent, and that the whole of that sum must necessarily come out of the Consolidated Fund. That was the simple and undeniable statement of the case, and he believed, with his right hon. Friend, that the Estimate, like most engineering Estimates, would be exceeded, and that probably the works would not be executed for £6,000,000. Was the House prepared to assent to such a proposition? or, if £4,000,000 only were required, would the House assent to the imposition of additional taxes, or sanction a loan for the purpose of raising the money? That was the sole question which the House had to decide. It was not a mere question of the saving of life, or what might be wished to be done if the money was ready in the Exchequer, but whether the House was prepared to provide the ways and means to meet that large expenditure. It appeared to him that the House would take a most rash and precipitate step, one quite inconsistent with the present financial position of the country, if it affirmed the Motion. Reference had been made to Alderney harbour, and it was said that a large sum of money had been wasted on that harbour of refuge. He was not personally responsible for originating that harbour, which, it was well known, was advocated by the authority of men of illustrious names, and had been repeatedly considered in that House. It was, however, a mistake to represent it as merely a harbour of refuge; for, undoubtedly, its main object was connected with the defence of the country.

Mr. BENTINCK said, that one of the difficulties connected with the matter arose from local rivalries, and the question was, how far different localities could be made to meet the Government half-way in reference to the necessary expenditure. The right hon. Baronet had referred to another difficulty, the expense of the works at Alderney. A more wasteful expenditure, he believed, had never been incurred in the annals of any other country. It was no harbour of refuge at all, for no captain would ever think of running for it, except he had the finest possible weather and everything in his favour to execute so dangerous an operation; and although the right hon. Baronet called it a work of defence, he would undertake to show that, so far as defence was concerned, the most sensible thing they could do with it would be to blow it up on the following morning. His hon. Friend the Member for Sunderland had referred to the pledges which successive Governments had given on this subject, none of which had been redeemed; but when did any Government redeem a pledge unless forced to do it by the House of Commons? What was the use of abstract Motions? They amounted, in fact, to nothing at all. His hon. Friend had given them an able and touching account of the losses which the absence of proper harbours annually entailed; but considerations of mere humanity had long ago ceased to be of any weight in that House—they had all been sacrificed to what were called "great political and financial principles." Confining himself, then, to the financial question, he would remind the hon. Gentleman that since he had last brought the subject forward, the whole position of the question had changed. They had now increasing demands with decreasing means; and what had led to that state of things? A large sum of money—£1,200,000—easily and securely raised to the revenue, had been thrown overboard without rhyme or reason in the abolition of the paper duty; and, as he found the name of his hon. Friend the Member for Sunderland among the majority on that occasion, he could not help asking with what face could he now come forward and seek the adoption of a scheme he thought desirable after having aided and abetted in abstracting that large sum from the Treasury? They were contending as to the comparative merits of forts and plated ships for coast defence, because they could not afford both; but if they could not afford what was essential to the protection of the country, how could they afford what was merely recommended by motives of humanity? Without agreeing with all the arguments of the right hon. Gentleman the President of the Board of Trade, there was undoubtedly a great deal of truth in what he said. The question was, should they raise the money necessary for the construction of these harbours of refuge by a fresh imposition of taxes? Now, if there was a man in England more than another who was responsible for that extravagant piece of financial folly, the remission of the paper duty, it was the right hon. Gentleman. That was the price they had to pay for his continuing to sit on that bench, and, with the sincerest admiration for his talents, that sacrifice of revenue was a full price to pay. The real fact was the House was at cross purposes—one day hon. Members voted away large sums from the financial resources of the country, and the next they came clamouring for objects, the cost of which might have been defrayed from the money wasted. On that ground his hon. Friend had put himself out of Court. He agreed in his object; but after the line he had taken on the paper duty he recommended him to withdraw his Motion, for he was sure he would not carry it if he went to a division.

Mr. FRANK CROSSLEY said, he could not see that the question of the paper duty was at all relevant to that under discussion. He denied that the country was less able to make harbours of refuge because the paper duty had been removed. Perhaps the hon. Gentleman opposite thought a tax of *5s.* per quarter on foreign corn would be a good means of raising money for the construction of harbours of refuge. He, at least, did not think so. They were all the better able to make harbours of refuge because there was no duty on foreign corn and no paper duty. Harbours of refuge were not all that was wanted. He thought shipowners ought to be more careful that the vessels they sent to sea were seaworthy. The insurance companies had officers, no doubt, who examined them, but the Government did not interfere except in the case of passenger vessels. He thought the Government should interfere to see that even colliers were seaworthy. If the object of the Motion, which he approved of, were good, it ought to be affirmed, leaving the question of ways and means to future arrangement. The money might easily be raised by means of terminable annuities. At least, he thought the Government would find it their unavoidable duty to submit to a vote of the House, if it should be adverse to them.

Sir FRANCIS BARING said, he could not but express his deep regret at the language used by several hon. Members as to the mode in which money was to be obtained for purposes like that contemplated by this Motion. He owned that he had listened with alarm at the complacency with which hon. Gentlemen talked of raising loans in time of peace. That was, no doubt, a very inviting and pleasant expedient, but the moment they entered upon such a downhill course for any object, however valuable, they would find it no easy matter to halt in it. Every Member or body of Members who were anxious for the carrying out of any particular project would suggest that the financial difficulty in its way could readily be got over by borrowing, and leaving their successors to pay. Recollecting as he did the early transactions connected with Alderney and other harbours of refuge, he thought that those precedents, instead of being examples for present imitation, should serve as warnings as to what the House ought now to shun. He had had to oppose the first steps towards the adoption of those schemes. They were not pressed upon Parliament by the Government of the day; on the contrary, the Government had to give way to the House on the subject, and consent to the appointment of a Committee to inquire into it. Sir Robert Peel also appointed a Commission, embracing some of the ablest civil and military engineers, for the same purpose; but the cost of the works they recommended so much exceeded the original estimate, and their utility, when completed, was so questionable in the opinion of many Members, that nothing now provoked more derisive cheers than the bare mention of Alderney and the other existing harbours of refuge. Before the House, therefore, forced on the Government a further expenditure of the same kind, it surely ought to reflect whether the proposed harbours of refuge might not hereafter become as great monuments of folly as they said previous ones were. He was surprised at the somewhat irrelevant allusion made by the right hon. Member for Droitwich (Sir J. Pakington) to the repeal of the paper duties. Why, the Government of which that right hon. Gentleman himself had formed a part assented to that vote, and now, at no very distant day, he was found bitterly condemning it.

Sir STAFFORD NORTHCOTE said, that though he would admit that the question of the paper duty was somewhat irrelevant to that before the House, he could not allow the taunt directed at his right hon. Friend the Member for Droitwich to pass unnoticed. To say that his right hon. Friend had no right to animadvert upon what he regarded as a sacrifice of revenue made at a time when the country could not bear it, merely because some years before the Government of which he was a Member assented to the proposition that that sacrifice should be made when the national finances could afford it, was a most unfair and illogical inference. Having listened attentively to the speech of the right hon. Gentleman the President of the Board of Trade, he thought it would be exceedingly rash at that moment to pass the Resolution. Much as might be said in favour of the hon. Member for Sunderland's views, the country, whether through the fault of the Government or of the House, was not in a position to incur a very large expenditure; and he must confess it terrified him to hear the way in which a recourse to loans for such a purpose had been referred to.

Mr. LINDSAY said, that as hon. Members on both sides were agreed in regard to the desirability of having harbours of refuge, the only question was how to provide the means. He thought he could complain with justice of the want of clearness in the statements of the right hon. Gentleman the President of the Board of Trade and the Secretary of State for War on the score of expense. The unconditional outlay which the Commissioners had recommended amounted to £1,340,000, and was to be confined to Filey, St. Ives, Waterford, Carlingford, and Padstow; while the sum that they suggested should be raised conditionally was £1,025,000, provided a sum of £1,625,000 was raised from local sources. The total sum amounted to £2,365,000, but all the House was then asked to vote unconditionally was £1,340,000. If the recommendations of the Commissioners were neglected, he estimated that the loss to the commerce of the country in the next ten years would be £20,000,000. If the interest on a loan secured by terminable annuities was £100,000, that would amount in ten years to £1,000,000. Again, if they assumed that one-sixth of the property would be saved by the construction of harbours of refuge which would otherwise be lost, that would amount to £3,500,000. Let them deduct from that the £1,000,000 paid for interest, and there would be a balance of two and a half millions to the public credit. On the ground he had mentioned he appealed to the House with confidence to confirm its own Resolution, feeling assured that the harbours of refuge would be a gain, and not a loss, to the country.

Sir GEORGE LEWIS explained, that the works sanctioned by the Commissioners were estimated to cost £4,000,000, and his argument was, that their assumption that a portion of the £4,000,000 would be obtained from local sources would prove illusory.

Mr. LINDSAY contended, that, on the contrary, if the local amounts were not forthcoming, then the only sum that Government could be asked for would be £1,340,000, a sum which, as he had explained, it would be most prudent and economical to expend.

Motion made, and Question put,

"That, in the opinion of this House, it is the duty of Her Majesty's Government to adopt measures to carry into effect the Resolution of the House, of the 19th day of June 1860, in regard to Harbours of Refuge."

The House *divided*:—Ayes 77; Noes 115: Majority 38.

HARWICH HARBOUR.

SELECT COMMITTEE MOVED FOR.

Captain JERVIS moved for a Select Committee to inquire as to the best means of preserving Harwich Harbour as a harbour of refuge.

Mr. MILNER GIBSON said, that if the population of the district would contribute a share of the expenditure, proportionately to the advantages which they would derive from it, the Government would be prepared to do its part towards preserving that valuable harbour. Some inquiry was, however, necessary in order to settle the proportion and to determine some other points, and he should not therefore oppose the appointment of a Select Committee.

Mr. ADAIR expressed his satisfaction at the concession on the part of the Government.

Motion *agreed to*.

Select Committee *appointed*,

"To inquire as to the best means of preserving Harwich Harbour as a Harbour of Refuge."

And on May 15, Committee *nominated*—

Captain Jervis, Mr. Hardcastle, Mr. Fenwick, Sir Stafford Northcote, Mr. Cobbold, Mr. Baxter, Mr. Blackburn, Mr. Ingham, and Mr. Milner Gibson:—Power to send for persons, papers, and records; Five to be the quorum.

INNS OF COURT—THE BENCHERS.

RETURN MOVED FOR.

Mr. CRAUFURD rose to move for a

"Return from each of the Societies of the Inner and Middle Temple, of Lincoln's Inn, and of Gray's Inn, in a tabular form, and according to their seniority; of the names of the Benchers of each of the said Societies, the dates of their respective calls to the Bar, the dates of their respective calls to the Bench, the amount paid by each respectively on his call to the Bench, the date on which each Bencher who holds Bench Chambers was first admitted to Bench Chambers, the then annual value of each of such Bench Chambers, the position and annual value of the Bench Chambers now held by each of such Benchers, and the gross amount which, up to the date of the Return, had been received by each Bencher from Bench Chambers held by him as a Bencher; and a similar Return showing the amount of fees or other payment or emolument received by each Bencher who has held the office of treasurer."

He should, probably, be told that the House had no power to order the return he required, and that the information asked for was contained in a report which was presented some time back on the subject. But that information did not go far enough, while the fact that so much had been given to the House showed that more could be obtained if necessary. The Societies to which his Motion referred could hardly be called private societies. They held their property under a charter from the Crown, and the public were entitled to know how the duties devolving upon the Benchers were fulfilled, how their funds were administered, and what was really their position. His Motion was not intended as a hostile Motion; it was really made in the interest of the Benchers themselves, who, he believed, would court the fullest publicity; and he therefore hoped that the return would not be objected to on any technical ground.

Sir GEORGE BOWYER said, it was too late at that hour (a quarter past twelve) to proceed with the second reading of the Inns of Court Government Bill, but it would be very desirable that the information comprised in the return should be presented to the House before the discussion took place upon that Bill, and he should therefore second the Motion. As things stood the public had no means of satisfying themselves of the proper administration of the Inns of Court.

Sir GEORGE GREY observed, that the form of the Motion implied that the Government had power to give the information. They had no such power, and it was for the Benchers to decide whether they would give it or not. If the Benchers consented to afford the information, of course the Government could have no objection; but as the Motion originally stood—namely, in the shape of an Address, which implied that it was in the power of the Government to order the information, he could not consent to it. Much of the information, too, was already before the House in the shape of a Report of a Commission.

Mr. COLLINS said, he hoped the Motion would be agreed to. He saw no reason why the information should not be given.

Mr. COLLIER said, that on the part of the Benchers he could assure the House there would be no objection to the Motion. The number of Bench chambers now held was exactly the same as in the time of Queen Elizabeth. Formerly the Benchers paid nothing for admission; now they paid 300 guineas, for which they received no equivalent. He believed the fullest information had been given by the Benchers to the Royal Commissioners; but if any further detail were required, they would be happy to furnish it.

Mr. ROEBUCK said, he saw no objection to furnishing the information asked for. At the same time, he would suggest that it should be extended so as to include an account of all the money received since the reign of Queen Elizabeth, the mode in which it had been expended, and the names of the distinguished individuals who had filled the office, adding that he believed he should find in the result that he for one should be very proud to be one of their successors.

Mr. BOVILL said, that as a Bencher of the Middle Temple, he had no objection to the production of the information asked for. He might, however, state that with regard to the possession of chambers, and the receipt of other emoluments, full information was given in the Report of the Commissioners appointed in 1854, printed in a blue-book. Other information might be desirable; but the Motion related to only one side of the question, and he thought it ought to embrace both. He had never heard a suggestion of misappropriation or misconduct with regard to the property of the Inns of Court since the time of Elizabeth.

Mr. LOCKE said, the hon. and learned Member for Ayr would get much of the information he wanted in the *Law List.* The same volume would furnish him with the precise date of their call to the Bar, while in the Report of the Royal Commission he would find nearly all the other information which he required. The hon.

and learned Gentleman must not therefore think that the public would acquire any extraordinary knowledge from the returns for which he moved. He should, however, offer no objection to their being granted, although he believed them to be completely unnecessary. Indeed, he thought nobody but the hon. and learned Gentleman himself wanted them.

Mr. SELWYN said, he also wished to express his readiness, on behalf of the Benchers of Lincoln's Inn, to have all the information which the returns could give afforded to the House. In that Inn there were no Bench chambers, nor did the Benchers, as such, receive any pay or emolument. While, however, he had no objection to the information asked for being furnished, he would put it to hon. Members whether, as guardians of the public purse, they would deem it right to incur the expense of printing returns which would be absolutely worthless.

Mr. HODGSON said, he thought it the duty of the Government to prevent the expenditure of the public money in so useless a manner.

The SOLICITOR GENERAL said, it was clear from the observations which had been made that there was not the slightest reluctance on the part of the Benchers to give the information required. It appeared to him, however, to be equally evident that there was a strong feeling against the expenditure of the public money in procuring documents which, when obtained, could be of very little value.

Mr. VINCENT SCULLY said, it was for the advantage of the Benchers that the information should be given, and by giving it all difficulties would be removed. He wished the Motion had been extended to Ireland.

Mr. M. T. SMITH said, that as a member of the Temple he had no objection to the return, although it would not only be a frivolous return but a partial one. He could not help thinking the introduction of the names of the Benchers was for some invidious purpose.

Mr. CRAUFURD observed, that the Report of the Commissioners, to which allusion had been made, contained no information equivalent to that for which he asked. He might add that the *Law List* was not an official document which could be quoted in that House as an authority.

Question put.

The House *divided* :—Ayes 12 ; Noes 54 : Majority 42.

Mr. Locke

SUMMARY JURISDICTION (IRELAND) BILL.—THIRD READING.

Order for Third Reading read.

Motion made and Question proposed, "That the Bill be now read the third time."

Captain STACPOOLE said, he should move that the Bill be re-committed, for the purpose of inserting a clause emposing a fine of ten shillings upon any person who should suffer a dog to be at large without a muzzle within fifty yards of any high road, and empowering a justice to authorize the destruction of the dog.

Amendment proposed,

To leave out from the words "That the" to the end of the Question, in order to add the words "Order for the Third Reading of the said Bill be discharged,"

—instead thereof.

Sir FRANCIS GOLDSMID said, he should oppose the clause, which would put an end to foxhunting

Sir ROBERT PEEL said, he hoped that his hon. Friend would withdraw the clause.

Captain STACPOOLE said, he would withdraw the clause.

Question, "That the words proposed to be left out stand part of the Question," put and *agreed to.*

Mr. HENNESSY said, he should divide the House, because the Bill destroyed the assimilation of the law in England and Ireland which was accomplished by the Criminal Consolidation Acts of last Session.

Mr. VINCENT SCULLY said, that he did not agree with a single clause of the Bill.

Mr. BLAKE remarked, that it was, in some respects, a most oppressive measure, and would not, for a moment, be tolerated in England. It was altogether a landlords' Act, which, indeed, nearly every Act in that House was, and ought to be protested against, as a matter of principle, at every stage.

Main Question put.

The House *divided* :—Ayes 35 ; Noes 5 : Majority 30.

Bill read 3°, and *passed.*

House adjourned at half
after One o'clock.

HOUSE OF COMMONS,

Wednesday, May 7, 1862.

COUNTY COURTS PROCEDURE BILL.

SECOND READING.

Order for Second Reading read.

MR. M'MAHON said, he rose to move the second reading of the Bill. It consisted of eleven clauses only, embracing Amendments in the procedure of the County Courts which had been suggested by parties conversant with the practice in those courts, and which, if sanctioned by the Legislature, would greatly improve the administration of justice. His object was to assimilate the practice of the County Courts to that of the Superior Courts. One of his Amendments was that the County Courts should have the power exercised by the Superior Courts of bringing third parties into court. Another had reference to the raising of questions of law by special case. By another he sought to extend to County Courts powers in regard to suits on Bills of Exchange already exercised with great advantage to suitors by the Superior Courts. The only provision to which he apprehended exception would be taken was that which gave an appeal from the decision of the Judge in cases where no such appeal now existed. At present the County Court Judges were as absolute as Turkish bashaws in all suits for sums under £20; and under £5 the party had no right even to ask the intervention of a jury, so that the opinion of a County Court Judge was in these cases absolute and final, both as to law and facts. The County Court Judges had also in certain cases a very extraordinary power of imprisonment for periods of thirty days, which might be repeated without at all diminishing the amount of the debt claimed. He did not propose to give an absolute right of appeal, but only in cases where the County Court Judge thought it right to allow an appeal. Another Amendment was to give the County Courts, as the higher courts had under the Common Law Procedure Act, power to entertain equitable defences. These were the main objects of the Bill, and he trusted the House would be of opinion that it was entitled to a second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."

THE ATTORNEY GENERAL said, he thought it would be inexpedient to proceed further with the Bill. The business and the form of procedure in the County Courts were of a peculiar character, and the Judges of those courts were the only persons fully qualified to decide how far it was expedient to change the state of the law under which their duties were at present administered. He had endeavoured to ascertain what were the opinions entertained by those Judges in reference to the clauses in the Bill of his hon. and learned Friend; and the result of his inquiries was that he had found that the County Court Judges in general disapproved of the changes proposed by that measure. No complaint had been made of the operation of the existing law, and there appeared to be no reason to suppose that any advantage would be gained by the contemplated alterations. The greater proportion of the clauses of the Bill were confessedly taken from the Common Law Procedure Acts of 1852 and 1854, and so far they might be made available without the intervention of Parliament. With regard to the highly penal clauses which were found in the County Courts Acts, and which enabled the Judges from time to time to impose imprisonment of a longer or shorter duration, without that imprisonment diminishing the debt, he would not now express any opinion as to the policy of the existing law. If they were to be considered in that House, they should be considered in a separate and distinct shape, without reference to general questions of County Court procedure. The interpleader jurisdiction given by one of the clauses the County Court Judges saw no necessity for, besides which it was opposed to that general view on which the County Courts were founded, and might entail considerable expense and inconvenience upon the litigants. The jurisdiction to entertain equitable defences was equally objectionable. It was rarely ever resorted to in the Superior Courts, and it was obviously inconvenient to refer questions of equity to courts constituted for wholly different purposes. It was found in practice that when such questions arose they were referred to the ordinary Courts of Equity, instead of the parties availing themselves of the powers conferred by the Common Law Procedure Act. The principle of the Bill was opposed to that of the County Courts Act, which was to withdraw from the Superior Courts, and so to exempt the parties from the expense and delay of prosecuting in those courts claims under a certain amount. If a

Bill were really called for, he thought the sixth clause was unobjectionable; and, if they should go into Committee, his conviction was that the Bill would be reduced to that clause. If that were so, it was not desirable to legislate piecemeal in the matter. Probably there were some matters connected with the procedure of the County Courts that might advantageously obtain the consideration of the House, with a view to the amendment of the law. He had been in communication with some of the County Court Judges, and suggestions from such a source would receive the consideration to which under the circumstances they would be entitled. If the matter were thus originated, it would be easy enough to introduce a measure including the sixth clause, but it was not desirable to press the Bill before the House, and he should move that it be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Mr. HENLEY said, the remarks of the hon. and learned Attorney General induced him to ask the Government to turn its attention to the position in which the poorer classes were left in respect to imprisonment for debt. Recent legislation had had the effect of almost clearing our prisons of persons who had been incarcerated on account of having contracted large amounts of debt; while, on the other hand, the system of what he might call penal imprisonment was still continued against the humbler order of debtors, simply because a County Court Judge might be of opinion that they could pay if they liked. Parliament having, therefore, almost wholly abolished imprisonment for debt as affecting the upper and middle ranks of society, he wished the Government now to consider if it was fair or just to subject the poorer classes to confinement in gaol for debt pure and simple, while their families were, perhaps, left to starve in the mean time.

Mr. AYRTON said, that while the Bankruptcy Bill of last session was under discussion in that House, he had endeavoured to draw attention to the point just mentioned by the right hon. Member for Oxfordshire; but hon. Members were then so busy in amending the law to suit the convenience of their own class that they could not stop to consider its operation on the poorer classes. The present state of things was monstrous. If a man could only contrive to incur a debt of £20, if he even could induce a friend to allow him to contract a debt to that amount, then although he might owe a hundred smaller sums, and although judgments might have been had against him for them, he could nevertheless relieve himself of them all by giving up the tables and chairs in his room. But if he were not fortunate to have a friend who would enable him to go through that process, then he remained under the County Courts' jurisdiction; and although he only owed a paltry debt of a few pounds, he might be sent to prison again and again for the space of two years. On the other hand, the man who ran into debt for thousands was furnished with the means of exonerating himself, and the Government sent round its officials to tell him not only that he could get out, but that he must get out of prison. It was a scandal to that House that there should be one law for the wealthy and another for the poor; and he trusted it would not be long before that scandal was removed.

Sir GEORGE GREY said, there could be no doubt that the point to which the right hon. Gentleman (Mr. Henley) had called attention was well worthy of consideration, especially with reference to the change effected last year by the Bankruptcy Act. At the same time, he did not think that practically the poorer class of debtors were detained in prison for debt, but rather because, in the belief of the Judge, they had the means of paying, and refused to do so. But, without expressing a decided opinion on this matter, or pledging the Government to bring in a Bill upon it, he could say they were willing to consider it.

Mr. M'MAHON said, if they were to wait for the approval of the County Court Judges to any measure, there would never be any improvement of the law. Of all persons judges were the last to be consulted upon such subjects. If we had been guided by the opinions of Judges, we might still have been hanging women, with children at the breast, for stealing handkerchiefs worth 5*s*. If, therefore, the County Court Judges were to be consulted on the subject, preparatory to the introduction of a measure, no Bill would be brought in at all, because those learned gentlemen would naturally be opposed to any disturbance of the settled state of things to which they were accustomed. As regarded imprisonment for debt, the same law should apply to the County Courts as applied to the Superior Courts. He did not anticipate that the subject would have been discussed, or he would have been prepared with returns showing the magnitude of the evil. To show how severely it operated on the poor, however, he might state that the gaols of Worcester and Stafford were filled with persons committed at the suit of pedlars, who were in the habit of going about the country, and inducing labourers' wives to purchase trinkets and other articles for which their husbands could never afford to pay. In the gaols in question there were, a short time ago, as many as 300 persons committed at the suit of one such firm. Again, he did not see why County Court Judges could not administer a "rough equity" as well as they now administered a "rough law."

Mr. VANCE said, that by what he believed to be an oversight a clause had been inserted in the Bankruptcy Bill of last Session which repealed a provision that had previously been in force, to the effect that County Court Judges should not be allowed to sit in that House. It appeared to him that that prohibition was a very proper one, and he hoped that some means would be taken to renew it.

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for three months.

PUBLIC HOUSES (SCOTLAND) ACTS AMENDMENT BILL.

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. CRAUFURD said, he rose to move the following Resolution:—

> "That, in the opinion of this House, it is not expedient to sanction any further Legislation on the subject of Public Houses in Scotland which does not consolidate as well as amend the present Acts."

The promoters of the Bill were not justified in asking for further legislation on the subject, before they clearly stated what they required the House to do. There were several Acts in force rerelating to public-houses in Scotland, and the whole of the law ought to be consolidated, for it was almost impossible to construe the meaning of the clauses in several Acts of Parliament. It was the duty of the House to take care that their legislation should be clear, so that the magistrates in Scotland might be enabled to understand the law and properly enforce it. The Bill would in its then shape introduce nothing but confusion. As an instance, he might mention that he (Mr. Craufurd) was of opinion that it repealed a certain proviso in the Forbes-Mackenzie Act. His hon. and learned Friend (Mr. Mure) said it did not. In that way, then, were two lawyers differing on a particular point; and if they did so, how was it likely that people not learned in the law would be able to construe it satisfactorily. As there was plenty of time left to reconsider the Bill during the Session, he would suggest that it should be postponed for a week or two, and he would most willingly lend a helping hand to amend the Bill if the hon. and learned Gentleman who had the conduct of it would permit him to do so. But he should be glad to know why the learned Lord Advocate had not undertaken the task of framing a Bill on the subject, instead of leaving the work to an independent Member? Was the Report of a Royal Commission, he would ask, to remain a dead letter? The Government ought to introduce a measure which would do honour to them and be beneficial to the whole of Scotland.

Mr. BUCHANAN seconded the Resolution.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is not expedient to sanction any further Legislation on the subject of Public Houses in Scotland which does not consolidate as well as amend the present Acts,"

—instead thereof.

Mr. MURE said, he was convinced that the hon. and learned Member did not wish merely to obstruct the passage of the measure; but the effect of his Resolution, if carried, would be to prevent any legislation upon this subject during the present Session. The Bill was founded upon the recommendations of the Royal Commissioners, who had made no suggestion of consolidation. The Select Committee of last Session had been equally silent upon that point. The measure was one generally approved in Scotland, and calculated to do much good; and having regard to the period of the Session, and the difficulty of a private Member obtaining a day or night for making progress with a measure, he would not consent to postpone this Bill. The Bill had been printed and in the hands of hon. Members since the 7th April, and therefore he hoped the House would go into Committee and proceed with the consideration of the Amendments on the paper without further delay.

MR. BUCHANAN said, he thought there was a general admission that consolidation of the laws relating to public houses in Scotland was desirable, if there were only time to carry it out during the Session. He could not help thinking, that if there were not time enough to attain so desirable an object, it was the fault of those who were in charge of the Bill, for some weeks ago he had given notice of his opinions as to the necessity of consolidation —opinions which were shared by many, if not by most, of the Scottish Members. The subject had been discussed in the Select Committee ; and although no recommendation had been made, yet the individual members of that Committee had expressed strong opinions concerning it. He wondered, indeed, that such a piece of patchwork in legislation should have been offered to the consideration of the House. Instead of having a clear and lucid state of the law it was proposed that there should be three Acts of Parliament on the subject ; and considering the position of the persons who would be most affected by the provisions of the Bill, it would be impossible to expect them to peruse and understand the law ; indeed, it could hardly be expected that the justices of the peace who would have to administer the law, but who were not lawyers, should be able to properly construe several Acts of Parliament on the same subject. As one week or two was all that was required to consolidate the law, there would be no danger of the Bill not being passed into law during the Session if that short time was allowed by the promoters of the Bill. He was not unfriendly to legislation on the subject. He wished for an improvement of the present law, but he should like it in the shape of a consolidation of the existing Acts.

MAJOR HAMILTON observed, that he did not think that the Justices of the Peace were any the worse for not being lawyers. He quite agreed that consolidation was desirable; but if the effect of adopting the Resolution of the hon. and learned Member for Ayr would be to throw over the Bill from this Session, he could not support it. There had been a general expression of opinion in Scotland in favour of passing the Bill in the present Session, and therefore he hoped the House would proceed to discuss the clauses in Committee.

MR. LESLIE said, the Royal Commission appointed in 1859 sat at ten different places, and took evidence in open court. The evidence so taken was published from day to day in the local papers, and thus all Scotland was made acquainted with the action of the Commissioners. The result of an investigation so conducted had been to silence the clamour that had arisen against the Forbes-Mackenzie Act. The Report of the Commissioners was based upon the evidence, and thus it might be taken as an echo of the general opinion in Scotland. The Commissioners individually might have thought consolidation would be an advantage, but it was not within their province to make any recommendation upon that point. He approved of consolidation ; but as delay would be fatal to the passing of the Bill during the Session, he hoped the House would proceed with it, and consider the subject of consolidation in the next Session. The Bill itself was not intended to increase restriction, but was a defensive measure to enable a majority of the people of Scotland to protect themselves against the iniquities which were the results of intemperance.

MR. W. EWART said, he fully admitted the advantages of consolidation, but as he believed the Bill to be a good one, the question with him was whether, if postponed, there would be a chance of losing it altogether. It was well known that there was great danger from delaying Bills in the hands of private Members. He should therefore vote for going into Committee, on the understanding that a consolidation of the law would be attempted next Session.

THE LORD ADVOCATE said, he also would admit the convenience which would result from consolidation, but there was always a difficulty in combining new legislation with a consolidation of the existing law. If they had to go over the Forbes-Mackenzie Act again, there would be no chance of passing any Bill on the subject in the Session ; and that being so, it would be better to defer the work of consolidation for another year.

SIR EDWARD COLEBROOKE said, he was willing that they should go into Committee, on the understanding that the Consolidation Bill should be submitted to them subsequently.

MR. BASS intimated, that according to his opinion the clauses only that were indispensable should be passed, and that they should go no further.

MR. DALGLISH said, he wished to know whether the hon. and learned Member for Bute (Mr. Mure), who had charge of the present measure, was prepared to give a pledge, that if it were passed this Session, he would next year bring forward a Consolidation Bill.

MR. BLACKBURN said, it would be a very unusual proceeding to exact a promise from a private Member of the House that he would introduce a particular Bill in the course of another Session.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

House in Committee.

Clause 1 (Regulating Period for granting Certificates).

MR. DALGLISH said, he would move the addition of words, providing that all appeals from the decisions of the Magistrates and Justices should, from and after the passing of the Act, be taken to the Sheriff of the county.

MR. MURE said, that the opinion of the Royal Commissioners was against the appointment of the sheriff as an appeal judge in these cases. Their report recommended that a selection should be made from the justices, who should be chosen by their own body to act as a court of appeal. The granting of licences was not exactly the kind of cases which a sheriff was best able to determine, for the question involved was not one of law, but of discretion.

MR. CRAUFURD said, he thought it highly desirable that the appellate jurisdiction, as embodied in the clause, should be altered; and although the sheriff might not be the best possible person to determine such appeals, yet there was no doubt that, being the equivalent in Scotland of a stipendiary magistrate, he was in a perfectly independent position, and would not be subjected to any canvassing, while, from his legal knowledge, he was more fitted to interpret Acts of Parliament than the ordinary magistrates.

THE LORD ADVOCATE, as an abstract question, was entirely in favour of the Amendment. There was no doubt that every care ought to be taken to prevent an appeal being determined by the same magistrates who had determined the question in the court below; but, perhaps, the object which they all had in view would be better served by leaving appeals to be determined by a general committee of magistrates, appointed by the magistrates themselves.

MR. BLACKBURN said, that the sheriff had been described as the local stipendiary magistrate in Scotland. But in England no one thought of giving an appeal to the stipendiary magistrate from the justices, and why should a different practice prevail in Scotland?

MR. MURE said, that the sheriff in many instances was a member of the licensing court, and therefore an appeal to the sheriff would be in those cases an appeal from the sheriff to the sheriff.

MR. BUCHANAN said, it appeared to him that it was not desirable to impose upon the sheriff the petty task of inquiring into the expediency of licensing a public-house in any particular district. The best mode of dealing with the subject would be, in his opinion, to give the appeal from the justices who had already decided upon an application for a licence to some select committee of their body.

MR. CAIRD said, he thought it would be a great mistake to make the stipendiary magistrate superior to the other magistrates upon, not a legal question, but a social arrangement.

MR. BAXTER said, he believed the general opinion of the Committee was, that the appeal should be to a committee of the justices named by themselves. He hoped that the hon. and learned Gentleman who had charge of the Bill would introduce some provision into the Bill which would give effect to that view of the matter.

MR. MURE said, he would endeavour to frame a clause to that effect.

MR. DALGLISH then said, he would not press his Amendment.

Amendment, by leave, *withdrawn.*

Clause *ordered* to stand part of the Bill.

Clause 2 (Forms of Certificates).

MR. CRAUFURD moved a proviso, enabling any retail dealer, who was also a wholesale dealer, to send out on permit the articles specified in his certificates at other hours than were specified in his certificates. It would be a hardship if the wholesale dealer were prevented from sending out two gallons or a puncheon of whisky to his country customers, except in the hours during which a retail dealer was allowed to open.

Mr. MURE said, that if a wholesale dealer, who was also a retail dealer, were allowed to open at any hour for the supply of his wholesale customers a wide door would be open to abuse.

Major HAMILTON said, there were two points involved. One was, that without the addition it would be impossible for those living at small distances from country towns to get liquors at the same time that they got their other provisions, and to have them delivered by the same vehicles. The other point was, that the proposed change would affect the present law against the opening of public-houses for retail purposes before eight o'clock in the morning. He must say that a greater boon could not be conferred on Scotland, because the working man would not now be able to procure spirits before eight o'clock in the morning.

Amendment *negatived.*

Clause *agreed to,* as were also Clauses 3 to 5 inclusive.

Clause 6 (Chief Magistrate or Justices on special Occasions may grant Permission to keep open during particular Times).

Mr. PEEL moved additional words, providing that nothing contained in the clause "should authorize the sale of any exciseable liquor, at any place not specified in an Excise licence, granted in that behalf."

Clause, as amended, *agreed to;* as was also Clause 7.

Clause 8 (Form of Applications for Certificates).

Sir EDWARD COLEBROOKE said, he wished to insert, after the word "annexed," the following proviso :—

"That the Justices in quarter sessions, to whom any appeal shall be made from a deliverance, granting or refusing, or otherwise disposing of any application for a certificate, may by themselves or any one or more of their number inspect the premises for which a certificate is applied, and make the said report."

Proviso *agreed to.*

Mr. CRUM-EWING said, he begged to move the addition of another proviso, requiring—

"The town clerks of those Parliamentary burghs, the magistrates of which were not authorized to grant certificates, to pay to the clerks of the peace of their counties two-thirds of the fees received by them in respect of licences during the time such clerk of the peace shall continue to hold office."

Mr. Craufurd

Proviso, by leave, *withdrawn.* Clause *agreed to.*

Clause 9 *omitted.*

Clauses 10 to 12 inclusive, *agreed to.*

Clause 13 (Power to Constables to enter Eating-houses, &c., and Penalty for Obstructing them).

Mr. CRAUFURD said, he must insist that licensed victuallers and hotel-keepers ought to be placed on the same footing, and that the police ought not to be allowed to enter the premises of the one more than of the other, unless they had reason to believe that a breach of certificate was being committed. He would therefore move the insertion of the words, "in which he has reason to believe a breach of certificate is being committed," in order to place both upon the same footing.

Amendment proposed,

In page 7, line 39, after the word "situated," to insert the words "in which he has reason to believe a breach of certificate is being committed."

Mr. MURE said, that the clause was founded on the recommendation of the Commissioners, who had considered the point very carefully.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 23; Noes 109: Majority 86.

Clause *agreed to;* as were also Clauses 14 to 18 inclusive.

Clause 19 (Persons found in Shebeens may be taken into Custody).

Mr. BUCHANAN said, he thought the clause should be more definite. If a man were to entertain his friends in his own house, and any of them were to leave in an intoxicated state, which, perhaps, was not so uncommon, the penalty would be incurred. He objected to a house being ticketed by a policeman a shebeen "from habit and repute."

Mr. DUNLOP said, he trusted that intoxication in private houses was not so common as the hon. Member talked of. At any rate, "habit and repute" could not be proved from one or two isolated occurrences.

Clause *agreed to;* as were also Clauses 20 to 22 inclusive.

Clause 23 (Persons found intoxicated and incapable of taking care of themselves guilty of an Offence).

Mr. BUCHANAN said, he objected to the provision rendering any person found intoxicated in a public-house liable to be taken into custody by the police. The clause was quite unnecessary.

MR. MURE defended the clause.

MR. E. ELLICE (Kilmarnock) said, he thought the clause a very valuable one.

Clause, as amended, *agreed to.*

Clauses 24 to 32 inclusive, *agreed to.*

Clause 33 (Form of Review provided).

SIR EDWARD COLEBROOKE moved an Amendment requiring the appellant to deposit with the clerk of the justices the amount of the penalty and costs awarded against him.

Amendment *negatived.*

House *resumed.*

Committee report Progress; to sit again on *Friday.*

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, May 8, 1862.

MINUTES.]—PUBLIC BILLS.—1ª Summary Jurisdiction (Ireland).

3ª Coventry Poor Act Amendment.

PUBLIC AND PRIVATE BILLS.—QUESTION OF PRACTICE.

(UNITED KINGDOM ELECTRIC TELEGRAPH COMPANY BILL.)

On Motion that the United Kingdom Electric Telegraph Company Bill be now read 3ª,

LORD STANLEY OF ALDERLEY said, he wished to call the attention of their Lordships to the practice of Parliament in regard to the passing of Bills of this nature, and he would suggest that greater notice should be given to the Members of their Lordships' House of the provisions which these Bills contained, affecting as they did the interests of persons in all parts of the country, without sufficient knowledge of the power sought for by the Company, being made public. No copy of the Bill was distributed amongst the Members of either House of Parliament, and no publicity given to the project. As regarded railway Bills, every person whose property might be effected by them received special notice of the objects and provisions of the measure; but in ninety-nine cases out of a hundred a Bill like that before the House, treated as a private Bill, was never looked into in its passage through the House. This Electric Telegraph Company was asking for powers of the most extensive nature, and which, if granted, would enable the Company to use all roads, highways, streets, and towns in England, Scotland, and Ireland, with the most imperfect protection to the rights and interests of property. This power was to be exercised, under certain circumstances, with the consent of the Surveyors of the roads; but in other cases it might be exercised without the consent of any party interested. Now, however desirable it might be to give such powers, he thought it was essential that every person who might be affected by them should have full notice of them. There was already in existence one telegraph company which had power to go along every road in the Kingdom, to cut down trees which might be in their way, to enter upon the property of every proprietor, to place their wires before the door of any person who might reside in a suburban villa or in a country residence. It was absolutely necessary that their Lordships should know what they were about when these Bills were before them. As Parliament was ignorant of the great powers which had been obtained under former Acts without its cognizance, Bills conferring such powers should be treated otherwise than as purely private Bills. There was a class of Bills known as as hybrid, that was to say, of a nature partly public and partly private, and Bills of that description were required to be printed and delivered to Members of Parliament, so that in their case the House might know what was sought to be done. Whether a Bill such as that under discussion should be placed in that category it was for their Lordships to determine; but they ought at all events, he contended, to be taken out of the list of private Bills. The country, as their Lordships knew, was paying no less than £35,000 a year, and for forty years, for the Red Sea Telegraph, from which it had derived no benefit whatever, and that Bill was introduced in the first instance as a private one, Parliament being ignorant of its provisions. If the Bill had been introduced as a public Bill, no such provisions as those which it contained would have been assented to. There was a Bill called the Mersey, Irwell, and Weaver Navigation Bill, which contained provisions in regard to summary process of a very stringent nature, affecting a very large portion of the country, and which ought not to be dealt with in a private Bill. He trusted that in future Bills like the one before the

House would be regarded both as private and public Bills.

LORD PORTMAN said, the remarks of the noble Lord referred to a subject which required the most anxious consideration of their Lordships, and that remark did not apply to this Bill alone, but to a great class of Bills of the same nature. He thought that a copy of every Bill should be sent to every one of their Lordships in order that its provisions might be made generally known.

THE MARQUESS OF CLANRICARDE agreed that the present practice of Parliament in regard to these Bills was very objectionable. Bills of this description were frequently of great importance, and in corroboration of the statement he might adduce the Dublin Markets Bill, on which he should deem it to be his duty to comment when it came on for second reading, much as he felt indisposed to take that course with respect to a measure which came before their Lordships in the shape of a private Bill. He hoped that some plan would be adopted by which the public interests would be protected, and that all the circumstances connected with private Bills might be brought before the House, in order that they might receive a deliberate judgment.

LORD REDESDALE said, their Lordships would be perfectly well aware that he was the last person in the country who wished to extend the principle of private legislation beyond proper limits. On the contrary, he had in many instances refused to treat questions as matter fit for private Bills which a former Chairman had allowed to be so treated, and which he (Lord Redesdale) thought ought to have been made matters of public concern. At the same time, it was exceedingly difficult always to say whether Bills were public or private in character, especially of Bills relating to public improvements. Nobody would deny that the electric telegraph conferred great advantages on the country by the transmission of messages, but that advantage would be very much limited unless competition were allowed to enter into the practical working of the invention. Indeed, the difference between the cost of communication in those instances in which competition existed and those in which it did not was, he believed, as much as that between sixpence and half-a-crown. The House ought therefore, he contended, to be careful not to take any steps which would unduly interfere with the action of an instrument of such great public utility, or with the development of new inventions. He was not surprised that the Bill relating to the electric telegraph should in the first instance have been treated as private. What were called hybrid Bills were those which were introduced by the Government, as they came within certain Standing Orders which made them partly public and partly private; but he did not know that that class of Bills received the most attention in passing through Parliament. He suggested that, with respect to all Bills in which powers which affected general interests were contained, it should be in his (Lord Redesdale's) power, as Chairman of Committees, to recommend to the House that such Bills should be referred to a Public as well as to a Private Committee. It was true they might now be referred to a Private Committee; but, as many of those Bills were unopposed, the Committee were not in a position to obtain much information. He thought that if his suggestion were adopted, the attention of the House would be called to the subject, because as a consequence a print of the Bill would be sent round to noble Lords in regular course. It was desirable also that a power should be introduced into private Bills to the effect that the matter contained in them should be subject to any general Act which might be passed upon the subject by Parliament. He thought that more protection would be obtained by that course than by any other that could be suggested. He would not say that Parliament had not now the power to interfere by general legislation with the powers granted by private Acts; but it might be imprudent and inexpedient so to interfere after parties, on the faith of particular Acts of Parliament, had been induced to invest their money in speculations thereby authorized; but if such a clause as he suggested was introduced in the first instance, it would prevent any subsequent objection to the principle of interference. Some general legislation upon the subject was, he thought, necessary; and applied, if it could in the opinion of the House be reasonably and properly applied, to companies formed under existing Acts, partly on the principle that it was unreasonable that one telegraph company should have greater powers and privileges than another, and partly because Parliament had certainly granted that which it had never contemplated—namely, the power to do that which the law declared to be a nuisance, such as the erection of posts and lines in front of a dwelling-house. It was a matter which should be considered by the Government and the Board of Trade, whether some general regulation might not be fairly applied to all existing telegraph companies, or whether the clause he had suggested would be likely to afford greater protection.

THE EARL OF DEVON said, he was Chairman of the Committee by which the Bill before their Lordships had been considered. He was certainly startled when he saw the extensive powers which were sought by it, but five other instances in which similar —in two cases larger—powers had been granted were adduced, and the Committee felt themselves, in a great measure, bound by the precedents thus brought forward. He believed that a revision of these Acts was called for, and he would be very ready to support the noble Lord whenever he introduced such a measure as he had described.

EARL GRANVILLE said, he doubted whether the present was a time for any general legislation on the subject. It was clear, however, that the House ought to have full information with respect to these Bills before being called upon to pass them, and with that view he concurred in the suggestions which had been thrown out.

LORD STANLEY OF ALDERLEY said, he did not desire to be understood as having expressed any censure on either the promoters of the Bill or on the Committee which had considered it. He was bound to say that material alterations had been made in the Bill, and that the promoters had expressed their readiness to do anything in their power to meet the views of those who had pointed out objections. He held it to be most desirable that a measure such as that suggested by the Chairman of Committees should be introduced, so as to enable Parliament to settle and revise the powers granted to electric telegraph companies.

LORD REDESDALE said, he thought the best course would be to prepare a Standing Order upon the subject, and he trusted, with the help of his noble Friends who had given some attention to these matters, to be able to do something useful. He was not quite sure that the same mode of proceeding which might be adopted in that House would be feasible in the House of Commons. If a private Bill were to be referred to a Committee of the Whole House in the House of Commons, it would frequently happen that it would not come on until late at night after more important business had been disposed of, and in that way a Bill might be passed through. If any steps were to be taken in the matter, they could not be taken too soon.

LORD EGERTON hoped that some useful legislation would take place on the subject, in order that private parties and public bodies might know how to deal with those companies.

After a few words from Lord WENSLEYDALE, Bill read 3ª.

Amendments made; Bill *passed*, and sent to the Commons.

House adjourned at Six o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, May 8, 1862.

MINUTES.]—NEW MEMBER SWORN.—John Tomlinson Hibbert, esq., for Oldham.

PUBLIC BILLS.—1° Drainage and Improvement of Land (Ireland) Act Amendment.

2° Customs and Inland Revenue; Public Works and Harbours Act Amendment; Oxford University; Drainage (Ireland).

3° Red Sea and India Telegraph Company; Smoke Nuisance (Metropolis) Acts Amendment.

DISTRESS IN LANCASHIRE.—NOTICE.

MR. A. F. EGERTON said, he rose to give notice that on the Motion for going into Committee of Supply to-morrow he would ask the President of the Poor Law Board certain questions respecting the working of the Poor Law in the cotton-manufacturing districts. He would also ask the Secretary of State for India whether any reductions were to be made in the Indian tariff; and if so, when they would come into operation. He might, perhaps, be allowed to state for the information of the House, that he had seen the hon. Member for North Lancashire (Colonel Wilson Patten) that morning, who had a Notice on the Paper for that night similar to the one he had himself just given, and that he found his hon. Friend suffering from a severe accident, which would prevent his bringing forward the subject that evening.

THE RECENT MURDER IN TIPPERARY.
QUESTION.

MR. VINCENT SCULLY said, he wished to ask the Chief Secretary for Ireland, Whether he has received any official information to the effect that the recent Murder in the county of Tipperary was committed about 3 p.m. at a most open spot on the public high road, within two and a half miles of the Police Station at New Inn, and three and a half miles of those at Cashel and Golden respectively, and that its commission was not known to the Police at New Inn until 7 p.m., at Cashel until 8 p.m., or at Golden until the following morning?

Sir ROBERT PEEL said, he had no doubt the hon. Member was correct as to the exact distance of the Police Stations from the spot where this foul and cowardly murder was committed. He was able to state that three persons suposed to be implicated in the crime had been arrested, and one of them committed on the charge of murder and sent to the gaol of Clonmel. He was glad to have that opportunity of bearing his testimony to the energy and activity of the constabulary and of the sub-inspector in effecting so speedy an arrest.

Mr. VINCENT SCULLY said, he wished to know whether it was only at the hours he had named that the police first heard of the crime?

Sir ROBERT PEEL said, the suspected persons were arrested on the night succeeding the murder, within a few hours after its commission.

Lord NAAS said, he wished to ask the Chief Secretary for Ireland, Whether it is the intention of the Government to issue a Special Commission to try the perpetrators of the late murders in the county of Tipperary?

Sir ROBERT PEEL was understood to reply that whatever steps were found necessary to render the accused persons duly amenable to justice would be taken.

CIVIL BILL DECREES (IRELAND).

QUESTION.

Mr. LONGFIELD said, he wished to ask the Chief Secretary for Ireland, If the attention of Government has been called to the abuses caused by permitting "Civil Bill Decrees" in Ireland to be executed by special bailiffs nominated by the parties obtaining them; and if it is intended to introduce during the Session any measure to improve the administration of the Law on this subject?

Sir ROBERT PEEL said, in reply, that an inquiry had been instituted into this subject, and the Law Officers of the Government were considering the propriety of some change in the Law respecting it.

COURT OF ADMIRALTY (IRELAND).

QUESTION.

Sir EDWARD GROGAN said, he rose to ask the Chief Secretary for Ireland, If he intends to introduce any Bill during the present Session of Parliament for extending the jurisdiction, amending the form of procedure, and payment of salaries in lieu of fees of the officers of the Court of Admiralty in Ireland?

Sir ROBERT PEEL said, it was not the intention of the Government to introduce any Bill in the present Session on the subject to which the hon. Baronet had referred.

LICENSING SYSTEM.—QUESTION.

Mr. SCHOLEFIELD said, he would beg to ask the Secretary of State for the Home Department, Whether the Government intend to bring in a Bill this Session for an alteration in the Licensing System?

Sir GEORGE GREY said, there were, no doubt, strong reasons for some alteration in the licensing system, but he could not say that he should be prepared to introduce a Bill on the subject this Session.

SLAVE TRADE.—QUESTION.

Mr. W. E. FORSTER said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have succeeded in negotiating a fresh Treaty with the Government of the United States for the suppression of the Slave Trade; and if so, whether he is prepared to lay such Treaty upon the table of the House?

Mr. LAYARD: Sir, I am happy to be able to inform my hon. Friend that a treaty for the suppression of the Slave Trade has been concluded between Her Majesty's Government and the Government of the United States. The treaty is of a highly satisfactory nature, as it confers the right of search on British vessels, and consequently gives good reason to hope that the Slave Trade, which has been carried on to so great an extent during some years under the United States flag, will be suppressed. As soon as the ratifications have been exchanged, the treaty will be laid on the table of the House.

CUSTOMS AND INLAND REVENUE BILL

SECOND READING.

Order for Second Reading read.

SIR STAFFORD NORTHCOTE: Sir, I find, in consequence of a few words I said the other night when the order of the day was called on, that there has been a sort of expectation in the minds of some hon. Members that it was my intention to make some attack or offer some opposition to the passing of this Bill. I wish, therefore, to explain the circumstances under which I said what I did on that occasion, when this Bill stood as the first order of the day for second reading. The Chancellor of the Exchequer asked me whether I understood that it was likely that any opposition to the passage of the Bill would be made, as he had imagined that it would be unopposed, and he was anxious that it should pass at once. I answered that I understood there was no intention to oppose the passing of the Bill, but that it was a measure on which, probably, some observations would be made, and that I myself intended to make a few observations on it; and as, I believe, there were reasons why it was inconvenient for the Chancellor of the Exchequer and the other Ministers to be detained in the House, the Bill was put off; but I gave no intimation that I intended to oppose the progress of the Bill. Nothing was further from my intention. At the same time the House will observe that the Bill is one of great importance. It gives the Government taxes to the amount of between £20,000,000 and £25,000,000 sterling. These taxes are of different kinds—the income tax, the tea and sugar duties, and some minor taxes; but all are put together in one Bill. And not only does the Bill thus deal with nearly one-third of the whole revenue of the country, but it grants these taxes to the Crown only for a single year. Now, that is rather remarkable. For the last two or three years it has been the practice to grant large amounts of taxes for a single year; but I doubt whether the House of Commons will be inclined to continue this course of keeping year after year no less than one-third of the whole revenue of the country in what I may call a provisional condition. The course is inconvenient, and the reasons given for it show its inconvenience. The reason which induces the Government to ask for those taxes only for the space of one year is, that they and the House are not entirely satisfied with the condition of our taxation. I believe that no one is satisfied with the sugar or tea duties as at present levied, and certainly no one is satisfied with the income tax at its present high rate. This Bill, then, is professedly of an exceptional character, and it naturally calls for some remark. With regard to some of these taxes there are commercial interests at stake; and it is undesirable that we should continue to keep the duty on tea and sugar in a state of uncertainty. There is great inconvenience too, as every one will admit, in keeping the income tax in a state of uncertainty. When the tax is every year brought under the consideration of Parliament, the principle of the tax is every year brought in view and challenged. This is one inconvenience. Another objection that I have to voting the income tax frequently at varying rates, and from year to year, is that it affords too ready an opportunity of adding to the expenditure of the country, because nothing can be easier than putting on a penny or twopence on the income tax to meet that expenditure. I think it is high time, therefore, that we should come to an end of this provisional system; and if the matter had merely rested there, I should have thought it my duty to say a few words to the House on the occasion of the second reading of this Bill. But there is another reason which induces me, under the present state of things, to call on the House to pause before proceeding with a Bill of this magnitude. That reason, however, is of another and a different kind from anything that has passed in the walls of this House, for it relates to what has fallen from the Chancellor of the Exchequer in another place. I do not mean the other House, but I allude to some remarks which he addressed to the people of England in the Manchester Chamber of Commerce during the Easter recess. Now, I think great importance is to be attached to the words of a Minister of State having charge of a particular department; and when that Minister addresses an important commercial body on the subject of the department over which he presides, and that at a time when he is engaged in passing financial measures through this House, the whole country will naturally watch with anxiety whatever may fall from his lips. The speech of my right hon. Friend certainly created some surprise in my mind and created surprise in the minds of some other persons. The main propositions laid down in that speech were these—in the first place, the Chancellor of the Exchequer informed the country that the finances were in an unhealthy state; and he went on to state that the reason why the finances of the country were not in a healthy state was because our expenditure was too large. He added further, that it would be perfectly easy—or at all events, would be by no means very difficult—to bring the finances into a healthy state by reducing the expenditure; and, lastly, he said that that task which he represented as so necessary and easy was one, nevertheless, that this House appears not able to accomplish, and which the Government cannot accomplish, and which can only be accomplished by the aid of what is commonly called pressure from without. Now, I think that those propositions are very serious. It is a very serious thing when the manager of our finances comes forward and says that the finances of the country are in an unhealthy state. It is a very serious thing when he tells us that it is impossible, or practically impossible, for the Government themselves to put them upon a better footing; but it is a still more serious thing when he goes on to say that the difficulty arises, not from the intrinsic difficulty of the situation, but from the incompetence of this House and the Government to deal with questions of finance. Such a statement appears to me to involve a serious reflection both on the Government with which he is connected and on this House, and is a statement which I think calls for some remark. I do not consider myself bound in any way to take up the cudgels for the Government. If they are satisfied with the statement as it affects them, of course I shall not quarrel with them. They are perfectly right to take any step they may think will be conducive to their reputation with the country; and if they think they add to that reputation by going down to Manchester and announcing that in the space of three years they have contrived to bring the finances of the country into an unhealthy condition, of course I cannot quarrel with them. But though I am not disposed to be jealous of the reputation of the Government, I am disposed to be jealous of the reputation of this House, because I think we are included in this charge, and are as it were put upon our defence. Why are we returned to this House? What is the main object of the House of Commons? Our duty, perhaps our principal duty, is to look after the finances of the country; and if our constituents are to be told that we are not doing our duty, or that we are not competent for our duty in this matter, then the whole course of our Parliamentary proceedings is called in question, and the character of this House is very seriously impeached. I think it is our duty to justify ourselves, and we should be acquiescing in our own condemnation if we did not attempt to justify ourselves by earnestly applying our minds to the consideration of the problem which the Chancellor of the Exchequer has given us to solve.

With regard to the propositions laid down by my right hon. Friend at Manchester, I entirely agree with many of them. I entirely agree with the first proposition of my right hon. Friend—that the finances are not in a healthy state; and if I have any fault to find with it, it is not that he has overstated the case, but that he has rather understated it. He represented the finances of the country as not being in a healthy state because our revenue barely exceeded our expenditure. I think he might, without going too far, have put it a little more strongly, and he might have said that we were unable to meet our expenditure. What will happen this year he did not say, though I for one think I can form a very shrewd guess. In the last two years we have had two very large deficits; and therefore when my right hon. Friend was speaking at Manchester, he might have said, with perfect truth, that our revenue did not meet the expenditure of the country. My right hon. Friend the Member for Buckinghamshire the other night showed what the deficits of the last two years were. He showed that besides an acknowledged deficit of £4,000,000 there has been a very considerable expenditure of capital in the way of forestalling resources; so that the ordinary revenue of the country must have fallen short of the expenditure by £7,000,000 or 8,000,000 in two years. The Chancellor of the Exchequer told us in his budget speech that the deficiency last year was between £1,100,000 and 1,200,000; and according to his way of putting it that was not an unfair statement; but since then a paper has been laid before us which shows that on the usual principle of calculation the deficiency is rather more than double the amount he stated. That paper is signed by the Secretary to the Treasury, and it shows, that including the money paid for fortifications, which was not included in the statement of the Chancellor of the Exchequer, the money paid by the State last year exceeded the revenue by more than £2,400,000.

Now, I should like to recall to the recollection of the House—it is forcibly impressed on my own recollection—the condition of the country twenty years ago, at the time when Sir Robert Peel took charge of the finances of the country. At that time the finances were in much the same condition as they are now—that is, everybody admitted that they were not in a healthy state. We had had several large deficits one after another, altogether amounting to something like £8,000,000. Those deficits were run up in four years. The present deficit of £8,000,000 has been run up in two years. There is another curious parallel between the two periods. The particular deficit in 1842, with which Sir Robert Peel had to grapple, was £2,400,000; the deficit last year was of the very same amount. It appears, therefore, that after twenty years of great national prosperity and wise financial legislation we have come back to the point from which we then started—the accumulation of a deficit, and a deficit of precisely the same amount as that of the year 1842. That circumstance, even if it stood alone, would be rather unsatisfactory. But that is by no means the whole state of the case. The deficit with which Sir Robert Peel had to deal was a deficit in our ordinary income as compared with expenditure; but we have now a deficit, not in our ordinary income as compared with expenditure, but in an income supplemented with £10,000,000 or £11,000,000 of income tax. Sir Robert Peel had at that time a great reserve on which he could draw; he had not yet resorted to the income tax; and, moreover, he had a great work to perform in the way of improving our financial and commercial system, for no one will deny that our finances and our commerce were hampered at that period by many restrictions which it was well to remove. Very little of that work remains to be done, and yet you have called on your reserve to a very considerable extent. We are always told that it is important to keep the finances of the country in a strong condition, because we may at any moment find ourselves engaged in hostilities? But what would happen if under present circumstances you were engaged in hostilities? Where is the financial reserve on which you could fall back? When you went to war in 1853, you incurred an addition of at least £25,000,000 a year to your annual expenditure. I suppose the cost of carrying on a war now would not be less than it was in 1853; it would probably be even greater, because all the instruments used in warfare, and all kinds of military processes, are more expensive at present than they were at that time. It is quite conceivable that a longer and more expensive contest than the Russian war may break out; and how, in that case, could we provide for an additional expenditure of £25,000,000 or £30,000,000 a year? There are no means of doing so except through the income tax, which amounts to £10,000,000 or £11,000,000 already. This tax might, indeed, be raised to 1*s*. 6*d*. in the pound, but that addition would only produce £10,000,000 or £11,000,000. You cannot add to your spirit duties or your malt duties. You might certainly by possibility increase the tea and sugar duties; but the House would hardly look with great favour on such a proposition, seeing that those duties are at a war rate already. It would be difficult to provide so large a sum as would be neccessary, and I say, then, that you have not by any means a satisfactory or a healthy state of finance. But while I point out these things to the House, and while I say that these are considerations which ought to make us ponder seriously on the financial state of the country, it appears to me that there are other elements in our condition of a still graver character. That which I think the most alarming feature in our position is the peculiar nature of the financial doctrines which appear to be in the ascendant. Those doctrines are much in vogue among a portion of the Members of this House and of the people of this country, and are believed to be recommended by very high authority. They were, as I understand, put forward by the Chancellor of the Exchequer at Manchester, and they go to the establishment of a new theory of ministerial responsibility in regard to the question of our national expenditure. My right hon. Friend at Manchester gave pretty plain utterance to an idea which he has, I think, more than once broached in this House; or, at all events, which he has allowed to be broached by hon. Gentlemen below the gangway without having ever thought it right to repudiate it—I mean that he has given countenance to the idea that he (the Chancellor of the Exchequer) is in some way or other not responsible for the expenditure which is recommended to this House by the Government. I do not know whether it is the intention of my right hon. Friend to put forward the doctrine to which I am referring, but I think it is only due to him that I should tell him what is the impression generally produced by the language which he has himself held, or which he has allowed to be used in his presence without correcting it. That impression is, that he considers the expenditure which he and his colleagues recommend to the House as an expenditure of which he may wash his hands, and that he thinks the responsibility of checking it rests not with himself, but with this House, and still more with the country. Now, I say that, serious as is our deficit and dangerous as is our position in other respects, I consider that the admission of such a doctrine is a far greater evil. It involves what is certainly a new theory of constitutional and Parliamentary Government. Let me ask the House to bear in mind what takes place at the beginning of every session, what it is the Ministers of the Crown advise her Majesty to tell us upon that occasion; and I will then ask whether we are to consider that the language so employed is true or not. At the beginning of every Session the Ministers advise Her Majesty to tell us in the speech from the Throne that she has caused the Estimates for the coming year to be prepared with a due regard for the exigencies of the public service and a proper observance of the principles of a judicious economy. But if the doctrine put forward by my right hon. Friend at Manchester, and stated by other persons elsewhere, be a true and sound doctrine, Her Majesty ought, I think, to be advised to change those expressions; and instead of saying that the Estimates have been prepared "with a due regard to the exigencies of the public service," she ought to say that they have been prepared with a due regard to what she understands to be the wishes of the people. If that were told us plainly, we should know what we were about. But if the new doctrine be correct, we do not know what we are about when we are allowed to believe that the Cabinet recommends the Estimates on its responsibility. This is a very serious matter, and one which calls for our most earnest consideration. The Government, as we all know, have special opportunities of ascertaining what are the requirements of the public service—the relations of the country with foreign Powers, what new inventions are ripe for adoption, what other nations are doing, where economy may be practised, and where heavy expenditure must be incurred. These are matters which the Members of this House know but very imperfectly, and which the public in general do not know at all. Under those circumstances, what is the duty of this House, and what is the duty of the country? We all feel that when Ministers in whom we have confidence come down to this House and recommend certain Estimates, although we may criticise those Estimates and require explanations with respect to them—we all feel that we should incur a very heavy responsibility if, without withdrawing our confidence from the Government, we were to refuse to sanction their proposals. There is great force in what the noble Viscount said the other night on this subject, though I do not quite agree in the particular application given to the argument—namely, that when the House interferes in administrative details the result will often be to increase expenditure and diminish efficiency. But, at the same time, the Government ought to feel that the responsibility of proposing the Estimates rests, not with the House or with the country, but with them; and if so, neither the Chancellor of the Exchequer nor any other Minister can be allowed to free himself from the liability which belongs to the rest of his colleagues; and, indeed, if there is any one Minister more responsible than any other in such a case, it is the Chancellor of the Exchequer himself. What is the position of the House and of the country in this matter? The House and the country do not desire extravagance for its own sake; what they desire is efficiency; and when the Government declare that the grant of a certain sum is necessary to ensure the attainment of that object, the House are usually prepared to accept that statement. Now, if that were merely the declaration of an individual Minister, zealous for the efficiency of his own department—if, for instance, the Secretary for War or the First Lord of the Admiralty were to state merely on his individual responsibility that he required a certain sum, we should be more vigilant, and exercise greater caution, than we now think necessary; we should regard him, in a certain sense, as a partisan, and we should deal with him accordingly. But as we know that the Estimates submitted to us are the

Estimates of the whole Cabinet; and as we know there are in the Cabinet men—and foremost among them is the Chancellor of the Exchequer—of great ability, with a very decided leaning towards economy, free from any predilection in favour of any particular branch of the public service; and as we feel persuaded that they would not sanction any outlay which they did not believe to be absolutely necessary, we give our sanction even to very large Estimates. Those Estimates are accepted, not upon the authority of the Secretary for War nor of the First Lord of the Admiralty, nor even of the First Lord of the Treasury, but upon the authority of the whole Cabinet; and in that Cabinet we include more especially the Chancellor of the Exchequer, as he must have satisfied himself that those Estimates are right and proper, and must also have considered the mode in which the demands they will occasion are to be met. If we allow any member of the Government to withdraw himself, directly or indirectly, from his responsibility, or allow it to be supposed that he withdraws from it, we are guilty of a grave offence against the interests of the country. But there are other doctrines which I think are at present in the ascendant, and which appear to me to be extremely objectionable. I have pointed out what I believe to be one of the most dangerous of the number, and one with respect to which I think no Member of this House, whatever may be his opinion on other subjects, will disagree with me. But I will venture to touch upon a rather more delicate point. I am going to mention another doctrine, on which I do not expect such a general unanimity of opinion, but which I think it is well worth while to examine and to criticise, because it is, as it seems to me, the foundation of a good deal of our extravagance, not only in the way of the remission of taxation, but also of our expenditure. I shall read to the House a passage from the speech delivered by my right hon. Friend at Manchester, bearing upon the subject to which I am now about to refer. He said—

> "Now, there are those who tell you that this state of our finance, which I hold forth to you as unhealthy, is owing to the delinquencies of the Government, and almost entirely, perhaps, to the delinquencies of a particular individual."

Here I must do my right hon. Friend the justice to say that I consider that state is not due to the delinquencies of a particular individual, because, as on the one hand I hold him responsible for his share in the preparation of the Estimates, so, on the other hand, I hold his colleagues responsible for the sanction which they give to his proposals for the remission of taxation. My right hon. Friend proceeds as follows:—

> "There are those who would say, If you had imposed some more taxes, or if you had reduced fewer, we should have been able to show a better state of the account.' Gentlemen, with all the conviction of my mind, and in the broadest sense, I deny that statement. The taxes we have reduced have been taxes in which the receipts of the Exchequer bore no proportion to the burden imposed upon the people. Even if, at the moment, they are not fully replaced, it is our business not to confine our view to the moment. After the lapse of one or two years we know that the result of such measures wisely chosen has ever been to make the Exchequer richer: and also, that in the mean time, their effect is, under a great weight of taxation, to induce, dispose, and enable the people to bear its pressure."

That doctrine, translated from the language of my right hon. Friend into common English, seems to come to this, that provided the taxes you take off press more heavily on the people—take more from the people than the amount they bring into the Exchequer, it does not signify whether you produce a deficit in the revenue by their removal. [The CHANCELLOR of the EXCHEQUER expressed his dissent.] My right hon. Friend challenges that interpretation of his language. But he said that, "with all the conviction of his mind," he denied the statement, that if the Government "had imposed some more taxes, or if they had reduced fewer, they would have been able to show a better state of the account," and he goes on to declare that "the taxes they had reduced were taxes in which the receipts of the Exchequer bore no proportion to the burden imposed upon the people." Does he mean to maintain that statement? I take the case of the paper duty, and I say unhesitatingly, that if he had not repealed the paper duty last year, we should have a smaller deficit than we now have, and we should be able to look forward this year to the prospect of a surplus of £1,500,000, instead of to a surplus of only £100,000; and I further say that that would be a better state of our public accounts than the present. But the Chancellor of the Exchequer says that the taxes which were reduced were taxes "in which the receipts of the Exchequer bore no proportion to the burden imposed upon the people." What does that mean? I do not know exactly what he means by "the burden imposed upon the people."

I know what the receipts of the Exchequer were. The Paper Duty brought into the Exchequer £1,200,000 or £1,300,000 a year. He says that sum bore no proportion to the burden which the tax imposed upon the people. But if the burden imposed upon the people can be measured by the amount of the tax at all, as it must be if it can be measured by money at all, it bore some proportion to it, and the only sense of the passage is either that the burden was infinite, or else that it amounted to nothing. I do not suppose that my right hon. Friend will pretend that it was infinite, and I am not prepared to say that it amounted to nothing. The proposition is, in fact, inadmissible. I suppose, however, that it was a mere figure of rhetoric, and that the Chancellor of the Exchequer meant merely to state that the amount of the relief afforded to the public was very much greater than was represented by the sum paid into the Exchequer. It was something like the statement which we used to hear years ago, that the repeal of the Corn Laws would give the country a sum of £100,000,000 a year. The purport of the doctrine, as I understand it, is that you need not be very particular about a deficit in your revenue, if that deficit is produced by taking off taxes which weigh to a considerable extent on the industry and wealth of the people. That doctrine is not new; it has already been brought forward in various forms in this House, and appears to underlie both our system of revenue and our system of expenditure. We have heard it very recently applied to the case of expenditure. It was said the other night, on the question of harbours of refuge, that half a million might be easily borrowed for the construction of harbours; the sum was not very great, and the general benefit it would produce would more than make up for any deficiency which the expenditure might cause in the revenue. That is the way in which all expenditure is defended. I venture to take exception to this doctrine, not on my own authority, but on one which I am sure will be listened to with respect by every Member of the House—that of Sir Robert Peel. I will quote the language held by Sir Robert Peel on the 6th February, 1832, when he was referring to opinions which he understood had been uttered in this House, and which seem to me to be very much the same as those which my right hon. Friend delivered at Manchester. I may be wrong; my right hon. Friend may tell me that I have misunderstood him; and I hope I have; but all I can say is, that I am not endeavouring to give any wilful misrepresentation of his sentiments, and that I shall be very glad to find that he disavows the meaning which I attach to them. On the 6th of February, 1832, Sir Robert Peel, commenting upon some speeches on the budget of the year, said—

> "The principles were more alarming than even the deficiency itself. . . . The Secretary to the Treasury declared, that even if he could have foreseen this deficiency, he should have felt satisfied that a reduction of taxes ought to have been made. His doctrine would not only apply to the present case, but to every tax that could be repealed; and was the right hon. Gentleman ready to assert that, whatever deficiency might occur in the revenue, taxes ought to be repealed? . . . . The doctrine of the right hon. Gentleman that a tax ought to be repealed because it would be a relief to the people, without reference to the obligations for the fulfilment of which that tax was a security, was a most dangerous doctrine for a Government to act upon or avow. The strongest apprehension that he had entertained from the infusion of democratic power into the House of Commons by the measure of Reform was that the House would hereafter find it very difficult to resist proposals for immediate relief at the expense of good faith and of the true permanent interests of the country. . . . He was still more astonished at what fell from the Vice President of the Board of Trade. That right hon. Gentleman had a theory perfectly novel. He said that we ought to regard with something like satisfaction the deficiency of £698,000 in the revenue, because it was not in fact money lost, but was in the pockets of the people ready to be extracted on any occasion that might require it. This speculation in finance the right hon. Gentleman designated by a name which would not soon be forgotten, which would, he hoped, ever continue to belong to the right hon. Gentleman without a rival claimant. He called it the 'fructifying principle.' Thus, should the Government not have the money to pay the interest of the national debt, the creditor would have no right to complain of his loss, because the money, was 'fructifying' in the pockets of the people. If the right hon. Gentleman could but establish this principle generally, he would stand a chance of being the most popular man in the three kingdoms among that numerous class of the King's subjects the debtors of the country."—[3 *Hansard*, ix. 1343.]

If the principles which Sir Robert Peel called dangerous are not exactly those of my right hon. Friend, they are closely related to them. I have quoted Sir Robert Peel's language; but I can also quote what is more important—Sir Robert Peel's mode of dealing with the finances of the country—in support of the view which I take of this subject. This is one of the questions on which hon. Members on this side of the House are frequently taunted, as being opposed to a course of policy that has proved beneficial to the country. The Chancellor of the Exchequer is supposed to stand in this House as a sort of representative of the financial principles of Sir Robert Peel. But I utterly deny that he is in any true sense the representative of those principles. I say that he represents them in the most dangerous way—that he represents only half of them. I say that Sir Robert Peel's principle was twofold—that the first and most important of his principles was, that you should always take care so to arrange your finances as to have a good surplus of revenue over expenditure. That is a principle which, it appears to me, is far too much lost sight of in the policy of her Majesty's Government. The second principle of Sir Robert Peel's financial policy was, that after having provided a good surplus of revenue over expenditure, you ought as soon as possible to take off injudicious taxes, lighten the burdens of the people, and endeavour to remove restrictions which had the effect of crippling the industry of the people. Now, I do not in any degree deny that my right hon. Friend follows the example of Sir Robert Peel in the second portion of his operations, but it is one of those cases in which we may say *Decipit exemplar*. All the time that Sir Robert Peel was making his great changes, and dealing with the taxation of the country in that magnificent manner, he took care on every occasion to provide a large surplus; he never estimated for a surplus of less than £500,000 of revenue over the expenditure of the year; and whilst he was doing this, and whilst he held the income tax as a means of covering his operations, he was judiciously, slowly, and gradually removing those restrictions which pressed upon the people and affected the revenue. But my right hon. Friend, whilst he is removing restrictions, takes no care to provide a surplus of revenue over expenditure. He runs things fine, he postpones the payment of bonds and liabilities, and, running one year into another, undertakes operations which Sir Robert Peel would have thought excessively rash and imprudent. I say that Sir Robert Peel would have thought these operations of my right hon. Friend excessively rash and imprudent. ["No, no!"] I do not wish it to be understood that there is anything in the operations themselves to which I object, if they had been done at the right time, in the right way, and with proper precautions. I do not believe that you will find a single instance in which Sir Robert Peel postponed the payment of bonds and liabilities falling due at a particular time in order to take off a tax like the paper duty, as we did in 1860, or any case in which he added a penny to the income tax to do so. I do not know what volume of *Hansard* my right hon. Friend has just sent for, or whether he means to challenge my assertion, that Sir Robert Peel always provided for a surplus of half a million of revenue over expenditure, but I will take my chance. Perhaps it is the case of the year 1845 that he is looking to. Sir Robert Peel said that he began that year with a surplus of £72,000; but he did not begin it with a surplus of £72,000—but really with a surplus of £672,000—for, with his extreme caution in reckoning Estimates, he struck out a certain sum of £600,000 of the Chinese indemnity which he knew was coming in. So cautious was he that he refused to take that sum into his calculations, because it was not a permanent source of revenue, although he knew that it was certain for that year and for the year following. Sir Robert Peel then laid down the principle that such extraordinary sources of revenue were not to be calculated in the ordinary Estimates, and from that we may judge how he would have condemned a doctrine that to provide a surplus in order to repeal the paper duty it was right to call up a large portion of the malt credits. I do not say that Sir Robert Peel would not have taken off the paper duty, but I venture to say that he would not have proposed its repeal in the manner in which it was carried out.

I have ventured to go into this question, on which I have the misfortune to be very much at issue with my right hon. Friend; but I am now going to say a few words upon another question, upon which I am happy to say that I am much more nearly agreed with him. I agree with him in thinking it is high time that the attention of Parliament should be called to the excessive expenditure of the country. I cannot pretend in this discussion to divest myself altogether of party feeling; but I do hope that in discussing so great a question as the present position of our revenue in relation to our expenditure, I may be permitted to say that I have tried in every possible way to divest myself of such feelings, for I consider it highly important that we should take into our most serious consideration the condition of the relations which at present exist between that revenue and that expenditure. I do not know that this House can do all that the Chancellor of the Exchequer thinks it can do. All that we can hope to do is, to express in general terms what our ideas and views on the subject are, but we must leave to the Government the responsibility of giving effect to them in a cautious and judicious manner. I am quite aware that it is a most serious responsibility to incur, if we attempt rashly to deal with the enormous expenditure which has been undertaken. I do most earnestly desire, however, to impress on the Government, who must undertake that responsibility, that, as a mode of clearing the way to the discovery of the principles on which it is to be done, they should come to some conclusion as to the real truth in respect to what they tell us is the exceptional character of the present times. My right hon. Friend tells us, whenever he is censured for the results of the last two years, that those years have been of an exceptional character, and I quite admit that he makes out a sort of case to prove the accuracy of that statement. But the question I wish to put to him and the Government is this—Does he consider that this year 1862-3 is an exceptional year? In one sense, no doubt, he will tell us that it is—namely, as regards the prospects of the revenue. We cannot deny, unfortunately, that the prospects of the revenue are unhappily uncertain on account of the depression hanging over the manufacturing districts; but do the Government consider that the condition of the country in relation to the expenditure is exceptional at the present time? I will say at once I refer alike to the civil, the military, and the naval expenditure, because in a matter of this kind we must leave neither the one nor the other out of sight. If they do, then I say that it is highly important that we should have a direct answer to the question, What principle has been laid down in regard to the taxation and expenditure of the country? The principles I would venture to lay down are these. We ought not to keep up the income tax as a fluctuating tax—a sort of make-weight between expenditure and revenue from year to year. We ought not to keep the income tax in ordinary times of peace at that high rate at which it at present stands. I am not prepared to say that you ought to cut it off entirely, but you ought to make exertions to bring it down to a low rate—to such a rate, in fact, as would not cause inconvenience even if it were a fixed tax. It might be convenient to maintain it at a low rate as a fixed tax, because, as a source of revenue in case of war, it could then be more immediately called into operation. Upon that, however, I speak with some diffidence and hesitation, as upon a subject with respect to which I have not quite made up my mind, but I think we ought to make exertions to bring the income tax down to a low rate. If, then, we lay down that principle with respect to the income tax, I say you ought to settle your ordinary expenditure and revenue in such a way as to make them balance at the end of the year. If there is a difference between the ordinary revenue and expenditure of £10,000,000 or £11,500,000, of course I should not propose, either by the rash diminution of expenditure, or by the imposition of new taxes, to bring about such a result, although eventually both might be had recourse to; but the first thing is to see how far it is possible to cut down and bring within reasonable limits the expenditure of the country, and then how far it is possible to bring up our ordinary revenue. I am not going to weary the House by entering into the details of this question at any great length; all I wish to point out in regard to our expenditure is, that it has latterly been increasing at an enormous rate; indeed, I believe that since the year 1842 we have added at least 95 per cent to our naval and military, and 78 per cent to our civil expenditure. Well, then, I ask, are the circumstances of the present year exceptional or not; and if so, in what particular respect are they exceptional? Exceptional circumstances are generally of two kinds; they either arise, we are told, from the state of our relations with foreign kingdoms, or from the necessity under which we are placed of availing ourselves of all those great inventions and improvements in the mechanism of war which are the distinguishing characteristics of the present age. There is a great deal of truth, no doubt, in that assertion; but let me say a few words—and I admit that I ought to apologize to the House for touching upon such a subject—with reference to the present condition of our foreign relations. Do you consider that the position of our relations with foreign nations this year is such as necessitates a recourse to an exceptional expenditure; and if so, why? I do not mean to say that even in ordinary times a different expenditure is not required now from what was required ten, fifteen, or twenty years ago—far from it. I know very well that the state of the world is now wholly different from what it was when we were lulled into a belief that there would be no interruption of the peace of the world, and that this country might safely disarm. I do not suppose that anybody now would be foolish enough to compare the state of the world, with reference to taxation, with what it was a few years ago; but what I ask is this, is there anything in our relations with foreign Powers which is materially different from what you may expect them to be next year, and, indeed, year after year; because if you are now on a footing with foreign Powers which you have every reason to expect will continue for the next five, ten, or fifteen years, you have no right whatever to treat this as an exceptional year, but must rather treat it as one approaching to an ordinary state of things; and you must therefore prepare to adjust your financial system accordingly. I confess that, looking to every quarter of the world, I can see nothing whatever to justify any remarkable and exceptional preparations on the part of England. Looking at the condition of the country, the vast interests which are involved, the uneasy state in which the world has been in for some years, I admit that it is our duty, and, above all, the duty of the Government, to be prepared for self-defence. In the observations which I am making I am not at all advocating the slightest remissness in that particular. I am not going to say one word which can be construed in favour of disarming or relaxing any exertions or necessary preparations for self-defence. I speak of the ordinary state of self-defence in which we ought always to be found, and which is all we need prepare for, unless there is reason to apprehend immediate attack. But is there the slightest reason, from the present appearance of the world, to suppose that any Power whatever meditates an attack upon England, or that any Power is in a condition to make such an attack? Is there any Power whose interests would be served by such an attack? Is there any Power, on the contrary, whose interests would not rather be served by keeping on good terms with England? If, therefore, we make such preparations only as are necessary to keep up our military and naval strength—in other words to keep our weapons ready—I see no reason for any exceptional preparations. Whatever preparations you may see necessary to make this year, you will probably have to make next year and the year after. I am not saying whether they ought to be greater or less, but what I do say is that we ought not to look upon them as exceptional. It is very unlikely that we, of all others, should attack any other nation. What interests or object have we to serve by any such proceeding? Our policy is, and has been for many years, a policy of non-intervention. That policy in my opinion is sound and just. It is quite consistent with cautious, deliberate, and sustained measures of defence; but how can it be reconciled with a blustering and ostentatious appearance of arming? I cannot for the life of me conceive of whom we are afraid. It is sometimes said that it is necessary to arm to keep us in a position to command the respect of Europe, and to give us that due influence in its councils that it is necessary we should possess. I quite admit that, but I wish first of all to know whether you agree with me as to what is meant by keeping the country in a position of strength. I quite admit that it is our duty to make this country influential in the councils of Europe, but I ask what is best to adopt in order to make our advice listened to and our counsels acceptable to the rest of Europe. Take the case which the Government is always thrusting in our faces upon every occasion, in season and out of season; take the case, I say, of Italy. What is the relation of this country to Italy? We all know the value which is attached by the Italians to the expression of our sympathy with the cause of Italian freedom and our desire for the general welfare of that country? It is admitted upon all hands that we desire to see her under such a form of Government as may be best for her own interests. I go further than that, and say that we should deeply sympathize with the exertions of any other people who were struggling for the adoption of a free and constitutional government; but, at the same time, there is no disguising the fact that great difficulties exist in respect to the present position of Italy. Well, Sir, these are matters which call for advice and counsel on the part of England, and how do we give it? Do we tender it agreeably to the principles of peace or the princi ples of war? If you desire to make it more acceptable as well as more useful, you should tender it in the garb of peace rather than in the panoply of war. Your advice would be attended with much more real effect if tendered in that way than it will if you arm yourselves, make vast preparations, and make it appear to be your intention to enforce your opinion by something like armed intervention. I apologize for touching on this question, and I assure the House that I have only done so for the purpose of explaining my view of the question on which I seek an answer from the Government. I wish the Government to tell us what it is that they see in the present attitude of foreign Powers to necessitate an exceptional preparation on our part.

There is only one other point to which I shall allude, because I feel that I have trespassed upon the House at a somewhat unreasonable length. We are told that there is another reason why this must be considered an exceptional year. We are asked to look at the enormous progress in military and naval inventions. Well, I do look at it, and it is precisely because I do so that I entertain a doubt whether you can call this an exceptional year. It has been justly observed that the age in which we live is distinguished not as an age of great poets or painters, or orators, or even great statesmen, but that it is an age of great engineers. Vast engineering skill has been called into existence by the works undertaken since the discovery of the properties of steam, and within the memory of man. Do you suppose, then, that these eminent engineers, who year by year are making new discoveries in the science of destruction, are next year or the year after to be stopped in their career, and not rather stimulated to fresh inventions, especially when they are received with so much applause? I believe that what we have seen within the last few years is what we shall continue to see for a good many years to come, and that guns and ships upon improved principles will be continually brought forward. That is a veay serious consideration. I am not for a moment saying that you ought to neglect such inventions when they are made. On the contrary, you ought to avail yourselves to the utmost of those inventions—it is your duty to do so—but I warn you that you will not be able to do so if you do not take care that the finances are in a proper condition, and that something like an equality between the revenue and expenditure is maintained. In this respect it is the duty of the Government on all accounts—for the sake of civilization, for the interest of the whole world—to keep this country strong and in the foremost rank of nations. But we cannot do so if we are hampered in the great race. Bear in mind I am not asking you for a moment to abandon what you are doing in the way of adopting systems of defence the value of which have been tested by experiments; but what I do seriously and earnestly ask you is to consider the whole system, so as to know that what you adopt will be permanently useful to the country. In the first place, I ask you to keep our finances in good order; and, in the second, to make our expenditure go as far as it can be made to go. What is the peculiar advantage that we possess over other nations at the present moment in times of war? It is that we are able to endure the heavy drain of a war without oppressing the people, and it is most important that, besides being able to endure the heavy drain of a war, we should know how to make the year's expenditure go as far as possible. You have done a great deal within the last ten years in this matter. When we look back to what has been done in the organization of our military and naval services, the progress has been immense. Consider what you have done. You have called out the whole of the militia, you have raised that noble band of Volunteers which is the admiration of all who have seen them, and in the navy you have that magnificent force the Naval Reserve. These are three enormous steps; but besides this you have simplified and improved the whole organization of the military system; you have learnt how to augment both the comfort and the efficiency of the soldier. You have put upon one side a great deal of what I may term superfluous, and wrong, and bad. In the Crimean war you exposed to the world both the elements of your strength and the elements of your weakness; you have still those elements of strength that you then possessed, but you have divested yourselves in a great degree of the elements of weakness. Whatever may have been said by Europe and the world with respect to the condition in which this country went into that struggle, one thing is certain, and that is, however unprepared we might have been at first, at the time when other nations were thoroughly exhausted we were in a state of preparation and in the possession of resources that would have enabled us to carry on the struggle with undiminished vigour. That, Sir, is a lesson that will not soon be lost by Europe and the world. I do not disguise from the House that at that very time when you exhibited to the world the elements of your astonishing strength you also exposed some elements of weakness; but what has taken place since will convince the nations that of those elements of weakness you have purged yourselves, while you still retain in all their pristine vigour the elements of your strength. You have evinced that, not only in the progress you have made in military organization, and in the increase of the strength of the country, as shown in the Volunteer force and the Naval Reserve, but you have shown in India, you have shown in China, and you have shown in the wonderful and rapid preparations that were made to meet apprehended hostilities with America, that England has learnt to organize and to make use of her force in a manner that will make her respectable in the eyes of the most military country on the face of the earth. I say, Sir, with the greatest confidence, that England has learned a lesson that will long continue to make her respectable in the eyes of Europe and of every nation in the world; and the position she has gained she will continue to hold, unless by the unwisdom of those who govern her she throws her advantages away. Let us take care that we do not weaken the elements of our true strength, let us take care that we do not discourage and weaken the spirit of the people, as you may do by unwise financial legislation. We have had periods of prosperity. It is possible that that prosperity may come to an end; for although there are many improvements which have been made within the last twenty years, upon which we can look back with pride and satisfaction, there are others upon which we cannot reflect with the same feelings. In the latter category must be ranked the state of our debt. In spite of all our great commercial activity—in spite of the discoveries of gold—in spite of the reduction of the general rate of interest, which has enabled you to reduce the interest of your debt, and in spite of the falling-in of a large amount of terminable annuities—in spite of all these advantages, the capital of your debt stands higher now than at the commencement of those twenty years. You have done nothing in the way of paying off that debt, but, on the other hand, have rather increased it. I may be thought to undervalue the importance of improving our naval and military resources for the purpose of keeping up the strength of the country; but I ask, what will you have to fall back upon if it becomes necessary to provide for war expenditure? The income tax is drawn upon almost to its full capability, and other sources of taxation are hardly available. You will be obliged to have recourse to loans, and then there will come upon you years of trouble in which the reduction of the debt will be a thing unknown. Those years will be like a judgment for our recklessness in having thrown away our surpluses instead of applying them to the reduction of our liabilities. In conclusion, I must apologize for having trespassed upon the attention of the House at such length. I thank them for the kind attention I have received; and if I have not been able to divest myself of all party spirit, I assure the House that I have been animated on this occasion with a deep sense of the vital importance of the question.

MR. W. E. FORSTER said, he hoped that as an independent supporter of the Government he might be allowed to state his opinion of the speech made by the Chancellor of the Exchequer at Manchester, in regard to his position as the Minister chiefly responsible for the taxation of the country. He confessed he found it rather difficult to understand why the hon. Baronet objected to the speech of the Chancellor of the Exchequer; for himself, he must say he thanked the Chancellor of the Exchequer for the speech he had made. It appeared, however, that his objection was not so much to the contents of the speech as to its delivery by a statesman holding the position of Chancellor of the Exchequer; but that argument hardly applied, because the right hon. Gentleman, as steward of the public money, was right in reminding them of the fact that the expenditure, and chiefly the military expenditure, was greater than the country in time of peace had ever to bear before. The right hon. Gentleman reminded them how much less the expenditure was in 1853, and again he (Mr. Forster) thanked him for the hope which that reference suggested that there might yet be a possibility of approaching, if not arriving at it. But he admitted that the Chancellor of the Exchequer went further than that. He stated, that if there was any reduction of expenditure, it could only come from the people, and they must call for it. He did not suppose that that would be denied by the hon. Baronet or by any hon. Gentleman opposite. He thought it possible that some of them below the gangway, who still clung to the hope of reform because they thought we were a self-taxing people rather in theory than in fact, might have objected to the statement of the right hon. Gentleman, but the objection could hardly come from the other side. The right hon. Gentleman said, he hardly knew where the reduction of expenditure was to come from, except from the people, and where else was it likely to come from? The speech he had just heard gave him some hope, that if the hon. Baronet had charge of the finances of the country, they would have some reasonable expectation of the reduction of expenditure. He attributed that speech to the strong suggestions of the right hon. Gentleman in Manchester, and that was an additional reason for setting value upon his speech. It must have entered the mind of the hon. Baronet that they were spending too much, and might spend more, and that the people might call upon them for the reduction of expenditure, or they would not have been favoured with such a speech from him that evening. The feeling was spreading through the country that the public expenditure was larger than it should be, and the sentiments of the hon. Baronet would be hailed with satisfaction by men of all classes. The speech of the Chancellor of the Exchequer excited a hope that the expenditure might be reduced, and that hope would be strengthened by the speech they had heard that evening. He trusted that the feeling of the House, as well as of the country, would be tested, and that before the close of the Session they would have an opportunity of considering the naval and military expenditure and urging its reduction as far as was practicable with a due regard to the safety and honour of the country. If not, those hon. Members who had the honour to represent large constituencies would assuredly have awkward explanations to give them. They would be asked why, in the present state of the country they voted those enormous Estimates; and therefore it was desirable that they should not separate without taking the subject into consideration. He (Mr. Forster) would display the worst possible taste if he were to attempt to offend the hon. Gentleman, but he must say that he thanked him for having asked them, as guardians of the purses of their constituents, to consider whether they were not insuring too highly; and if hon. Gentlemen opposite thought they were insuring too highly, it was their duty to tell them so. It was reasonable to suppose that the statement of the hon. Baronet that evening was made with the full approval of the right hon. Baronet the Member for Droitwich, and the right hon. and gallant Gentleman the Member for Huntingdon. He confessed that he thought that they were paying too great an insurance for the risk to be run. The population were in the most orderly state, although suffering great distress; the colonies were contented and loyal; those great Powers from whom they sometimes apprehended the possibility of danger were pre-occupied with their own affairs. A great social question was in process of solution in America by a civil war; Russia was struggling ardently, and he hoped successfully, to solve a similar social question in peace. France had also social questions of importance to settle, and its Government was as anxious at that moment for the reduction of expenditure as the right hon. Gentleman or the hon. Baronet opposite. With their Volunteer army, and with the probability of a mutual disarmament on the part of themselves and France, it was both reasonable and desirable they should pay less for insurance. If there was less ground for alarm, was there not more ground for economy? If it were an exceptional year, so far as the means of raising money were to be considered, it was also a year for reflecting how the expenditure could be diminished. It was said that such statements as had been made by the right hon. Gentleman were likely to create discontent; but, apart from the consideration that no words uttered by the Statesman who, following the example of his great master, had rendered distress lighter to be borne by opening up new markets, were likely to cause discontent among those who were suffering, it was assuredly true that a threat of the imposition of taxes was much more likely to create such discontent than was a promise of their remission. It was so thoroughly understood that this year at least hon. Gentlemen opposite had bound themselves by a self-denying ordinance, that the attacks made upon the Chancellor of the Exchequer could not be referred to party feeling. At the same time, the only conclusion at which he could arrive with regard to the recent speech of the right hon. Member for Buckinghamshire on that subject was, that it was intended to show how much the country would have benefited by the substitution of himself and his friends for the present Ministry; and, as it appeared from that speech that the only result of such a change would have been the continuance of the present expenditure, and the imposition of additional taxation to provide a surplus which would have been spent in the same way, he was glad to learn from the speech of the hon. Baronet, that if the country lost the services of the present Ministry, they would be succeeded by a Government pledged to reduce the expenditure, which was admitted to be at present unreasonable and unnecessary.

MR. HUBBARD said, that the subjects included in the Bill were very various, and that great inconvenience would, in his judgment, result from including provisions imposing Customs duties and income tax, fixing licences to sell stamps, altering stamps, and repealing the duty on dice in a single measure. He would therefore suggest that some of those matters should be dealt with by separate Bills. He had expected that the income tax would be renewed in exactly the same way as in former cases; but he found that by the twentieth clause of the present Bill the assessment of 1861 was to serve as the basis for the assessment of 1862. He would suggest that that clause should be withdrawn. The effect of the clause would be that increasing incomes would be assessed at a less ratio than that at which they should be assessed, whereas the decreasing incomes would be deprived of the relief which under the present law they are entitled to.

THE CHANCELLOR OF THE EXCHEQUER: Sir, my hon. Friend the Member for Stamford gave me notice on a former evening, on his own part and on the part of the right hon. Member for Buckinghamshire, that it was intended to make comments upon a speech delivered by me at Manchester. It being the common practice that when the conduct or language of a Minister is to be challenged, he should hear the charge before he is called upon to reply, I waited until the Question was put from the Chair before rising to address the House; and as the prediction of the hon. Baronet has been but partially realized —only as regards himself and not as regards his leader—I am left to conclude that for once he has prophesied in error. At any rate, after what has been said by my hon. Friend, it is my duty to request the patient indulgence of the House while I refer to some of the principal portions of his speech. I shall not comment at any length upon the closing part of that speech, interesting as it was; I mean that part which related to the expediency of considering, with a view to a prospective reduction, the state of the public expenditure. For my own part, I heard that portion of my hon. Friend's speech—though it was necessarily a good deal balanced with reserves this way and that—I heard that portion of the speech of my hon. Friend with considerable satisfaction. But my hon. Friend could not fail to perceive that the ready cheers which had accompanied him through nearly an hour of critical attack entirely failed him, and left him to ply his wings and his oars as best he could without support, the moment he began to preach the unpopular doctrine of public economy. I will not dwell on that portion of the speech of my hon. Friend, but it is due to him and due to the House that I should refer to the charges which he has made against myself. His accusations were that I had said at Manchester that our finance was unhealthy; that it was unhealthy because our expenditure was too large; that it might be reduced; and that it could not be reduced by the Government or by the House, but by the people.

Now, Sir, in the first place permit me to say that it is not my practice to go to Manchester or elsewhere for the purpose of stating anything except what is a repetition of my declarations to this House. It is in this House that my duties as a Minister principally lie; nor is there one word that I am aware of, certainly not one sentiment, that has escaped from me in any other place upon subjects connected with my office, which has not been a repetition of what I have said much more at large in my place in Parliament. The hon. Baronet says I laid down the doctrine that the Government and this House have nothing to do with the reduction of expenditure, but that this depends on the people. Sir, I have laid down no such doctrine; and I disclaim entirely the exaggerated and high-coloured views and statements which the hon. Baronet has described. In not one single instance has he been able to point to the words which he quotes out of my mouth. He says "I understand this, when translated into plain English, means so and so." I do not want to be responsible for the plain English of the hon. Baronet. I am perfectly willing to be responsible for my own English, such as it is; although I may have no very high estimate of its merits, I still have that love for it which everybody has for that which belongs to himself. It is my own child; it is my own offspring; and I greatly prefer it to the construction so liberally attached to it by my hon. Friend. He deforms, and transforms it, and makes it wholly unlike what it was; he mutilates and mangles it so that I cannot recognise it. I entirely reject it, and throw it back to him across the House, with all possible courtesy, but with all possible decision. My hon. Friend says that the Chancellor of the Exchequer has laid down the doctrine that he is not responsible for the estimates proposed by his colleagues, and he says that I laid down what amounts to the doctrine that taxes may be taken off, if they are of a highly exceptional character, although the repeal may be reasonably expected to create a deficit. I understand the charges of my hon. Friend against me to be three in substance. First of all, that I disclaimed the responsibility of the expenditure for which I was called on to provide, or, if I did not disclaim it, that I did what was worse, that is to say, that I endeavoured to evade it. Secondly, he says that I did not provide a proper surplus of revenue to cover the public expenditure; and, thirdly, that I have taken away, or induced Parliament to take away, the funds by means of which such a surplus would have been provided.

The first of these propositions requires me to do that which I am reluctant to do—namely, to endeavour to describe to the House my idea of the duties incumbent on the person who holds the office which I have now the honour to occupy with regard to the public expenditure. It is not well or convenient for any of us that we should be called on to deal with these matters in the abstract; but after what has been said I wish to state frankly the view which I entertain of the obligations resting upon me. I do so because, while my own view of those obligations is clear and strong, and while it is my full and fixed intention to persevere in their discharge in the same sense and manner as I have hitherto done, I admit that I am not infallible; and it may be that on particular occasions I have failed to give effect to my real sentiments, and that I am therefore responsible for some part of the misapprehension that subsists in the mind of my hon. Friend, and possibly in the minds of other Gentlemen. I will not accept my hon. Friend's definition of the office of Chancellor of the Exchequer further than it may be embraced in what I am about to say; because when my hon. Friend stated that all the charges of all the departments were to be rested mainly on the credit of the Chancellor of the Exchequer, he being the only impartial witness, and having just as good means of knowledge as the Minister in each department, it must have struck the House, that if that were a true account of the duties and powers of a Chancellor of the Exchequer, we might at once effect a very material economy by dispensing with a great many of the existing Ministers. If I subscribed to that doctrine, I should proceed ruthlessly at once to abolish the offices of my right hon. Friend the Secretary of State for War and my noble Friend at the head of the Admiralty; for he who forms a conclusive judgment as to the expenditure required in each of these departments does in reality administer the department. My hon. Friend much overstated the duties and powers of a Chancellor of the Exchequer when he carried them so far into detail. But I will tell my hon. Friend what I consider those duties to be. In the first place, it is the duty of a Chancellor of the Exchequer to offer resistance to all expenditure which he may deem improper. In the second place, when as a Member of the Government he has agreed to an outlay on particular objects, he has no right, directly or indirectly, to disparage that expenditure. He has no right, directly or indirectly, in the smallest degree to attempt to escape from the responsibility that weighs on his colleagues; and while there is some portion of the public expenditure for which he is specially and almost solely responsible, his responsibility for departmental expenditure—not connected with his own department—I hold to be such that it is beyond that of all his colleagues, except two—one the head of the Government, and the other the Minister of the particular department. The Chancellor of the Exchequer, I fully admit, is exceedingly to blame if, in speaking of prospective reductions of public expenditure, he holds out exaggerated and extravagant expectations of which it is not possible to expect a realization. I lay that down as a principle of the utmost importance, although

I must say my hon. Friend has made no such charge against me. In translating my speech at Manchester into what he calls his "common-place English," he did not ascribe to me that I had held out to persons there or elsewhere any hope of sudden, or what I may call revolutionary, changes.

There is another thing which I must notice, though I shall not dwell upon it, because I do not wish to assume the character of a critic more than I can avoid. I am bound to say, that it is a great offence on the part of a Chancellor of the Exchequer if he knowingly becomes a party to proceedings in this House which single out and stigmatize great branches of the revenue as fit to be repealed before he sees his way to repeal them. Measures of this kind, in my opinion, do nothing but delude the nation and embarrass the Government. It is just as much his duty to avoid making any exaggerated statements of the condition of the finances; if he represent the existing inconveniences and dangers as greater than they are, it is undoubtedly a very serious offence. My hon. Friend, however, has not brought any charge of that nature against me. The Chancellor of the Exchequer likewise deserves all the criticism and attacks of my hon. Friend, and even more than those attacks, if he satisfies himself with standing protestations year after year against the evils of an expenditure which, instead of undergoing mitigation, are increasing from year to year; if no extraordinary circumstances enter into the transaction, then most certainly such a Minister is not consulting what is due either to his public obligations or even to his personal honour. I will say, further, that he is wrong if at any period he recommends a course of policy systematically different from that of the Government to which he belongs. All these conditions I lay down to restrain his action with regard to whatever general declarations he may make in respect of public expenditure. But I say, subject to these conditions, not only is it his right, but his duty—his highest duty, irrespective of criticism, and in the teeth of criticism, to inform, and to the best of his ability to advise, the country with regard to the relations, the course, and the prospects both of revenue and of expenditure. He is fully responsible for what has been proposed to the House in the Estimates; but the proposals that are made to the House do not embrace the whole expenditure. On the contrary, some of the most objectionable parts of the national expenditure are carried on under the sanction of Acts of Parliament—I am sorry to say under the sanction of very recent Acts of Parliament; and if occasion arises, I shall be ready to point out those objectionable items. The heads of expenditure to which I allude are those incurred under the obligation of contracts, which deserve a more minute and careful consideration than they have yet received. The expenditure proposed by the Government for the financial year, with reference to the circumstances of that year, is subject not only to the judgment which I must form on the necessity of every detail, but to the judgment which generally prevails among persons of weight and authority both in and out of this House, and the well understood convictions of an intelligent people, such as it is our duty to govern. I disclaim altogether the doctrine, imputed to me by my hon. Friend, that expenditure and revenue are for the people to manage, as contradistinguished from this House and the Government. I admit and assert the responsibility of the Government; I admit and assert the responsibility of this House; and therefore I say out of doors, as I say indoors, that in this country of free institutions, where thought and feeling pass and circulate freely, vigorously, and powerfully between the people and their representatives, it is in vain to think materially of influencing the policy of Parliament unless persuasion be carried home to the minds of the people.

I said not a word at Manchester or in this House with respect to the expenditure of the moment; but I did say, and it is my intention to say, so long as I hold this office, or so long as I have the honour of a seat in Parliament, what I may deliberately think concerning our prospects, concerning our acts, and the duties which we have to perform in respect to future income. I make my hon. Friend the admission that it would be absurd and monstrous of any Minister to substitute idle protests for practical measures. I shall not quarrel with the epithets which he or any other man may use against the Minister who would pursue that course of conduct; but in the sharp and microscopic examination which my hon. Friend made of certain topics and details he appears to me to have overlooked some very important parts of the case, bearing on the whole impeachment. The expenditure of the country he said is an increasing ex penditure. I have said—and I will point out the reasons why I have said it—that in order to preserve a sound state of finance it is necessary that our expenditure should undergo a diminution. It has, however, been undergoing a certain diminution already. My hon. Friend has overlooked that fact. I am not recommending that we should enter on some course entirely new. I am not acquiescing in one policy, and advising other people to take upon themselves the trouble and responsibility of bringing into action another policy. I have no means of comparing the expenditure of this year with that of former years without having recourse to the Estimates for 1862-3; but, taking these, and comparing the estimated expenditure with the expenditure of former years, I find that, without deducting the sums which were paid for expenses in China and America, the expenditure for the year is less by £943,000 than that of 1859-60; and though I do not at all mean to say that the latter was an extravagant expenditure, it was one for which the last as well as the present Government were responsible. Again, the expenditure for 1862-3 is less by £3,304,000 than that of 1860-1, and less by £1,738,000 than the expenditure of 1861-2. Those figures, however, include the expenses of the China war and of transmitting troops to British North America, and therefore I have endeavoured, as well as I can, while maintaining the rectification of the account, by giving to each year what belongs to it, and striking off what would have been given by Votes of Credit in former years, to give a view, as nearly correct as possible, of our expenditure; and it stands thus:—The expenditure in 1859-60 was £69,193,000; in 1860-1, £69,461,000; in 1861-2, £68,835; while in 1862-3 the estimated expenditure is £68,100,000. These figures show a reduction for the year 1862-3 of £1,093,000 on the year 1859-60; of £1,361,000 on the year 1860-1; and of £735,000 on the year 1861-2. A reduction, then, has been effected, though my hon. Friend fails to see, what the House and the county have seen, that we must—slippery and ambiguous as I grant the word to be—still describe the present time as a period of "exceptional" circumstances. It is a period of exceptional circumstances when we have on our Estimates at least £1,000,000 of pure war expenditure; it is a time of exceptional circumstances when we have great distress existing in the country from causes such as have never before been known, I believe, in the records of history; it is a time of exceptional circumstances when great military movements in China, North America, and New Zealand are of such a character as must, of course, act in a greater or less degree on the expenses of our establishment? Yet, in spite of all this, I am enabled to point out to my hon. Friend what he does not seem to take into consideration—namely, that we have to some extent reduced the expenditure of the country. That is what I venture to recommend we shall continue to do with as much vigour as circumstances may permit, but at the same time with every caution. Have I gone beyond my duty in that statement? If any language of mine in regard to the public expenditure can be considered as evidencing a desire to separate myself from my colleagues as respects responsibility, I propose at once and entirely to disavow that language. So far from separating myself from my colleagues, I at once not only accept my responsibility, but confess my share of the fault, if any fault there be, in respect to the control of that expenditure. When my hon. Friend says I was throwing the responsibility on some unknown Member of the Government, thereby endeavouring to escape from my responsibility as Chancellor of the Exchequer, I am sure my hon. Friend represents with sincerity whatever he has heard; but he has been grossly taken in by some vendor of scandalous stories who has stated what is not worthy either of his notice or the notice of Parliament. So much for the actual state of things which my hon. Friend supposes to be a state of growing expenditure which we are called on to consider and to redress, but which is, in point of fact, a state of gradually sinking expenditure. That is the process in operation, and that process is one which I wish to continue and accelerate as much as a due regard to the public interests will permit. Now, do the circumstances or do they not call for and justify this proceeding on my part? Is it, or is it not, my duty to call the attention of Parliament and the country to the relative state of our resources and our charges? My hon. Friend referred to the statement made by the right hon. Gentleman the Member for Buckinghamshire as a striking exposition of the financial position of the country. I am sure my hon. Friend will do me the justice to say that in the clearest language I could make use of, and with the most ample illustration afforded by the figures at my disposal, I endeavoured to point out to the House what the state of our income and expenditure really was. I do not think it is my duty as Chancellor of the Exchequer, on all occasions, to call attention to this or that detail; because this or that detail cannot always be decided by a positive theory, like a mathematical problem. Such matters must frequently be dealt with in accordance with the opinion of a particular authority, or with facts derived from the superior knowledge of others; or again, an opinion may have been expressed by Parliament in favour of an expenditure in this or that particular direction. There are some occasions when there is a positive obligation on the Chancellor of the Exchequer to refuse his sanction to a proposed expenditure; for instance, when two years ago my hon. Friend the Member for Sunderland (Mr. Lindsay) proposed to expend £4,000,000 or £5,000,000 on harbours of refuge, I felt no doubt on my mind that I could not be the organ of the House in giving effect to such a Vote. The Chancellor of the Exchequer has to keep in mind totals, to look to the bearing of those totals on each other, and to bring under the notice of the House the relations of revenue and expenditure. It is the balance of revenue and expenditure with which he is more immediately concerned. I have endeavoured, therefore, on several occasions, to call attention to that relation between income and expenditure which my hon. Friend now tells us he thinks demands our serious attention. What are the signs which lead me to think with him that grave attention should be given to the subject? One of them is this. I believe that Parliament never will, on any great occasion, refuse to support the Government in doing what the country requires; but we may perceive in this House on minor and secondary questions a disposition to urge expenditure, and, at the same time, to take away the means of meeting that expenditure. My hon. Friend knows that I have had no sharper contests in this House than those which I have had in my endeavour to maintain taxes in order to meet the expenditure. I shall not now say whether those taxes were good ones or the contrary. Only two nights before the financial statement was to be made this Session a majority of the House of Commons, in ignorance of the state of the public finances, voted for a measure the effect of which would be to repeal a particular tax. That majority was, I think, composed principally of hon. Members who sit on the other side of the House.

MR. DISRAELI: The Motion was made by an hon. Member on the right hon. Gentleman's own side.

THE CHANCELLOR OF THE EXCHEQUER: I am very much obliged to the right hon. Gentleman. I would much rather see such a Motion merely moved than carried by this side. However, two nights before the financial statement the House of Commons thinks it necessary to introduce a Bill for the repeal of a particular tax, and thereby stigmatize that tax. I am not so presumptuous as to censure the conduct of the House of Commons for so doing. I will only say it is clear that our finances are in a critical state when the representatives of the people come to such a decision on the very eve of the financial statement. The complaints made about taxation also induce me to think it most desirable that at the present time our attention should be given to the expenditure. There is much more in expenditure than is supposed by those who look slightly at it. The expenditure of this country embraces £70,000,000—it embraces not merely the question of maintaining this or that establishment, but it embraces an enormous amount of questions with regard to the maintenance of purposes that we have in view, which are of the utmost importance. I am bound, however to say this, and the speech of my hon. Friend this evening, and the speech of the right hon. Gentleman the Member for Buckinghamshire on a former occasion, make it more desirable that I should refer to the circumstance—that for the last three years we have been maintaining the national expenditure by the exhaustion of temporary resources. I do not say that these are causes of public danger, but they are causes of public inconvenience, and they are occasions which justify a Chancellor of the Exchequer in warning the House, and the country of the necessity for a cautious diminution of our expenditure. What I lay down is, that it is the duty of the Chancellor of the Exchequer to confer with his colleagues on the expenditure which the moment demands; and he has also the special duty, separate from the other Members of the Government, just as their departmental duties are separate from his, of exhibiting to the country the prospective state of our finances, and of indicating the direction which he believed it necessary for our financial policy to take. I do not believe I am hereby promulgating any novelty in doctrine. On the contrary, I believe it is the mere A B C of the duty of the Chancellor of the Exchequer. It is not every Chancellor of the Exchequer who has to provide for an expenditure of £70,000,000 in time of peace, but the principle is one that is common to the whole of our financial administration; at any rate, I give fair notice to my hon. Friend and all whom it may concern that this is the conviction of my obligations which I entertain, and I should have been guilty of a gross betrayal of duty if I had failed to point the mind of the country and of this House towards the future as well as to the present, and in making these endeavours at the proper time, and upon proper occasions, it is my intention to persevere.

The second charge which my hon. Friend has made against me is that I have not provided a proper surplus of public revenue over expenditure. My hon. Friend, acute and ingenious as he is, has never had practically to deal with questions of this nature. It appears to me that my hon. Friend does not apprehend or state correctly the duty of the Finance Minister of this country in its application to varying times and exigencies. In the first place, when he spoke of the late Sir Robert Peel, it must have provoked a smile from those whose happiness it was to sit by his side and to contend for and with him through all the vicissitudes of his commercial policy, to hear my hon. Friend, belonging as he does to an after-generation, undertake *ex cathedra* to pronounce, without the smallest difficulty or hesitation, what under certain given circumstances Sir Robert Peel would have said, thought, and done. My hon. Friend has not even gone through the preliminary processes of his apprenticeship; he has not even read the debates which exhibit the financial measures of Sir Robert Peel, for he thinks that Sir Robert Peel never proposed to repeal a tax so as to produce a deficit.

Sir STAFFORD NORTHCOTE: I said Sir Robert Peel never proposed the repeal of a tax without providing a surplus for the end of that year.

The CHANCELLOR of the EXCHEQUER: That is precisely what I stated. My hon. Friend said Sir Robert Peel never proposed to repeal a tax without supplying something more than was necessary to make up the deficit caused by that repeal. Why, Sir Robert Peel proposed in 1842 the repeal of about £1,600,000 of taxes, and at the end of the year he had a deficit of £2,400,000; and not only that, but Sir Robert Peel's own calculation in 1842 distinctly bore on the face of his figures that there must be a deficit. Sir Robert Peel's object was the restoration of the revenue from year to year, and the figures showed that he was to get £3,700,000 from income tax. But he was not to get £3,700,000 in that particular year, but only half of that sum. His object was to establish a thorough equilibrium, and something better than an equilibrium, between the revenue and expenditure; but he did not bind himself to do it in that particular year. My hon. Friend says how different was the conduct of Sir Robert Peel in his application of temporary resources in 1843. If he will read the debates on the Budget in that year he will find that Mr. Goulburn, as Chancellor of the Exchequer, stated that there was a payment due from China to meet the opium claims of the East India Company, but that the Government intended, nevertheless, to apply the money to the revenue, and to meet the claims of the opium merchants by means of a Vote of Credit. My hon. Friend has really not got up the elements of the case on which he sets himself up as the prophet, the high priest, the Pope, who is to instruct us as to what Sir Robert Peel would have said, thought, and done. My hon. Friend, in my opinion, misapprehends the true doctrine of an annual surplus. It is perfectly right and sound to say that in all ordinary circumstances we ought to provide a clear and considerable surplus of revenue over expenditure, with a view to the reduction of the national debt; but that doctrine is subject to modification by circumstances. No person, for example, dreams of applying it in time of war. When you have a war, you at once altogether abandon the attempt to carry out this principle. Then you say you will take your revenue at so much, and make good the rest by loan. What my hon. Friend fails to see is this, that these last years, although they have not been years of European war, yet have been years not far remote from it. Since the outbreak of the China war they have been years entirely different from the course of our ordinary expenditure. Our ordinary expenditure has risen to an extraordinary height; and when he says it is our duty to provide a surplus, I join issue with him; and when he or those near him occupy my place, and when he or they have to find £70,000,000 a year in time of peace, he will not do it, and they will not do it. It is not sound doctrine, when people are called upon to pay £6,000,000 or £7,000,000 for a war in China, or to send 12,000 or 15,000 men to America—it is not, I say, true or sound finance, or the finance of Sir Robert Peel, to require the Government to disburse large sums for the reduction of the national debt. It is as much as you can or ought to do at such times to provide a balance on the right side, and, of course, if you can only do that under favourable circumstances, it follows that if you have a bad harvest or bad trade, your balance will be on the wrong side. Only apply my hon. Friend's doctrine to private life—apply it to a man struggling in business at a time when there is a scarcity of material or a slack demand, and tell him that is a time for clearing off his engagements. Any prudent man, or I might say any man in the possession of his five senses, would avoid all entanglements, would hold on steadily until the period of prosperity, and then, if he could, put himself in a better position. I tell my hon. Friend that if, instead of being a critic, sitting in comfortable opposition on those benches, he had to deal responsibly with this state of things, neither he nor any one else would attempt to persuade this House to give them, on their Budget, a surplus on his bare promise that he would be in the possession of £2,000,000 or £3,000,000 at the end of the year. Of course there is always a margin, which will amount to about £2,000,000, according as trade is good or bad, or the harvest is favourable or otherwise. My hon. Friend's doctrine is unsound and bad. It is speculative and critical—a doctrine to come from Opposition benches, but not a doctrine which has ever had acceptance from those who have been responsible for the management of public finance.

I now come to my hon. Friend's third charge, that we have taken away the funds out of which a surplus might have been provided. I deny that proposition. My hon. Friend refers simply to our having proposed the repeal of the paper duty. He does not object to our repeal of the 1*d.* of the income tax. Although I, for one, greatly desire to see the reduction of the income tax, and if I could see my way, desire to see more than its reduction, yet no one will say that the repeal of part of the income tax has the same effect on the reproduction of revenue as the repeal of a tax, and especially an Excise tax, affecting trade. My hon. Friend, therefore, takes rather a one-sided view of this matter. However, his charge is that by repealing the paper duty we took away a fund that would have given us a surplus. I do not believe that the House would have consented to let us retain that surplus, or even that they ought to have let us retain it. Would the House of Commons, which is so sensitive to the presure of taxation upon the people that it voted down a tax only two days before the Budget, without knowing whether there was a surplus at all—would such a House permit a Minister to come forward and say, "I want to keep a surplus of £1,000,000, or £1,200,000; you might repeal the paper duty with it, but I ask you to leave this sum in my hands, because the expenditure of the country is high; the people are much distressed; and it is requsite that the Chancellor of the Exchequer should have a great deal of money in his hands?" I am sure that the House of Commons would never consent to such a proposal. I am sorry to hear my hon. Friend express the opinions to which he has given utterance on the whole subject of the paper duty, although I can understand that those opinions are very acceptable to a certain number of the gentlemen among whom he sits, who have always been consistent opponents to taking off the shackles from trade. ["Oh! oh!"] I hope I am not misrepresenting any hon. Gentleman. I said a certain number, for I am quite aware that there are some hon. Gentlemen on the other side who have consistently followed the opposite course; and I do not wish for a moment to include them by too sweeping a description in a category to which they do not belong. But surely my hon. Friend cannot deny that we cannot treat the question of the repeal of the paper duty as it presented itself last year merely as an isolated fact? Does he really think that after what passed in 1860—aye, and before 1860—the Government, having £1,000,000 in hand, could have refused to apply that money to such a purpose as the repeal of the paper duty? Sir, I must say again that the first blow dealt at the paper duty was struck by the Government to which my hon. Friend himself belonged. They selected that duty to brand it with a stigma, and that, too, at a time when the tea duty and the sugar duties were not so branded. It is in vain to attempt to escape from that solemn and unanimous Vote of the House of Commons —it is in vain to say that you meant nothing by it. If you meant nothing, you should have done nothing. But it stands upon record as an act of the Commons' House of Parliament, and of its consequences it is impossible for the House of Commons to get rid as long as the character of Parliament is esteemed by the people, and esteemed also by Parliament itself. Well, that was an important element in the mind of Her Majesty's Government when at the beginning of the 1860, before the outbreak of the China war, they took into their consideration the question whether they should devote the £1,000,000 which they conceived was at their disposal to the repeal of the paper duty. Sir, my hon. Friend and some other hon. Gentlemen in this House are now very severe upon the repeal of that tax ; but let us go back a little. In 1860 it was not the repeal of the paper duty that they so much denounced, and there was only a modest proposal then made by my hon. Friend the Member for Somersetshire (Sir W. Miles) to the effect that we ought not to repeal that duty at the expense of imposing a tenth penny in the pound of income tax.

SIR STAFFORD NORTHCOTE was understood to say, that he opposed the repeal of the paper duty.

THE CHANCELLOR OF THE EXCHEQUER : I dare say you did. I am speaking of what took place at the beginning of 1860, and my hon. Friend will see the importance of what I am about to say. The only question raised in this House before the second reading of the Bill for abolishing the paper duty was, whether it was worth while to purchase that benefit by the laying on of an additional penny of income tax. The House of Commons heard that argument, and decided by a large majority in favour of the abolition of the paper duty. Well, I am astonished again that my hon. Friend does not see that after such a vote as that—unless the House of Commons were to lay down principles wholly novel, most dangerous, and, in my opinion, most discreditable in regard to fiscal legislation —it had, by a renewed proceeding, come under a solemn engagement to the country, at least to do this—to take the very first opportunity of extinguishing that duty. Why, I do not believe there is a single case to be found ever since the year 1815 in which, through a course of reduction of taxation amounting in all to £70,000,000, the Government and Parliament have, by concurring in the second reading of a Bill, given a promise to the country that a tax should be repealed, and in which that promise has not been subsequently redeemed. And does my hon. Friend, who comes down to this House to preach high doctrines, and tell us what he thinks dangerous and discreditable, suppose that it would become us to disregard the prescription so established, and the understanding so created between Parliament and the people, who have been accustomed to look upon the votes of this House even more than upon its declarations and solemn proceedings as entitled to their implicit reliance, and thus to produce in the country a feeling of mistrust that must be perilous to the character of the Legislature, and fatal to the confidence which ought to be reposed in its decisions ? These were considerations which we could not shut out from our view ; and it was impossible for us to hold that surplus with which my hon. Friend now deludes us as he dangles it before us. He appears, however, to think that the revenue surrendered by the repeal of the paper duty is lost revenue. I believe he is in favour of free trade, and yet he says we should now have £1,200,000 more of available revenue if we had not abolished the paper duty. Again, I must point out to him that the repeal of the paper duty must be regarded as part of a system. It is not possible, when you abolish any duty, to say how much its abolition will be worth to you in the subsequent recovery of your revenue ; or, if you do say how much that will be, you must say it merely by conjecture, because you have not statistical information sufficient to enable you to trace the operation. But, Sir, what I hold to be the sound method of dealing with this subject is this :—We introduced in 1860 a very large remission of taxes not under the most favourable circumstances ; on the contrary, under a very heavy pressure of public expenditure, with the calamity of a very bad harvest in 1860, of a rather short harvest in 1861, and the cotton famine in 1862 ; and yet I showed that under these adverse conditions the revenue had indicated an elasticity which restored it at the rate of from £800,000 to £1,000,000 a year. But is that not in great part—aye, in the main, the consequence of the system of legislation adopted by this House? We say that it is such a conquence; and therefore, although I cannot define the moment or the mode in which you will have replaced in your exchequer, through the medium of extended trade, enhanced employment, and an improved condition of the people, the precise amount surrendered by the repeal of the paper duty, I say, in the face of the figures that I have presented to you, that your revenue has been retrieving itself, even under unfavourable circumstances, at the rate of from £800,000 to £1,000,000 per annum; and therefore the revenue of this year, judging by averages, may probably put you in possession of the money you have lost. But it was not against the repeal of the paper duty that a vehement and fervent opposition was directed in 1860. The early part of that year was occupied by energetic and keen party fights, not about the paper duty, but about something else, upon which a careful silence is now kept. My hon. Friend's eyes are exceedingly acute, and yet there are many things which he does not see. His memory is excellent; but the great facts of the financial history of 1860 he totally forgets. He has wholly lost sight of what happened in the early part of that year and before the outbreak of the China war, when a new element was introduced into the case. The fights upon fiscal policy in 1860 turned upon the merits, not of the paper duty or its repeal, but of something much more atrocious—I mean the commercial treaty with France, that treaty with France which offended so much the exquisite sensibilities of many Freetraders on the other side, who could not endure an instrument of that kind, so totally at variance with the unadulterated principles of free trade—that treaty with France which proceeded on the ridiculous principle that it was desirable to give to the mass of the people of England, as well as to the wealthier classes, some option of saying whether they would drink wine or not. [*Cries of* Oh! oh!] Let that inarticulate objection be spoken out. I am in the recollection of the House whether it was not the constant burden of the song of those with whom the battles of February, March, and April, 1860, were fought, that we were wantonly throwing away valuable revenue by the removal of duties upon articles consumed only by the rich, while we mocked and insulted the poor. Our answer was, "Yes; they are only consumed by the rich, because you have laws which prevent their being consumed by the poor, and we ask you to alter those laws, so that the comforts and enjoyments of the few may be brought within the reach of the many." That treaty with France, we were told, threatened to sacrifice the coal of the country, and thereby to impair in a vital point the efficiency of our national defences; while, on the other hand, in its negotiation, Mr. Cobden, by his intolerable negligence, had forgotten to stipulate for the exportation of French rags to this country. But really, Sir, it is not necessary for me to say more to show to the House the blindness of my hon. Friend, with his little paltry criticisms. ["Oh!"] Yes, but I beg you to observe that he forgets that the tariff has been cleared, that the trade of the country in 1860 was enormously increased; he forgets that the patronage of the Government was largely diminished by the reduction of establishments; he forgets that the bonds of amity with the French nation have been strengthened—that the sources of our revenue have been recruited, that the means of employment have been enlarged by the enlargement of our commerce, and that the ability, and yet more the disposition of the public to bear a weight of taxation by no means light in its pressure when their duty to their country requires them to bear it, have been confirmed and extended by the liberal legislation of Parliament. Sir, I cannot presume to give him advice, but I do not think my hon. Friend, in bringing forward his objections to the repeal of the paper duty is consulting the real interests of himself and his party. At any rate, on the part of my colleagues and myself, I may say that we can have no objection to the repetition of these discussions. Looking at the results produced by this course of legislation, and which I may say have consecrated it in the eyes of the country, I confess it appears to me—I do not presume to interfere with the judgment of my hon. Friend—that attacks upon the consummation of that policy are ill-judged on the part of those who make them, and can really have no other effect upon the public judgment except to deepen in the recollection of the nation the fact that there are statesmen in this country who have dissociated themselves from the whole of the beneficial process which has been in progress during the last twenty years, who resisted it as long as it could be resisted, cavilled at it when it could be resisted no longer, although it is, I believe, one of the greatest boons which have ever in the history of man been conferred by a wise and prudent Legislature upon a great and intelligent people.

Mr. DISRAELI: I am not sorry that my momentary absence from the House should have induced the right hon. Gentleman to make observations which showed that he had been for some time lying under a considerable misconception, that I, either directly or indirectly, had given notice that I should take this opportunity of making some remarks upon his speech at Manchester. I can assure the right hon. Gentleman that he is perfectly mistaken. I had no intention at any time of making any observations upon any speech which he may have made anywhere but in this House. I believe my hon. Friend near me (Sir S. Northcote) did intimate to the right hon. Gentleman that he felt it to be his duty, when occasion offered, to make some observations upon that expression of opinion at Manchester. But he had no authority from me to speak on my part, and I know very well from him that he made no such representation to the House. It is to me a matter of very little importance what the right hon. Gentleman may say at Manchester or any other place, since I have the opportunity of meeting, when necessary, the right hon. Gentleman in this House—the proper place for discussion. But as he has alluded to his visit to Manchester he may permit me, in passing, to give my impressions of what then occurred. It appears that the right hon. Gentleman, wishing for some relaxation after his arduous duties, made a visit to the provinces, in which he apparently assumed somewhat of an agitating character. The right hon. Gentleman upon that occasion touched upon two very important subjects. He touched upon the future prospects of Parliamentary Reform. Now, recollecting that the only speech upon Parliamentary Reform—so far as my memory serves me—the only speech ever delivered by the right hon. Gentleman, was delivered when I had the honour of proposing a measure to effect that object. [The Chancellor of the Exchequer: No.] Well, then, the most recent speech, one made only three years ago, the most authoritative statement of the right hon. Gentleman upon that subject, was when he vindicated what, more than eighty years ago, one who was a chief ornament of this House described as "the shameful parts of the constitution," the rotten boroughs, the memory of which I had thought no man of sense or spirit in this day would have cared to revive. When I remember that, I do not think he has laid a very promising basis for successful agitation upon this subject. Upon that occasion the right hon. Gentleman also adverted to the subject of retrenchment, and certainly he gave expression to an opinion which I highly disapprove, because it divorced the right hon. Gentleman from that responsibility which he ought to share with his colleagues. But I should not have noticed those observations, for I have heard him over and over again, according to my feeble powers of conception, put forth similar opinions here, which, in my view, are highly to be deprecated, and I have taken opportunities in this House of stating my opinions concerning them. I am glad to receive now from the right hon. Gentleman an authoritative statement that we in this House, and the people of this country, have for a long time been labouring under an entire misconception of his declarations at Manchester; that the right hon. Gentleman shares entirely the responsibility of the Government; and that the principle of limited liability, which I thought so dangerous and inconsistent with the spirit of the constitution, is not held by him. I am content that, whether it be from the speech of my hon. Friend or from any other motive, we have at last an authentic and authoritative declaration from the Chancellor of the Exchequer that he approves the expenditure, and that he is prepared to bear his responsibility for that expenditure; and if the question of that expenditure be raised before the House, he is there to defend and to vindicate it.

There were one or two points in the speech of my hon. Friend to which the Chancellor of the Exchequer particularly adverted. He found fault with my hon. Friend on account of his doctrine as to a surplus. It seems that my hon. Friend has still the ancient, and, I think, very healthy prejudice in favour of having a surplus in matters of finance. The right hon. Gentleman tells us that is quite an old-fashioned mistake; that, although we are at peace, we have in fact a war expenditure; that in war we cannot have a surplus, but that we raise as much as we can by taxation, and for the rest of the expenditure we must have recourse to loans. That is the orthodox mode during war of managing our finances, and a more ardent advocate of it than the right hon. Gentleman I never heard. But what were the opinions of the right hon. Gentleman when, as Chancellor of the Exchequer, the Russian war was carried on? I thought then that war was to be conducted with the taxation raised in the year. But now we have the right hon. Gentleman coming down and saying, "No one ever heard anything so monstrous as the opinion of the hon. Member for Stamford in favour of the maintenance of a surplus;" and that at no time—if we are fairly to interpret the opinions of the right hon. Gentleman—at no time, if a great financial object be in question, is a surplus of more than secondary consideration; and that in times of war, or *quasi* war like the present, he never heard of anything so absurd as to think of a surplus. This, too, from the Minister of Finance who, when we were embarked in a real war, laid down the disastrous doctrine which fructified—to use a modern phrase—to the injury of the country, that war was to be carried on solely with the resources arising from the annual taxation.

There was only one other observation of moment made by the right hon. Gentleman upon the speech of my hon. Friend. The right hon. Gentleman says we had a surplus in 1861, and that he disposed of it in repealing a tax which he does not deny would, if it had remained, have been now flowing into the Exchequer; but he says, "The House knows well that with a surplus of £1,000,000 it was impossible to have retained it." The right hon. Gentleman forgets that when he was in imaginary possession of this imaginary £1,000,000 of surplus which he did not know what to do with, he had £1,000,000 of Exchequer Bonds that year which he did not pay off; and having that £1,000,000 of Exchequer Bonds which he did not pay off, he went and repealed a tax to that amount. That is financial management. These are the only points which the right hon. Gentleman has urged in answer to my hon. Friend. All the rest refers to his general management of the finances, or are allusions to some observations which I made a little time ago, observations founded upon facts the accuracy of which the right hon. Gentleman does not question, and which remain unchanged and unaltered. The right hon. Gentleman does not pretend that we have a surplus. He does not deny that he has realized a deficiency in two years of more than £4,000,000. He does not deny that he has exhausted the extraordinary resources of the country, moreover, to the amount of £3,500,000. He does not deny, that having the good fortune to be Chancellor of the Exchequer at a time when £2,000,000 a year of terminable annuities fell in, he made such "ducks and drakes" of those £2,000,000 that in the year in which he commenced with a million and a half surplus, in addition to which he had more than £2,000,000 of terminable annuities fall in, he concluded with a deficit of more than £2,500,000. The right hon. Gentleman does not in any way attempt to deny or to question these statements, which, indeed, it would be a vain task to undertake. I should wish to say nothing more under the circumstances. I laid before the House a clear statement, and with as much brevity as I could, as to the real financial condition of the country. The right hon. Gentleman says he had given all the facts of that statement beforehand. Be it so; but the result was that there were not five men in this House who had any clear conception of what the financial state of the country really was. We do understand it now. The right hon. Gentleman does not seek to alter it, nor has he contradicted a single statement I made, and therefore I have nothing to add. It never entered into my mind to call attention to the speech of the right hon. Gentleman at Manchester, after having already commented upon what I thought the perverted principles which led to those remarks, and which the right hon. Gentleman now disclaims, nor should I have thought it necessary again to advert to the subject of finance. The conduct of the finances of the country by the Minister is an important subject, no doubt; but there is a question far more important, and that is the state of the finances and the causes that have led to that state. The only fault I have to find with the admirable speech of my hon. Friend the Member for Stamford is, that he should have thought for a moment that any excuse or apology was necessary for an hon. Member rising upon this occasion for the purpose of expressing his opinions upon the state of the public finances.

Now, what is the Bill before us which is to be read a second time this evening, and as to which Her Majesty's Government are quite pained and astonished—at least, the right hon. Gentleman is—that it was not permitted to be read a second time last Monday? It is a Bill for imposing on the people of this country the largest amount of taxation that ever yet was submitted in an annual Bill. Here is a sum of nearly 24,000,000 sterling of annual taxation to be imposed merely for one year. Is that a Bill which should pass as a matter of course, like a Mutiny Bill or a Bill of Indemnity? Is it an every-day thing to submit to this House Bills imposing taxes to that amount—these, remember, being in great part war taxes? I cannot conceive any subject which more requires the calm consideration of the House than a proposal of this kind. Why these taxes are imposed; why they are imposed in this temporary and provisional form; what the prospects of the country may be with regard to taxation; what are the prospects of our revenue; what of our expenditure—surely these are questions which, if they are ever to arise, must naturally and necessarily arise upon a proposition of this character. We have heard to-night from the Chancellor of the Exchequer what I hoped we should never have heard again. My hon. Friend had adverted to the subject, and I trusted that with his observations the subject would have been finally dismissed. But the Chancellor of the Exchequer has repeated that the expenditure of the country is an exceptional expenditure. Now, what does this phrase mean? After all our discussions, after all the attention which Parliament and the country have bestowed on this (to them) greatest and most interesting subject—the state of their fortunes, for it really comes to this—is there anybody who fairly comprehends what the Government mean by such an epithet? And yet, unless we have some clearer and more precise definition of it, how can the House of Commons form any proper conception either of their present position or future prospects? I ask the question—it is a Socratic mode of reasoning which is sometimes convenient when one is perplexed—why are we arming? If we ask that question, we shall probably be able to discover what there is exceptional in our expenditure. My hon. Friend commenced the inquiry, and, as I thought, touched upon it with great ability. Why are we arming? I throw out of consideration the Civil Service Estimates, for no one pretends that they are exceptional. I think it is possible to reduce them. But you must remember that more than one Government has severely investigated them, that this is an expenditure arising out of the natural development of the country, and that he would deceive the country who would declare that any great reduction could be effected in these Estimates. You come, then, to your naval and military establishments; and I say, when the Government tell us that the expenditure is exceptional, let us ask why we are arming. My hon. Friend made more than one pertinent inquiry under that head. There are three causes for which England may arm. She would arm, as my hon. Friend said, for self-defence. She might arm to obtain a great object of material importance. And she might arm, to use a phrase which has been introduced in this debate, to maintain her due influence in the councils of Europe. I think that my hon. Friend completely disposed of the first question. If this country is arming for her adequate, and I will say her complete defence, there are very few in this House who would question the propriety of such an expenditure. But all would admit that such an expenditure is not exceptional. What may be considered adequate and complete defence is, of course, a question of degree, on which there may be a variety of opinion. For my part, I think that in addition to our customary garrison a perfect organization of our Militia, the encouragement of that force which the martial manhood of the country itself called into existence—the Volunteers—and a Channel fleet, or at least a defensive force equal to a Channel fleet, constitute a complete and satisfactory condition of national defence. But all will admit that that which is to be the general and constant means of self-defence is not exceptional expenditure.

Then I come to the next point for which this country may be incurring the cost of these armaments—namely, to obtain some great point of material importance. Now, I am quite at a loss to fix upon any point of material importance which this country aspires to. It appears to me that England is in possession of everything which a free, a proud, and a rational community can desire, and I entirely dismiss from my mind any consideration under that head. It may be said, indeed, as was observed by my hon. Friend, that although the means of our defence may be adequate for ordinary purposes, there may be a fear of some act of invasion or aggression which requires extraordinary means of defence. I quite admit the accuracy of the remark, but I agree with my hon. Friend, and, I should think, with the great majority of this House, that we are quite at a loss to fix upon the enemy who is meditating to attack us. Who is the foe, and why should there be a foe? Therefore, although, no doubt, expenditure on that head would be exceptional, I think that it would not be justifiable. It may, indeed, be said by Her Majesty's Government that the disordered and disquieted state of Europe requires that this country should be armed; that war may break out between other Powers to-morrow, and that England, as the phrase is, may be drawn into the war. Now, speaking generally, I should say, that if a war between two other Powers broke out, it would be an indiscreet and a wanton act to attack England, and if England enters into that war, not because she is attacked, but from some political considerations of her own, that will not be self-defence. When, therefore, you turn the matter over and over again, it ends in this—are we preparing and keeping up these armaments in order to maintain our influence in what is called the councils of Europe? That is the question which the House will have to consider. After I had made some observations on the financial state of the country the other night, an hon. Gentleman said that, however just those observations were, I had expressed no opinion in favour of reduction and retrenchment. Now, that was an inaccurate observation. I was not called upon to give any opinion respecting reduction and retrenchment on that occasion. Mere abstract and declamatory opinions in favour of reduction and retrenchment are of no use whatever. I have so often maintained it in this House that I am almost ashamed to repeat it, but, unfortunately, it is not a principle which has yet sufficiently entered into public opinion—expenditure depends upon policy. If the House of Commons sustains the Government in a policy which necessarily induces a certain expenditure, it is not in the power of the House to interfere with the expenditure. It is therefore of the utmost importance that we should accurately comprehend the policy which this country is pursuing, and how far that policy influences our expenditure. There never was a time when it was more opportune and more necessary to consider this question. You have, on authority, an announcement that there is no surplus. So far as human calculation can guide us, we have the prospect of a deficit—of a third deficit—a deficit, therefore, following upon exhausted resources and upon a declining trade. It is quite clear, then, that if the expenditure of the country is to be maintained at its present rate, there must be an appeal for fresh taxation. In a time of peace you have, according to the Chancellor of the Exchequer, indulged in a war expenditure; but all that time you have also, from the same hands, had a financial system founded upon a peace expenditure. You have been increasing your expenditure to the war rate, while at the same time you have been gradually and continuously destroying sources of permanent revenue. What is the result of all this? Why, that if you maintain your expenditure, you must increase taxation; and on whom will that taxation fall? It must fall upon that milch cow—the landed interest. Disguise it as you may, you will have an income tax; and what supplies the greater portion of the income tax of this country? The answer is obvious—it is supplied by the real property of the country. This, therefore, is no longer a mere theoretical question; it is pressing at our gates, and unless we come to some clear conception of what our position is, we may find ourselves brought to a pass which very few in this House will think either agreeable or profitable. You cannot meet this question with the vague expressions of the Chancellor of the Exchequer, because, whether he speaks at Manchester, or whether he speaks in this House on the subject of reduction and retrenchment, he gives us nothing but pure declamation. He never shows you where there can be reduction. Eulogizing his own policy, he tells you that he has passed a French treaty in defiance of us, although, by the way, I am not aware that to the principles of that treaty I ever joined in the slightest opposition. But he says he has passed a French treaty in spite of us, and that treaty has secured to us the cordial friendship of France. The right hon. Gentleman, however, is generally followed by the Secretary of State for War, or the First Lord of the Admiralty, who calls for an immense expenditure in armaments, which the noble Viscount at the head of the Government told us only a short time ago are to guard us against the hostile operations of that very ally. There may be something unhealthy in our finances, but certainly there is in our policy, when such contradictory statements can be addressed to us. I repeat, then, that this great expenditure is going on to maintain what is called our influence in the councils of Europe. Our self-defence is adequate and complete. There is no fear of invasion. No human being can see the cause or the excuse of such an act. No one pretends that England is desirous to carry out any object of aggrandisement. The inference, therefore, is plain and palpable—our vast expenditure is intended to maintain our influence in the councils of Europe. Since that is the object which is entailing upon us this warlike expenditure in time of peace, and which, so far as human calculation can guide us, must lead to increased taxation, let us see whether or not we can associate with that policy some clear and definite idea.

Since the settlement of 1815 England has had no cause to complain of the influence which she has exercised in the councils of Europe. Almost on every occasion her suggestions, when offered, have been listened to with deference, and only on one occasion, when it was intimated that if her advice were not followed it would be enforced by war, has that advice not been adopted? But great statesmen during the last forty or fifty years, not satisfied with the natural influence which England exercised in the councils of Europe—holding that, though that influence was considerable, it was not a complete security for peace, which is the natural policy of this country—have believed that in an alliance with France the great object in view could be consummated; and, more or less, you have had what is termed a cordial understanding—at present you have a direct alliance with that power. At this moment the councils of Europe consist really of only England and France. The other great Powers are at present in a state of collapse or reconstruction, from which I trust they will arise with renovated vigour to enjoy a prosperity founded upon sound principles and used for benevolent purposes. Meanwhile I repeat, the councils of Europe consist of England and France; and such being the case, and a cordial alliance having been established between them, there could not be a fairer opportunity for reduced armaments, or a state of affairs in which a moderate military expenditure could be more practicable. Well, then, I ask why is that not the case? If one might judge from the opinions which are expressed in this House by great authorities—by the First Lord of the Treasury, by the Secretary of State for Foreign Affairs when he was one of ourselves, and by other influential Ministers—one would suppose that between England and France there is a feeling of great animosity. We have had invectives delivered in this House by Ministers against the Government and people of France. Only a short time ago we were told, that though the right hand was proffered in friendship, the left hand was upon the hilt of the sword. We have been told that we must look for other friends. We have been told that it is idle to disguise the hostile policy against England which is encouraged and fostered in France. I want to know, if there is what is called a cordial alliance with France—if, from circumstances which could not have been foreseen, England and France are at this moment the only two great Powers that can influence events—how it is that these feelings should have arisen, developing themselves necessarily in immense armaments? That question the House can no longer conceal from themselves the necessity of investigating and considering. The French alliance is not the boast or the glory of any party. All the leading statesmen since the settlement of 1815 have more or less worked for the same end, and it is equally to the credit of the Duke of Wellington, Earl Grey, the Earl of Aberdeen, and those who succeeded them, that they were always of opinion that an alliance with France, which they regarded as a security for the general peace of Europe, was a natural and proper alliance, for two reasons—namely, that not only the material but also the political interests of the two countries were the same. The identity of our material interests used to be a matter of theory, and statesmen of philosophical minds frequently argued to show that each nation produced the articles which the other wanted, and that this fact formed a sound foundation for commercial intercourse. But the matter is no longer one of argument, and we need pass but lightly over these grounds, for the very reason to which the Chancellor of the Exchequer has recently adverted—the existence of the commercial treaty with France. That treaty was not opposed on this side of the House on any ground of policy. It was a question of opportuneness and of our financial ability; but with the exception of some Gentlemen on this side, who, as well as some Gentlemen on the other, are entitled to the assertion of individual feeling, there was no general opposition to the French treaty in point of principle. But I must remind the House that for the alliance with France the people of England have made great sacrifices. They joined with France in the Crimean War, which but for the alliance they probably would not have engaged in; and for the sake of the same alliance they carried through the commercial treaty at some loss to themselves. No one, however, would grudge the loss of treasure or of blood if it has brought about so important a result as a cordial alliance with France. Still, it is very hard on the people of England, having fought in the same field with France, and having entered at a great sacrifice into commercial relations with that country, to be told immediately afterwards that they must submit to be taxed for armaments to guard this country against the hostile operations of our ally on the other side of the Channel. So much for our material interests.

It was likewise the opinion of statesmen whom we all honour, that the political interests of the two countries were identical; and I have ever been myself of that opinion. I will test it. I shall not travel over the world, and touch upon all the points where England and France have co-operated, but shall take what at this moment are the most interesting points in European and American politics, and endeavour to ascertain whether England and France have not only an avowed but a real identity of interests both in Italy and in the United States. First, with respect to Italy. It is the policy of England and France that there should be a powerful State in Italy, and this policy may be proved, not by phrases, but by facts. In 1815, when England exercised a very great influence over the destiny of Italy, she enlarged the territories of the King of Sardinia by the port and city of Genoa and by the whole of the Ligurian territory. If England did that in 1815, at the Treaty of Vienna, France, in 1859, at the Treaty of Zurich, enlarged the territories of the same King of Sardinia by the whole of Lombardy. Then England and France have the same policy of establishing a powerful Italian State; and the same two countries have since recognised the King of Sardinia as King of Italy. Their policy, therefore, in Italy is the same. Now, as to America, I think no one can doubt that the interests of England and France are identical with regard to what has taken place in the United States. A great portion of the population of both countries are dependent on the supply of the raw material that America produces of the best quality and at the cheapest rate. Therefore both England and France have an equal interest in tranquillity and order in that part of the world. How does it happen, then, their policy being identical in the most interesting portion of Europe and in America, that, if we may judge from the declaration of their Ministers, there is everything between the two countries but avowed hostility? And as with regard to Italy, so with regard to America. I never introduce gossip into our debates in this House, but secrets are not kept with the same delicacy at Washington as at St. James's and the Tuileries; and I believe it is understating the case to say that the representatives of the two Powers at Washington, instead of acting in that cordial and friendly co-operation which the present crisis demands, are rather acting as if they were accredited by rival Powers to the court of some capricious despot of the Levant, or some arbitrary tyrant of the Indian Ocean, and endeavouring by intrigue and misrepresentation to establish a superiority of influence. This is the state of affairs; and I ask how is it to be accounted for? How is it that there exists all this jealousy, distrust, and complete misunderstanding, leading to increased armaments and increased military expenditure, between two Powers who ought to be, by identity of interests, firmly and cordially united, and whose union would certainly permit the administration of affairs in both countries to be conducted in a manner that would weigh more lightly on the exertions and resources of their people? I can only account for it in this way—that although England and France may have the same objects, they are apt to contemplate them from a different point of view. But this ought not to be the cause of hostility; it should rather lead to more mature counsels, and induce a more prudent line of conduct. In private life few persons can thoroughly master both sides of a case; and, probably, any man who did master both sides of a case would be utterly unfitted for action. But he consults a friend; they advise together; they compare notes; and from their joint council a prudent and profitable resolution is generally arrived at. That England and France therefore, having the same objects, may contemplate them from different points of view ought not to be a cause of misapprehension between them, but of wiser and more salutary co-operation. But is it so? Is it not notorious, is it not avowed and declared, almost ostentatiously that great distrust exists between the two Governments? The noble Lord himself (Viscount Palmerston) takes every opportunity, when the affairs of the two countries are mentioned, either of denouncing the policy France is pursuing, or dictating a policy to France, and talks of France not conforming to it. This is a state of things that ought not to exist. Still less is it a state of affairs that ought to be encouraged by this House, leading, as it does lead, to immensely increased expenditure, and that is fast bearing us to renewed and increased taxation.

I will take the case most difficult probably to deal with, and in which the greatest prejudice has been raised in this House against the conduct of France. I will take the question of Italy. Although I have shown to the House that the principles of the Italian policy, in the main, of France and England are the same, there are two points with regard to Italy which leave fruitful sources of misconception between the two countries. The first is Naples, or rather the south of Italy. It appears that the Emperor of the French entertains, or did entertain, views with regard to Southern Italy different from those now entertained by Her Majesty's Ministers. The Emperor of the French was of opinion—I do not know whether it is his opinion now—that what is called Italian unity is not necessarily an element of Italian strength, and he questioned the wisdom of absorbing Southern Italy in that great Power he himself mainly constituted in the North. That opinion of the Emperor of the French may be right or wrong; it is a question fairly open to discussion; but it is not one that should lead to hostile and irritating feelings between the two Governments. If they are of the same opinion on the main principle, they should not permit a question of detail to produce misunderstandings of such a character as to envenom the two nations against each other, and lead to a great military expenditure. All will agree to that. But is our Government entitled, under any circumstances, to make those views of France with regard to the south of Italy a source of envenomed dissatisfaction? Why, members of Her Majesty's Government themselves but very recently held the same opinion as the Emperor of the French on this subject. The noble Lord, the present Prime Minister, as head of the present and of a former Government, which we can scarcely separate on this subject, had had the advantage of the advice and counsel of two eminent statesmen as Secretaries of State for Foreign Affairs. One of them had attended the Congress at which all the most celebrated statesmen of Europe were present, and in which the affairs of Italy were minutely discussed. What was the opinion of that Secretary of State? Having acted under the immediate advice and with the approbation of the first Minister—having heard the Italian question discussed by the most able European statesmen, among them the great Italian Minister Count Cavour—the Earl of Clarendon, when he came back from the Conference of Paris, declared his opinion in the august House of Parliament to which he belongs that Italian unity was a bubble. I do not blame the Earl of Clarendon for that opinion. I am not imputing anything to him in the way of approbation or the reverse. But when so eminent a statesman, acting under the advice of the noble Viscount, gave that as his matured and experienced opinion, I think we ought not to look in a spirit of hostility to an ally who agreed in the main with us on the Italian policy, if he disagreed in some point of detail. It may be said that the Earl of Clarendon is not the present Secretary of State. I believe I may say it is not the fault of the noble Lord opposite that the Earl of Clarendon is not the Secretary for Foreign Affairs. We have another statesman in his place—one I have often opposed—one who has in the course of his life committed considerable errors, none so great as proposing that Resolution which virtually turned us out of office and himself out of the House of Commons. But still he is an eminent statesman. I should rejoice if I could see him sitting again on that bench, for in losing him I think the House of Commons lost something of its lustre and authority. Well, Lord John Russell became Secretary of State for Foreign Affairs. And what was his opinion of Italian unity? Though by inference acceding to the policy of which the noble Lord at the head of the Government was the real representative, the policy which the Earl of Clarendon had expressly disclaimed in the House of Lords, Lord John Russell was hardly warm in his official seat when he heard that a person named Garibaldi was preparing at Genoa an expedition to attack the Kingdom of the Two Sicilies. The noble Lord felt it his duty to inform Francis II. of the expedition, and, in the manner customary between the Ministers of friendly Powers, to put the Government of Naples on its guard against an act as illegal as it was outrageous. A Minister with these feelings ought to view with some charity—call them, if you will the prejudices of an ally who, on the subject of the south of Italy, shared so accurately the same opinions. But is this all? Do not the words ring in our ear at this moment of a despatch indited by the noble Lord the Secretary for Foreign Affairs when he had a seat in this House—a despatch with which every one is familiar—in which our interests in the Adriatic were duly considered, and in which a policy exactly the same as that now favoured by our cordial ally was vindicated and approved in those terse sentences, in the expression of which the noble Lord stands unequalled? This being the case, it appears to me most extraordinary that the question of the south of Italy should have been allowed to become a source of irritation between two Governments in whose case original identity of view and principle prevailed, and that hostile feelings should be engendered, when, in fact, nothing but events and circumstances which no one could foresee could have modified the opinions of the English Government. Now, I do not seek to blame the English Government for having modified their opinions on the subject of Italian affairs as regards the south of the peninsula; but if the alliance with France was so precious—if a cordial understanding with that country was so prime an object of their policy as their antecedents would seem to show—if for that alliance such sacrifices as those to which I have alluded have been made, it appears to me not to be excusable that we should approach France on the topic to which I am adverting in a spirit of irritation and of a dictatorial character. This question of the south of Italy will, however, I hope, settle itself. I hope that ideas in the shape of Zouaves, and non-interference in the shape of Marines, will not make their appearance in that country. I am, nevertheless, afraid I am indulging in a hope rather than in a conviction of the subject, because, from all that reaches us, England, which so favours the excellent doctrine of non-interference, may probably see it endangered in that quarter.

Now, there is another question with respect to which the greatest misconception exists between England and France. It is a question of a very urgent character, because it has not settled itself, and may lead to consequences which we should all deprecate—I allude to the question of Rome. I want to know, England and France being perfectly in accord as to the main principles of Italian policy, whether what has occurred at Rome justifies the course which our Government have taken with regard to France, and which has, I believe, if not mainly, at all events in a great degree, led to this increase in our armaments. I venture to speak on the Roman question, not as if I were living in the Middle Ages, and, at the same time, not as if I were assisting at an *auto da fé* of Guy Fawkes. The question is not altogether devoid of interest even for Englishmen and Protestants. What is called the temporal power of the Pope seems to me to be a matter of small importance. The temporal power of the Pope is no more than the temporal power of a petty Italian Prince; and, so far as it is concerned, I do not see that it need interest us more than the power of the Duke of Modena or of Tuscany. There is, however, a question connected with Rome which I apprehend interests the world generally, which is, I think, peculiarly interesting to a Protestant Power like England—and that is, not the temporal power, but the independence, of the Pope. They are two things entirely distinct, although they are always mixed together, partly through blundering and partly owing to intentional misrepresentation. Now, suppose the Pope were to quit Rome to-morrow, and to establish himself permanently at Seville or Avignon, or in any of the great cities of the Danube, you may rest assured that the Roman Catholic Power in whose dominions he happened to find a permanent settlement would not at all care to assert his independence. On the contrary, that Power would very cheerfully accept the increase of influence and authority which the permanent residence of the Pope in its dominions would lend. That would not be the case of a Protestant Power, especially a Protestant

Power having many millions of Roman Catholic subjects. We in England would look with great jealousy on the Pope's becoming a permanent resident in the dominions of a Roman Catholic State; because we know very well, that although as a temporal Prince he is of no more account than any Italian Duke, he is a spiritual Prince, exercising great power in every country, and in every country represented by an organized and intellectual body. It is therefore a matter of very great consideration for English statesmen that the potentate exercising this authority should be placed in a situation in which he should not be unduly influenced by any other Power in Europe. It was this consideration which made the great statesmen of Europe agree to the restoration of the Pope in 1815. Lord Grey, Lord Grenville, Lord Liverpool, Mr. Canning, Lord Castlereagh, and Lord Wellesley, and others of equal eminence, I suppose, were not bigots—they certainly were not fools—and they could find no other solution of the difficulty at the time, for this reason, not that they believed it was advisable or desirable the Pope should exercise the authority of a temporal Prince, but that they saw no other means at the moment of securing his independence, and so they agreed to the restoration of his states and power. But, if the complications which surround this point are considerable in the case of a Protestant Power, what must be the difficulties which beset our cordial ally, the Emperor of the French, in dealing with it? He knows that, whatever may happen, England and the world will never agree that the Pope should be permanently settled in France, or that the influence which he exercises over every country by means of the disciplined and intellectual organization to which I have alluded should be exposed to the dictation and under the control of the Tuileries. The French Emperor understands that perfectly well, and he is also aware, that if the Pope were to be resident in any other Catholic State, great embarrassments to himself might be the result. His own influence, and the authority which he now exercises, or partially possesses, might as a consequence be lessened, while that of another Sovereign might be proportionately increased. But, in addition to this, there is another difficulty. The French Emperor knows very well, that if this question were settled in the offhand manner which some seem to expect and desire, and the Pope were to-morrow a fugitive, an exile, or a prisoner, he who is the ruler of France, whatever may be his name, or family, or dynasty, could not afford to view that circumstance with indifference, perhaps not with impunity. That being so, is it not right that any demand proceeding from us, who affect to be his cordial allies, should not assume the shape of insult, menace, or of open invective in a popular assembly like the House of Commons? Surely the spirit of conciliation should rather guide our counsels. The spirit of friendship should animate us, and we should endeavour by our united efforts to see whether some solution of a difficulty so transcendent could not be brought about. Every European Power, be it Roman Catholic or Protestant, must consider, that if the disruption of the Pope from Rome takes place, and is effected by force, disquiet and a most dangerous feeling will be produced in every nation in Europe. Statesmen who have the Government of any country, whether Roman Catholic or Protestant, cannot be insensible to the possibility of such a contingency; and, of them all, he who must feel the greatest anxiety on the subject—he who must meet the brunt of this difficulty the most directly—is the ruler of France. Well, then, Sir, I say this subject of Rome is one that, of all others, should have led to the most friendly and confidential feeling between France and this country. Yet the noble Lord, and those of his colleagues who have addressed us on the subject, have imported into it a sort of personal feeling, and talk as if the French army had been led to Rome owing to the mere ambition of the Emperor. Now, if there be a fact with respect to which there is a general concurrence of opinion, I should have thought it was that the occupation of Rome by France—I do not now care to enter into a discussion as to whether it was a political mistake or not—was an act, not of ambition on the part of the Emperor of the French, but one of self-defence; and that if the occupation had not taken place at the time at which it did, disorder, discontent, and revolutionary movements, which it alone prevented, might have been rife throughout Europe. The result of all these circumstances convinces me, that recurring to the image I have thrown, out we have not allowed ourselves in this question of Italy to see the two sides of the case; that France has viewed it from a different light, and, arriving at a different conclusion, has not seen her views received by us in that spirit of friendliness which the cordial alliance of the two countries would demand and would authorize. It has led, indeed, to constant misconception, embroilment, jealousy, and mistrust, and in all matters connected with Italy we are practically opposed to that ally, with whose active co-operation we theoretically endeavour to secure the peace and administer the affairs of the world. Let me remind the House that the policy of France and England has been the same, and that they have both largely increased the kingdom of Sardinia. Both have acknowledged the King of Sardinia as King of Italy. With regard to the Duchies in the centre of Italy, whatever was the original policy of the Emperor, he yielded, and did not insist upon it. With regard to the south, his policy has been the same as is avowed and declared by our own Minister. And with regard to the question of Rome, of difficulty to all, of immense difficulty to him, it is one which cannot be satisfactorily carried to a conclusion without the consent of this very ally whom we are irritating and insulting. When we talk of retrenchment; when on analysis we find that our expenditure is not for the sake of self-defence; when on analysis we find that any fear of invasion is absolute illusion; when we find that there is no material point which England wishes to assert and maintain; when we find that it comes to maintaining our influence in the councils of Europe, and that the councils of Europe practically mean only the councils of England and France, it ends in this—that we are arming against our cordial ally. Then, how is this? We are always assured—whether in the speech from the Throne or in the statement of the Minister—that the cordial understanding between England and France is complete. Theoretically it exists; practically we find we are always acting in a contrary sense. And to what has this led? It has led to England managing the affairs of the world, not by a cordial alliance with France, but by a new process, called the exercise of moral power. What is this moral power, the exercise of which is now the policy of England? I will tell you what moral power means. It means warlike armaments in time of peace. It means garrisons doubled and trebled. It means squadrons turned into fleets. And, in an age of mechanical invention to which there is no assignable limit, it means a perpetual stimulus given to the study of the science of destruction. That is moral power. But is that all the consequences of governing by moral power? I can easily conceive that a Gentleman may rise and say, "Well, if we are to choose between a cordial alliance with France and governing by the moral power of England, the latter may be rather more expensive, but still it is a noble occupation. Ours is a strong country. We are showing our strength, and, upon the whole, that is the policy which I approve." I can understand and to a certain degree honour those sentiments; but if I believe, as I do believe, that, instead of securing the strength of England, it is securing the weakness of England, then I cannot approve a dictatorial policy, which is dogmatical and overbearing, which under the specious name of moral power is burdening the people of this country with taxation, now pushed almost to its limits, and which, worse than all, is sapping the true strength of England as I think I can show to the House.

The consequence of the policy of what is called moral power—that is to say of warlike armaments in time of peace, of a dictatorial policy, never conceding, scorning conciliation, shrinking from compromises, and never adopting forbearance—is that you find yourselves involved in war. Your armaments lead to rival armaments, and it is an inevitable necessity that any country which is obliged to incur a warlike expenditure in time of peace for any considerable period ultimately takes refuge from the insufferable condition in which it at last finds itself in the attempt to realize some results by a state of war. I assume as almost a certainty, but at least as a probable result, which should guide statesmen, that four or five years of governing by moral power will lead this country necessarily into European war. And how do you find yourselves prepared for war? With your financial reserve exhausted. There is no fleet and there is no army which gives England such power and influence in the councils of Europe as the consciousness that the income tax is in a virgin state. The very knowledge that our Sovereign by levying a single tax in time of war can annually raise without any considerable burden on the people (for in time of war such an appeal would be cheerfully responded to) a sum superior to those loans which military empires raise with difficulty at ruinous rates, and which they can seldom repeat, alone exercises in the councils of Europe an influence which no extraordinary armaments will ever accomplish.

Sir, I hope the House will now express some opinion upon this subject. The time is very apt for a representation by the House to the Government. We are placed with regard to the Government in a position which cannot easily be misrepresented by the arts of factious rhetoric. We have voted the supplies, and there is no one here, I should think, who would refuse the ways and means for those supplies. But it does not follow that because we have voted the money the Government should spend it; and it is in the power of the Government, acting upon the friendly suggestions of the House, to review and revise their policy. Very great reductions, partially now, perhaps, but certainly in time, may be made by attempting to conduct public affairs in the manner in which we profess to conduct them—namely, by a cordial understanding with our ally, and not by that new system which is called moral power—meaning, as I have said before, warlike expenditure in time of peace, which has brought our finances to the difficult position which the Secretary of War acknowledged last night, and which, if we have, as is more than possible, a third deficit, will bring upon us a burden of taxation, which I do not think Gentlemen, and especially Gentlemen on this side of the House, will be willing to bear. I speak to the House generally, but I make an appeal to my friends here to consider their position. I speak to the country gentlemen, to county Members, among whom the confidence of my neighbours has placed me. It is my duty to impress upon them that our present financial state is of a very critical and dangerous character; that, if fresh burdens are called for, they are the class who will suffer, and in suffering will inflict additional burdens upon classes who have enough already to bear, and with whose prosperity the greatness of the country is intimately connected. Sir, I say to the noble Lord, that the spirit in which he conducts his connection with France, unless he changes his course, and no one can change it with more admirable versatility than the noble Lord, is one that presents no security for a continuance of peace. It is conducted in a spirit totally different from that contemplated by the great statesmen of all sides, who looked upon that cordial understanding as really the only security for the continued peace of the world; and the peace of Europe never has been broken except when circumstances have occurred which have led other nations to believe that a cordial understanding did not really exist. Now, those statesmen who introduced and endeavoured to establish in the public mind, after the settlement of Europe in 1815, the necessity of recasting our old French policy, and who looked with sympathy at a connection with our neighbours, were not blind to the difficulties of attempting to carry their views into effect. Certainly they laid the foundation of their policy on a belief which, I think, I have shown was well grounded—a belief in the identity of the material and political interests of the two countries. But in the complication of affairs which must necessarily occur in the transactions of two of the greatest kingdoms of Europe—knowing well that there would arise frequent circumstances and contingencies in which, though the same interest might exist, yet it might not exist in the same degree, and that France and England co-operating together must co-operate sometimes in countries where one had a preponderating interest and the other a less interest; where one had some interest, and perhaps the other had no interest; that they might even contemplate—nay, more than contemplate, might profess co-operating together in a country where one had a certain interest, and the other had an adverse interest—those great statesmen knew that such an alliance must be founded on mutual forbearance, carried on in the spirit of conciliation, and must be fortified on both sides by occasional concession, and even by frequent compromise. Is that the way in which it is conducted at the present day? No; but by constant jealousies, constant distrusts, frequent misunderstandings, occasional insult — and this to a high-spirited ally. And then you are surprised that ships are built and armies recruited. Why, it is the necessary consequence of the course we pursue; but I hope this course will be at an end. I observed just now that the occasion was favourable for an English Minister to act, not under compulsion, be it observed, but with the House of Commons, for the noble Lord is sitting on the bench opposite by virtue of the confidence of a majority—not very great—who deemed his occupation of that position the best security for

Parliamentary reform and public economy. That is an immense advantage. The noble Lord has the advantage of having supplies granted cheerfully, and he may feel assured, that however the propriety of the course he is pursuing may be doubted, his ways and means will not be refused. Therefore, a man of generous mind would not, under these circumstances, allow any petty feeling to prevent him from meeting a House of Commons so disposed in a fair spirit.

And what is the situation as regards France? France is not the old France, and she is not even the former France of 1852 or 1858. That spirit of military restlessness which so influenced France in past times, which upset so many dynasties, and occasioned so many vicissitudes and revolutions, is appeased. The blot on her escutcheon is erased. Her eagles fly. In the year 1852, whatever might be the opinion of English statesmen with respect to the character or disposition of the Emperor, you had before you the great fact of the revival of the Empire, which was the type of aggression and military conquest. You had then the absolute necessity imposed upon you of putting your House in order. In the year 1858 you had the choice of a general European war, the seeds of which were sown at the Congress of Paris; and it was only with great difficulty, and by great good fortune, that a European war did not then take place, while your own navy was in so unsatisfactory a position that not one of the inventions of modern science had been applied to it. It was in fact obsolete. On those two occasions the expenditure which we incurred was not only called for by the people, but was recommended by the Government from conviction. But that is not your position now. The military restlessness of France is more than satiated. France requires repose; France requires peace; France requires economy; France requires commerce. Commerce, economy, and peace constitute the natural and normal policy of England, and I say this is an opportunity for the noble Lord possessing the confidence of this House, and armed with the resources of this country, to appeal to one who still in official *parlance* is our ally, and who might, under the noble Lord's influence, still become our friend—it is, I say, in the noble Lord's power to come to some really cordial understanding, sensible as well as cordial, between this country and France—the only two nations at present forming the councils of Europe, and to put an end to these bloated armaments which only involve States in financial embarrassment. However necessary may have been on two occasions of great danger that expenditure which has brought us to this condition, we can now extricate ourselves from the pressure if the councils of the noble Lord are animated by those principles which he professes. The defence of this country is complete.

I know, whatever I may say of the policy of the noble Lord, there are opposite to me hon. Gentlemen below the gangway who seem to think that there is no security from great expenditure and impending taxation but by the adoption of the views they entertain. I do not wish to obtain the support of those Gentlemen by any misconception. The doctrines professed by them have been expressed by one than whom no person can place before the country opinions in a more clear or captivating style. I hold that those opinions held by the hon. Member for Rochdale (Mr. Cobden), to whom I now refer, may be ranged under three heads. The hon. Member for Rochdale believes that the self-defence of this country is carried on upon an exaggerated scale. I cannot agree with him. I think that the permanent organization of our militia, the encouragement of our volunteer force, the maintenance of the Channel fleet, or a power equivalent to the Channel fleet, in addition to our usual military garrison, are necessary to this country. I think they constitute the defence of this country, which ought to be supported without the slightest respect to the question of who may be our neighbour, or what policy may be pursued by him. I look upon that as the natural defence of this country, and anything less would not satisfy me.

The next position of the hon. Member for Rochdale, and one which, if adopted, he believes would lead to a great reduction in our expenditure, is that our connection with our colonies should be terminated. There I differ entirely with the hon. Gentleman. No one is more sensible than myself of the anomalies existing in the present relations between the mother country and the colonies. I have always thought that at the time when independent or self-government, call it what you like, was accorded to the colonies, there was not maintained a sufficient reserve of the military prerogative of the Queen, which might have been the basis of an arrangement, giving in a great degree to the colonies the means of defence, and yet sparing the purse of the taxpayers of this country. But, as in private life, there is no greater mistake, and nothing more unwise, than, after entering into a contract, to cavil with the conditions you have signed, so I think the time is too late for us now to do anything more than to regret the loss of that opportunity. Still I believe that by the development of the feeling of self-respect in the colonies, and by the prudent adroitness of the Colonial Minister at home, we may gradually arrive at a result more satisfactory to English taxpayers. Nevertheless, however that may be, the ties between the colonies and ourselves I am not prepared myself to sever. I look on our colonial empire as a great trust which has been delegated to us by Providence, and which is therefore full of moral as well as of political responsibility. I cannot, consequently, agree with the hon. Member for Rochdale; and even if the income tax were to be doubled, I could not agree with him in endeavouring to obtain relief on such terms as he proposes, because, whatever might be the pecuniary relief, the result would be detrimental to the character of our country. At the same time, let me remind the hon. Gentleman and the disciples of his school, who take advantage of a period of distress to remind us that some four millions a year are spent in maintaining our colonial empire, that it was maintained at that cost in the year 1858, when our expenditure was at least more than £7,000,000 below its present amount. It is not, therefore, the expenditure for our colonial empire which has brought us to this pass.

There is a third and final point of policy recommended by the hon. Gentleman. It is that we should resign our maritime belligerent rights, and thus, according to his view, secure peace, and effect a great reduction of the public expenditure. I cannot agree in principle with the hon. Gentleman. I cannot but regret the partial surrender of our maritime belligerent rights. I think the day will come, if it has not come already, when England will rue the consequences of the fatal signature of that paper. If we are to be extricated from those consequences, it can probably be only by passing through great convulsions. I am not inclined to speculate on the possibility of that dark future; but, for my own part, I can never sanction the downward course which the hon. Gentleman, no doubt with all sincerity, suggests. Between the policy of the noble Lord, of governing England avowedly by a cordial alliance with France, but really by a system of moral power, or rather moral terror, which seems to me directed mainly against France, and the scheme recommended by way of relief by the hon. Member for Rochdale—between those two policies so different in character, so contrary in principle, I think there is a course which reconciles all that is due alike to the greatness of our empire and to our fellow-subjects who are called upon from their resources to maintain that empire. It is a course which it is in the power of the House of Commons not only to encourage, but to enforce. Of this I am certain, it is by following a policy of conciliation, and not of an overbearing and dictatorial character, that we can alone preserve a friendly feeling with that Power, which I believe is, from its interest, prepared to co-operate with us in that spirit, and afford substantial and permanent relief to the taxpayers of the country.

VISCOUNT PALMERSTON: Sir, there is no sight more interesting than to behold a gigantic frame which has long been in a state of lethargy suddenly rising into vigour and strength, especially when *lethargicus nec fit pugil,* and displaying all that power which nature and cultivation have combined to bestow upon him. Such is the display which we have had this evening from the right hon. Gentleman. When I found the right hon. Gentleman dilating on Italian affairs, I was at first disposed to think he was perhaps in the condition of the soldier who, having failed to let off his musket in the review, discharges it as he goes home, to the alarm of all who happen to be near. When the House was engaged on this subject, the right hon. Gentleman was, as he says, accidentally and momentarily absent, and thus the occasion, when his long exposition might have been given to the world with much effect, was lost. Still, it would have been a pity had the world been entirely deprived of a knowledge of his opinions, and therefore he has acted very properly, no doubt, in informing us, however tardily, of the views which he takes on this and other questions. As the right hon. Gentleman went on, it seemed to me that he was making such a statement as is usually expected from a person who has recently undertaken the responsibility of Government, and who has to explain to the public his general views on every feature of national policy. The only remark I shall make upon that statement is that it consisted of negation rather than affirmation. The right hon. Gentleman told us more of the things he disapproves than of the line of policy which he is prepared to follow. But, Sir, I assume from what we have heard that the quietude which has hitherto prevailed during the Session is likely soon to be disturbed, and that we may expect what is commonly called "a political crisis." The right hon. Gentleman very dexterously prepared the way for that event. He began by throwing out an alluring bait to the Roman Catholic Members; he held out encouraging expectations to the country gentlemen behind him. He then coquetted with the Reformers and the economists below the gangway on this side; but he certainly did not give much encouragement to us who sit here on the Treasury bench. Nevertheless, I commend the discretional tact with which he distributed his allurements to the different quarters of the House. But, Sir, in the long interval during which the right hon. Gentleman has been maturing his views upon all these questions of national policy —finance, the army, the navy—and foreign and colonial policy, with respect to which he has taken such a wide view in the course of this evening, I think he has somewhat forgotten a few of the antecedents of himself and the party with whom he is acting. The right hon. Gentleman has descanted upon what he calls our "bloated armaments"—upon the impropriety of passing a time of peace in inventing "weapons of destruction." Well, Sir, I think, if I mistake not, that the Government of which the right hon. Gentleman is the leader in this House took great credit to themselves, in the person of the right hon. Baronet the Member for Droitwich, for reconstructing the navy, and for thus increasing those "bloated armaments." If I mistake not, moreover, the right hon. and gallant Officer who presided over the War Department, with great success and great credit to himself, entertained this House for a considerable period by dwelling upon the merit of the Government in introducing and patronizing the new system of "weapons of destruction" which had been invented by Sir William Armstrong. I should therefore refer the right hon. Gentleman to his colleagues in justification of the present Government for having increased our naval means of defence, and for having also adopted those improvements in warfare which the progressive science of the country has developed. Well then, Sir, the right hon. Gentleman objects to moral influence. What other influence he may wish this country to exercise he did not state. He objects to military power, he objects to naval power, he objects to moral power. It is difficult then to say what power we ought to exercise for the purpose of maintaining our proper position among the nations of the world. Then the right hon. Gentleman has discovered that we are in a state of perpetual hostility to the Government of France, with whom we profess to be in amicable alliance. Well, I conclude that the right hon. Gentleman has some sources of information which are not accessible to us, and that we are in a state of delusion as to our relations with our allies on the Continent. But I must take leave to deny utterly and entirely some of the statements which the right hon. Gentleman has made. The right hon. Gentleman says, "You profess to be co-operating with France, you ought to be co-operating with France—France and England are the only two Powers that can direct the affairs of the world. With France, he remarks, we may direct them as France chooses, for that after all is the result of his argument. If you choose to have no opinion of your own, but are willing upon every question to adopt the opinion of your ally, then you may dispense with your armaments—you will then have no bickerings, and there will be one uniform policy. But I am informed that you have some opinion of your own, and I think it is very wrong that England should have any such opinion." Such is the view of the right hon. Gentleman as to the course we ought to pursue in our relations with France. I much doubt its being in accordance with the feelings of the nation.

The right hon. Gentleman spoke of America. Well, take the case of America. If ever there were transactions in which two great Powers who might have entertained different views have acted together with the most complete uniformity, with the most complete mutual understanding, with the most complete identity of policy and pursuits, I should say the transactions in America in which France and England have been concerned are such. There has been no—what the French call—" afterthought" on either part; there has been the most perfect frankness and openness of communication between the two Governments. And in spite of the assertions which the right hon. Gentleman has made—derived from what sources I know not—of intrigues and dissensions between the representatives of England and France in America, I say there never were two diplomatists who have acted with more harmony, frankness, and identity of policy and pursuits than Lord Lyons and M. Mercier have done under the instructions of their respective Governments. In fact, it is the unity of action of England and France that has given us that respect and influence which I am proud to say we possess in the councils of the American Government. It is this unity of action which has greatly tended to preserve those friendly relations which have existed between this country and America, and which have withstood a shock and crisis which might unfortunately have produced very different results. Everybody knows the manner in which the Emperor of the French stood forward when that question arose about the seizure of the passengers on board the *Trent*, when he avowed that he entertained the same opinions as to international law upon which we rested our demands. Nothing could have been more straightforward than the conduct of the Emperor on that occasion. Who can believe that he would have acted in that friendly spirit if there existed between the two Governments those secret hostilities and those louring rancours which the right hon. Gentleman has so falsely imputed?

Then the right hon. Gentleman has said that the same antagonism has prevailed between the Governments of England and France with respect to the affairs of Italy. Does the right hon. Gentleman speak from his own recollection of the feelings of the Government of which he was a Member, when first this Italian affair began to assume a striking aspect? Does he speak from a knowledge of the sentiments which the Government of the Earl of Derby entertained with reference to the possible rupture between France and Austria? I have no doubt he does; and though his memory may be treacherous with respect to the line of policy pursued by his own Government in regard to our army and navy, yet his impression of their policy with reference to Italy seems to have been so engraven on his mind that he imputes to us those feelings which were shared at that time by himself and his colleagues. Sir, when two great Powers are called upon to deliberate upon important events, it is impossible but that their opinions and sentiments should have some shades of difference, arising from their different positions and their different relations to the matter which may have been the subject of deliberation. The right hon. Gentleman has explained why the opinions, conduct, and views of France in regard to the affairs of Rome may and must be to a great degree different from those of England. England is a Protestant, France a Catholic Power. We look to the interests of the Italian nation; the French Government must look besides more or less to the questions connected with the religion which France professes. That circumstance, therefore, may account for some difference in the views which we and the French Government may take with regard to the occupation of Rome and the unity of Italy. The right hon. Gentleman says we have changed our opinions with respect to the unity of Italy. Well, Sir, all opinions must change with the course of events, and with the possibilities which the course of events may bring with it. As long as the King of Naples was in his own dominions, ruling over his subjects, and holding out prospects of internal reforms, we did not wish to encourage those who were anxious to invade his dominions and overthrow his dynasty by force of arms. But when the people spontaneously rose against him, when he fled from his capital to Gaeta, when his capital was seized by half-a-dozen gentlemen coming with Garibaldi in a railway carriage, even in the presence of 2,000 of his own troops, why, that I think was evidence so strong that the popular feeling of the Neapolitans was against his dynasty and for union with the rest of Italy, that it was impossible for us not to see that from that time the unity of Italy became an absolute necessity, and even a necessity which we should be blind indeed not to see was for the welfare and the advantage of the whole people of the peninsula. And most remarkable it is, that although the right hon. Gentleman dwelt, I know not how long, upon the question of Italian affairs, whether the Pope should retain what is called "temporal power"—that is to say, rule under the shadow of foreign bayonets, which he calls independence—(I hope the Sovereign of this country will never be independent in that sense)—although the affairs of Italy occupied a considerable portion of the speech of the right hon. Gentleman, I could not catch one single sentiment implying sympathy with the liberties, the prosperity, or the happiness of the people of that country. There was not one expression tending to show that the right hon. Gentleman felt the least interest in the liberties of the people of Italy, or in their emancipation from those tyrannical Governments under which they have for so long suffered. The right hon. Gentleman seemed entirely to limit his view of Italian policy to the question whether or not the Pope should remain at Rome or should go to Avignon, or to Austria. I must say that I think that is a very shortsighted view to be taken by the right hon. Gentleman, who, I presume from the manifesto which he has spoken to-night, is looking shortly to step upon the bench which we now occupy. We take a different view of the question. He taunts us with exercising moral power and moral influence. He says that it is tyrannical; that we irritate and exasperate all our allies by this powerful interference of moral power and influence. Why, Sir, what is moral power? It is simply the power of persuasion. It is simply the power which opinion exercises. Did we send an expedition to Italy? Did any of those "bloated armaments" of which the right hon. Gentleman now, for the first time, complains—did they go to determine the course of events in Italy? Did we drive the Austrians out of Lombardy? Did we dispossess the Grand Duke of Tuscany? Did we exile the Duke of Modena? Did we compel the Sicilians to join Garibaldi? Did we drive the King of Naples from Naples to Gaeta, and afterwards from Gaeta to Rome? We did none of these things—we took no active part in the struggle. It is true that the English Government said that they wished for the happiness, for the freedom, and for the liberation of the people of Italy; and, as far as the expression of those opinions may have had any influence upon the course of events, I, for one, feel proud of having had any share in producing those results; and I should have been ashamed of my countrymen if, when events of that importance and that high interest were going on in the south of Europe, Englishmen had been silent, Englishmen had had no feeling upon the subject, and had expressed no opinions, no sympathy, no interest, and no wishes as to the results. Well, Sir, as to these "bloated armaments." Where was the right hon. Gentleman when the Army Estimates were voted—when the Navy Estimates were voted? How does he reconcile it with his sense of public duty, if he really entertains these opinions, these exaggerated opinions which he has this evening expressed, how can he reconcile it with his sense of public duty as an economist, as a reformer, as a friend of the people, as a patron of hon. Gentlemen below the gangway, as a supporter of the Pope, as the mouthpiece of the Government of France—for I presume he has to-night been speaking not merely upon his own account, because he could not himself know all that he has told us, he must have heard some of it from others—how can he reconcile it with his sense of duty not to have stated these opinions when these "bloated armaments" were voted, when nobody on that side of the House had any knowledge of his sentiments because he must have kept them to himself, which is not what a leader usually does—how does he reconcile it with his sense of public duty that he did not make his protest against these enormous and inordinate military and naval establishments at the time that they were voted, apparently with his acquiescence, by the House? It is to me perfectly unintelligible. Talk of the French proverb of after dinner mustard; there was mustard enough in his speech, but it comes not only after dinner, but after dessert, quite out of time. Whether it was so intended, and whether the right hon. Gentleman meant to liberate his mind and to exonerate his conscience without at the same time doing any public mischief, I am at a loss to know. I must, in charity, believe that it was out of consideration for the public service that he deferred these criticisms upon our enormous military and naval establishments until they were fairly and safely voted by the House, and when therefore his observations could have no possible effect, at least upon the service of the year. Well, Sir, that was truly patriotic. Really, I can assure the right hon. Gentleman and the House that, whatever he may think, and whatever some hon. Members present may think, I am quite as sensible as he or they can be of the great necessity of practising real economy in the public expenditure. But economy does not consist merely in not spending money. Economy is a distributive virtue, and consists in proportioning your expenditure to the objects you want to attain, so as not to lay out money for that which is not really wanted and necessary, and to attain only those objects which are really desirable. That, I believe, is the proper definition of public economy.

The right hon. Gentleman says that the keystone of our policy ought to be alliance with France. I quite agree with him in that. That is the opinion which has of late years been entertained by all statesmen who have been fitted to take a share in the direction of the national affairs. But if you want to be upon terms of perfect friendship with a great neighbouring Power—a Power of great military and of great naval resources—if you want to preserve your independence, and, at the same time, your friendship with that Power, you can only accomplish that object by being perfectly prepared to defend yourself from attack. It is not necessary that you should expect attack. It is not at all a part of your policy that you should say, "I will only prepare myself for defence when I see an attack coming." It ought to be the constant position of a country that wants to maintain friendly relations with its neighbours, and to hold that position in the world which its importance and dignity require, not to be prepared for aggression, but to be constantly in a state of sufficient defence. The right hon. Gentleman himself admits that: but then he says your Militia, your Volunteers, and some ships in the Channel would be quite sufficient for that purpose. That is a question of degree, which we might have discussed with him if he had condescended to enter into the discussion at a time when it might have been attended with a practical result. But I say that the policy of the present Government is, and the policy of the Government to which he belonged was, not to prepare for aggression, but to organize such a system of defensive preparation that we might go into the concert of Europe either with France singly, or with other powers in addition, as a country standing upon its own defence—strong enough to defend itself against any who might attack it; and therefore not giving counsel out of fear, doing nothing out of apprehension, not yielding obedience from alarm at the consequences which might follow its refusal, but speaking freely, frankly, and openly, as men do who are sure that they incur no danger by the honest expression of their opinions. That is what I call holding your position in the councils of Europe. It is simply that you are free to declare without apprehension the policy which you may entertain, and that you need not fear that the expression of your opinions will be answered by the observation, "Hold your tongue; you know very well that if we choose to attack you you cannot resist us, and therefore what business have you to meddle with these matters? We are strong, and you are weak. The thing shall go as we wish, and your opinions are just worth nothing at all."

But where are all these "bloated armaments," and what are they? We have a military force in these Islands which is, I believe, equal to about one-sixth part of the military force which France has under arms, or available at a fortnight's notice. That does not appear to me to be a very "bloated" state of things. I think that it is rather a genteel and slight form compared with the larger dimensions of our well-fed neighbour. No one would for a moment suppose that our military force was one with which we contemplated invading France. Even the right hon. Gentleman, and those from whom he derives his information, could not well imagine that. One man cannot attack six. Well, then, it is evident that whether we have proportioned the means to our defence justly or not, and whatever may be the wants of the country, those means are simply intended for defence, and it is a question of degree and not a question of principle. Then, take our navy. The right hon. Baronet the Member for Droitwhich (Sir John Pakington) took great credit, and justly, for having adopted that improvement, which at that time was the most recent, the application of steam as a propelling power to line-of-battle ships. He took great credit for having reconstructed the British navy; and not only did he do that, but he began to build iron ships—those formidable iron-plated ships which are to carry alarm and terror all over the seas. And, after all, in these iron ships France is ahead of us. France has more iron ships afloat than we have; she has more iron ships building than we have; and therefore it seems to me a total perversion of words to talk of our navy as a bloated service compared with the services of other countries. The right hon. Gentleman contends that we are not likely to have war with a Power like France, with which we are on terms of real and sincere friendship; that commercial interests, especially those created by that most fortunate treaty, which was so freely criticised a couple of years ago, must tend to render war impossible. The right hon. Gentleman ought to remember that during the administration of Sir Robert Peel, when we were on the most friendly footing with the French Government of that day, and when King Louis Philippe was perpetually boasting of the *entente cordiale* between the two countries, there did arise suddenly by the act of an officer in a remote part of the globe, a question which if it had not been very discreetly handled by the Government of the day in England, and also with a friendly feeling on the part of the Government of France, must have led to a sudden rupture between the two countries. No doubt, national interests created by commerce are a great link between two countries; but that link is not strong enough to resist the strain of national passions; and when anything happens which suddenly enlists those passions and the national feeling or dignity of two countries one against the other, it is very difficult for the Governments of those countries to prevent the rupture which they are both desirous to avoid. Well, I say we ought to be prepared for events of that kind. Look to what occurred the other day. There are no two countries in the world, perhaps, with such strong ties of commercial interest as England and the United States. It was almost thought impossible that anything could sever their connection. We have reason to believe, and justly, that the feelings of the citizens of the United States were most friendly towards England and everything English, but suddenly there came that question of the seizure of persons on board the *Trent*. Here was a point of honour and of national feeling. A flame was instantly roused throughout the United States, and a corresponding feeling of indignation was excited in this country. If it had not been for the temper, good sense, and conciliatory disposition on the part of both Governments, it is difficult to say what might not have grown out of such an occurrence. But Governments, however they may be disposed to maintain friendly relations, are always at the mercy of any headstrong officer in any distant part of the world. That must be borne in mind; and I say again, that a Government, if it wishes the nation that honours it by its confidence to be in a state of real independence, ought not to take an aggressive attitude—ought not to arm with a view to attack anybody, but, according to the circumstances of the time, ought always to recommend the country to place itself in a state of defence, so as not to be at the mercy of any other Power with whom complications might arise suddenly and without warning. That, then, is our view. Our relations with France are as cordial and as friendly as it is possible for the relations between the two countries to be. I utterly and entirely deny every word that the right hon. Gentleman has said as to hostility, bickering, and quarrels between the two Governments. Whence he gets his information I cannot, of course, presume to say, but I advise him to receive with great distrust any information he may receive from the same quarter again. I say, then, that the amount of your naval and military expenditure is a question entirely dependent on the time and circumstances.

Exception has been taken to the statement of my right hon. Friend the Chancellor of the Exchequer that this is an exceptional year. But are there no circumstances belonging to this year which are not in the ordinary course of events? Have we not still remnants of the charges for the expedition to China and for the war in New Zealand? Have we not still to pay expenses incurred in connection with the apprehended collision with the United States? Are we not engaged in operations—not upon a great scale certainly, but still requiring a certain force—upon the coast of Mexico, in concert with the French and Spaniards? All these are things which do not form part of the ordinary course of national policy, and which may be fairly deemed circumstances rendering the present year exceptional. But, supposing they had not occurred, I maintain that the very fact of the great war which has broken out between North and South in the United States would, of itself, have made the present an exceptional year. Because it was quite clear from the begining that circumstances might arise suddenly, and without any possibility of foreseeing them—questions of maritime right and connected with maritime blockade—which might lead to the most serious complications between us and the Northern States. Therefore it was necessary that we should be in a condition of defensive strength. I say, that if there had been no Chinese war—if there had been no New

Zealand war—if there had been no Mexican war—if there had been no *Trent* question, I say that the fact of that disruption between the two parts of the American Union itself was a reason why we should consider the year an exceptional year with regard to our naval and military expenditure. The right hon. Gentleman says, "What nonsense it is to say, that because two Powers go to war, other Powers not engaged in that war should put themselves in a state of greater defence than usual." But, as it happens, that absurdity is an absurdity practised by all nations. Whenever two countries go to war, any nation whose interests may be by possibility injured by one of the belligerents places itself in a condition of unusual defence with regard to the belligerents. If two Continental Powers engage in war, the neutral whose boundaries are conterminous instantly places its military force on its own frontiers. If the war be a naval one, the neutral immediately prepares itself to resent any infringement of its neutral rights. These are measures in accordance with the dictates of common prudence and common sense, practised by all nations under circumstances of a similar character. I quite concur with the right hon. Gentleman, and those who think with him, that economy in the public service is the duty of the Government and of Parliament, and the natural wish and interest of the country. But the application of that word to the particular service of a particular year must depend on the circumstances of that year. The right hon. Gentleman has announced that he intends, before the end of the Session, to call on the House to repudiate all the votes that have been given by his hon. and right hon. Friends when the Estimates for the services of the year were proposed. I humbly think he had better reserve any Motion he has to make on that subject until the ensuing year, when we shall have to propose—at least, unless it be his task to do it—the Estimates for the ensuing year. Both he and the House will then, I think, be in a better condition to judge whether the amount of the military and naval estimates which we shall feel it our duty to propose, if we be permitted to remain on these benches, will or will not be adequate to the circumstances of the then existing time. I think he will not easily induce the House to rescind the votes passed so short a time ago, founded on what we considered to be the necessities of the case, and sanctioned by the various approvals of Gentlemen not only on this side of the House, but of those who sit on his own side as well. With regard to the foreign policy of the Government, which, more than any other matter seems to have been the subject of the right hon. Gentleman's lucubrations, I need not say that I regret his Italian views were not stated at the time that question was before the House. Our policy is simple and plain. We cultivate friendship with every foreign Power that is disposed to cultivate friendly relations with us. I am happy to say that I believe there is no Power in Europe with whom we are not at present on the most friendly terms. We may agree, more or less, with one or other; there must be and there are, no doubt, questions connected with the affairs of Europe upon which our opinions of what is most to be desired may not accord with the opinions of Powers more immediately concerned. We take no active part in these matters, but we have a right to express our opinion. I presume a country like Great Britain is not to be debarred from having an opinion on matters of that sort. And if the Government and the country have an opinion, I think no man will pretend that they ought to be prevented from expressing it. My belief is, that the opinions we entertain and have expressed on the different questions now pending in Europe are in unison with the feelings of the country, with those generous sentiments and that attachment to freedom and constitutional government which are so peculiarly characteristic of the people of this kingdom. And, that being the case, I was certainly surprised that the right hon. Gentleman, who evidently is preparing to be Member of some new Administration, should have given utterance to sentiments in the course of his speech this evening so antagonistic to the feelings of the country, merely, as it seems to me because he felt that they were at variance with the opinions of the Government to which he is opposed.

COLONEL DICKSON said, it was with some hesitation that he rose to speak after the noble Lord at the head of the Government; but he considered that the question was one upon which some independent Member on the back Opposition benches, and who, consequently, was not under that restriction which attached to the front benches, as containing expectants of office, should express his opinion. The noble Lord taunted that side of the House because they objected to certain principles which had been adopted by the Government, and he had stated his fear lest the unanimity which characterized the commencement of the Session should cease. He (Colonel Dickson) considered that as a most unjustifiable taunt, as it was the general understanding that the Session should be passed through in the most amicable manner. His opinion was, that they ought to endeavour to have good relations with every foreign Power, and at the same time to be in such a state of defence as that they need not fear the hostility of any other nation. But, while holding that opinion, he concurred with the right hon. Gentleman the Member for Buckinghamshire in thinking that our armaments were "bloated." They were far beyond the requirements of the day, while our position was such that it was wholly unnecessary to maintain a larger force than was sufficient to support the honour and dignity of the country. The noble Viscount had taunted the right hon. Baronet the late First Lord of the Admiralty for having first undertaken the great work of the reconstruction of the fleet, but there was a difference between putting it into a good condition and carrying it further. On the one hand, they were told that the reason for the increase of those armaments was that they ought to be prepared to be on equal terms with foreign nations; while, on the other, they were informed that they derived great advantages from their alliance with France. He believed the proper course was to cultivate peace with all foreign nations, and with France among the rest; but not with France more than others. But they should be fully prepared against any contingency that might arise. He could not, however, see the necessity for incurring the vast expenses to which they were now pledging themselves. As regarded the United States, there had scarcely been a year within the last quarter of a century in which there had not been some uneasiness in our relations with them, and the same might be said in a different degree of other foreign relations. They were told that they must consent to this expenditure in order to keep up their moral influence. The right hon. Gentleman the Member for Buckinghamshire had controverted the idea that the present was an exceptional year; but the noble Lord opposite had said this was an exceptional year on account of the war with China. But he would ask how many years had there been of late when they were not in a state of hostility with that country? Why, hardly a year. If, then, the expenditure was too great, were not the Chancellor of the Exchequer and the Government responsible for that state of things? What was the use of the Chancellor of the Exchequer "starring" it through the country, and making speeches calculated to procure a certain amount of support for the Government, if he was not prepared to reduce the national expenditure in accordance with his declarations in the provinces? The noble Lord at the head of the Government had remarked that his foreign policy was in unison with the feelings of the people of this country; but the tone of the noble Lord's speech indicated that he felt his Government had not the general approbation of the country, and that their policy must call down on them that retribution which evidently he anticipated. The noble Lord had insinuated that the Conservatives wished to supplant him and his Government, and take their places on the Treasury bench. The experience of this Session and the last proved, that if the right hon. Gentleman the Member for Buckinghamshire and his friends wished to change places with the present Cabinet, they might have taken an opportunity of giving effect to that desire. The noble Lord had no complaint to make against the Conservative party; but they had reason to complain that on every possible occasion Members of the present Government endeavoured to impress upon the country that there was going forward among the Conservative party in that House a movement that would lead to a policy favourable to what was called "Popery." It was most unwarrantable to throw out such accusations against that side of the House. They were told that the policy of the Government was the policy of the people of England. He held that the true policy of the country was to endeavour, while abstaining from undue intervention, to promote as far as they properly might by moral influence those principles of which England was known throughout the world to be the assertor. They were informed that the policy of the noble Lord had been consistent. At all events the noble Lord had supported Garibaldi; and if it had not been for the influence exerted by the British ships of war in those waters, he doubted whether Garibaldi's expedition would have succeeded. [Sir **George Bowyer**: Hear, hear!] The right hon. Gentleman (Mr. Disraeli) had shown that the finances of the country had been shamefully mismanaged; and the Chancellor of the Exchequer, with all his ingenuity and his unlimited command of language, had failed to disprove the assertion. It has been said, and truly said, that the House should be anxious for the happiness and prosperity of Italy, but they should be more anxious for the happiness and prosperity of England, and that anxiety would best be shown by a reduction of expenditure and a consequent reduction of taxation.

Mr. LINDSAY said, he had heard with pleasure, but with surprise, the statement of the noble Viscount that we were on the most friendly and cordial relations with all the Powers of Europe and especially with France. That was an extraordinary assertion, because for the last twelve months the noble Viscount had been shaking his fist at France and had called upon Parliament to vote money to provide against the danger that threatened us on the side of France. The noble Viscount had claimed the support of the country on the ground of his foreign policy. To him it seemed a most dangerous policy both as regarded Italy and America; and, if he did not take care, his policy would lead the country into trouble. [Sir **George Bowyer**: Hear, hear! *and laughter.*] Was the Italian policy of the Government in harmony with that of France, or was the noble Viscount's speech on the Italian question a few days ago likely to conciliate France? He did not think it was. Nor was the policy of England in regard to America any more in agreement with that of France than their Italian policy.

Mr. WHITESIDE said, he wished, before the debate closed, to make a few observations, with a view of drawing some closer distinction between the physical support and the moral influence which might be given to another country engaged in war, or in prospect of war. He supposed he might presume that the noble Lord was in Parliament in 1821, and that he then held office in the Government of Lord Liverpool. He (Mr. Whiteside) believed that the noble Lord was then Secretary for War, and possessed then the same vigour and ability for which he was now so remarkable. Those who served the country at that time knew both how to conquer gloriously and to make peace honourably. About that time a civil war broke out in Naples, the King was coerced to adopt what was called the Spanish constitution; no one knew what that was, but it was declared to be the constitution of Naples. Austria proposed to interfere, however, and restore the former state of things. The Whigs of that day, led by Sir James Mackintosh, made a Motion in that House to consider on what principles the foreign policy of England should be conducted, and whether a generous zeal for the oppressed who had risen to shake off the yoke from which they suffered did not impose a duty upon this country to interfere. Some of the greatest Whig orators of the day were the speakers on the one side. On the other side were Lord Castlereagh, Mr. Canning, and Lord Liverpool. A division took place, and in the majority he found the name of a young and promising statesman, who was then laying deep the foundation of that political wisdom which enabled him afterwards to aspire to the Government of the country—the noble Lord who now occupied that post. In the course of that debate Lord Castlereagh and Mr. Canning said their foreign policy was non-intervention—that although this country had been the ally of Austria and of Russia, they did not agree with the foreign policy of those countries, and did not approve of their interfering with the domestic affairs of other nations. They did not approve of the Spanish constitution; but if the people of Naples chose to have that constitution, provided they made no aggression on other foreign States, let them have it. When Sir James Mackintosh was beaten in his original Motion, he and the clever men on that side adopted the very argument which the noble Viscount had just used. They said, "We do not mean to go to war, but we call upon you to use your moral influence as a Government in favour of oppressed nationalities." The noble Lord might say, that although he served with Lord Castlereagh he was not now bound by his opinions. There was not a more brilliant speech in the record of Parliamentary history than that of Mr. Canning on the occasion referred to. He declared that policy to be cowardly and contemptible; that the moral sympathy which an individual might express in favour of revolution might be a proper thing; but that if a Minister of England expressed the sense of his Government in favour of it, he must issue a remonstrance; and if it was not attended to, he must declare war. He further stated that if there was anything cowardly, it was in giving moral support in such cases as those of Poland or Naples in the hour of danger, and then allowing them to be trampled under foot. That was the opinion of the distinguished individuals under whom the noble Viscount served. As some men grew older they grew wiser. Others might reject the opinions which they held in the vigour of manhood, and adopt opinions not so wise and not so expedient. He ventured to think, that if the noble Viscount would look back to the opinions of his old friends, he would reassume the opinions of his youth, and become a wiser and a safer Minister.

MR. BALL intimated, that when the Bill went into Committee, he should oppose the provision which related to licences to private brewers.

SIR WILLIAM JOLLIFFE could not allow the question to be put from the Chair without stating his opposition to the principles contained in the Bill. If his objections had related to matters of detail, he should have reserved his remarks until the Bill was in Committee. He was not inclined to enter into any discussion on the subject of foreign policy, which had taken the House by surprise. But he must say, that whilst he had listened to the admirable speech of the noble Viscount, which was characterized by his usual tone and temper, he could not help alluding to one perversion of the speech which had fallen from his right hon. Friend. The words "bloated armaments" had been used. Now, he did not believe there were ten men in the House who would not say that the armaments of France and England were deserving of that appellation. They were beyond all that common sense justified. His right hon. Friend had attributed the extent of our armaments to necessity, but expressed his belief that it was the policy pursued by the Government which had rendered those bloated armaments, both on the part of England and that of France, a necessity. He (Sir W. Jolliffe) therefore had thought it necessary to notice what he considered a misapprehension on the part of the noble Viscount. What he had risen principally to object to was the policy or principle contained in the Bill, of tampering, as the Chancellor of the Exchequer proposed to do, with that great arm of our defence the income tax. His right hon. Friend had expatiated on the great use of that particular arm in case of need; and if his right hon. Friend had used strong expressions as to the value of that means of offence and defence, equally strong terms had been used by the Chancellor of the Exchequer, who had stated that England by means of that tax possessed an arm superior to fleets and armies. It was with the view of keeping that arm in an efficient state that he objected to the manner in which the Chancellor of the Exchequer was constantly tampering with the tax. The whole principle on which the tax was to be levied was changed. Two years ago the Chancellor of the Exchequer introduced a system of quarterly payments, and now, whether a man got his income regularly or not, the tax-gatherer was constantly at his door. He had, on a former occasion, called the attention of the House to the hardship on the owners of tithe rent-charge, many of whom were in needy circumstances. They did not receive their tithe rent more than twice a year, and yet they were applied to quarterly for the tax. All trades and professions were subjected to the quarterly tax, whilst companies escaped. The national creditor paid only when he received his dividend. The private banker was called upon to pay quarterly, whilst the shareholder in the joint-stock bank was not required to do so. These changes and inequalities made the tax more and more unpopular, and it was on the ground that the country might be deprived of one of the best means of defence that he opposed the preamble of the Bill.

MR. DARBY GRIFFITH said, he could not but express his surprise that hon. Gentlemen below the gangway—men calling themselves Liberals—should support the policy of the Emperor of the French, who had fixed his fangs in the throat of Italy. The policy of France was rather a beacon to be avoided than an example to be emulated in cases of intervention in foreign countries.

Bill read 2°, and *committed* for *Monday* next.

SUPPLY—CIVIL SERVICE ESTIMATES.

Order for Committee read.

House in Committee.

Mr. MASSEY in the Chair.

£842,119, Public Education in Great Britain.

Mr. LOWE said, it appeared to have been the usual expectation that the person who held his present office, in bringing forward the Vote for Education, should say something that would get up a debate. But he thought the House had lately heard enough on the subject, and that he would best consult their wishes by not troubling them with any statement, but simply confine himself to answering any questions which hon. Gentlemen might be pleased to ask him. The Estimate for last year amounted to £803,794, and this year it amounted to £842,119, being an increase over the preceding year of £38,325. Of that increase £13,500 was accounted for as being sums which would be taken for schools that would derive aid for the first time under the Revised Code on the examination of the children who attended them. The rest of the excess was accounted for by an increase consequent on the spread of the system. There was no other item in the Estimate that called for any observation. He had only one remark to make on the general subject, and that had reference to the training colleges. The Government had prepared a corrected syllabus of study for those colleges, by which they had endeavoured to reduce the standard of examination for teachers to a lower scale than the existing one, making it more exclusively practical and professional. He hoped to publish the syllabus before long, and that it might be found acceptable to the House.

Mr. AUGUSTUS SMITH said, he thought the training colleges were a great mistake, and he was therefore glad to hear that a lower standard of examination was to be adopted in them, so as to render the course of study more practical in its nature. He trusted that more attention would thus be given to subjects of elementary instruction.

Mr. ADDERLEY said, he was not surprised at the small amount of debate which the Vote had excited, considering how fully the subject had been discussed recently. The small increase in the Vote was attributable to the yearly increment of schools, and he was glad to believe that under the Revised Code a larger number of schools, chiefly of the poorer class, would receive the benefits of the Vote. The diminution in the grant for books and apparatus met with his approval, but he did not approve of the transfer of ragged and industrial schools to the Home Department, as he thought the whole educational machinery should be under the control and supervision of one department.

Sir MINTO FARQUHAR observed, that the certificated schoolmasters had been not altogether fairly treated, in a recent debate; and although partial extracts from the Commissioners' Reports had been quoted to justify those remarks, he ventured to state that a reference to those Reports would show that the schools under certificated masters met with a larger share of approval from the Inspectors than schools which were under uncertificated masters. He hoped the right hon. Gentleman the Vice President of the Committee of Education would listen to the arguments that had been addressed to him on behalf of the certificated masters by the hon. Members for Perthshire and Cambridgeshire.

Mr. AYRTON asked, whether the charge for establishment, including inspection, would cover the costs of inspection under the new system? With regard to training colleges, he thought they should only attempt to train persons in the mode of conducting schools, and should not give a general education to intending schoolmasters. Pupils would then stay a shorter time, and the expenditure would be much reduced.

Mr. PUGH said, he hoped, as they were about to close the discussion of the education question for a year, that it would be understood that they left it *re infectâ*, not having done all that ought to be done, and that the rural and poorer districts were still unprovided for. The Report of the Education Commissioners proved this. It showed that a great portion of the grant was absorbed by large cities that did not require it; and this had been made evident by a return moved for by the right hon. Gentleman the Member for Oxfordshire. The Commissioners came to the conclusion that there was no other mode of ministering to the necessities of the rural districts than by resorting to a county rate. The Government determined not to take that course, and this House supported them in the determination. He did not blame them for this, but he was entitled to advert to the fact to show that the grievance of the rural districts was yet to be redressed. If their case was hard in England, it was much worse in Wales, where they had two languages to contend with. None but those resident in such districts knew how much the difficulties of education are increased under these circumstances. Scotland and Ireland had systems of their own, and Wales should not fare worse than they did. He hoped the Government would take the case into consideration before another year came round. If they wished to make that country in sympathy, in heart, and feeling one with England, let them extend to all parts of it the blessings of education. The boon would be duly appreciated there. The Government that extended it to them would never be forgotten.

MR. LOWE said, that during the ensuing year all the schools now aided by the Privy Council would be examined under the former Code, so that there would be no increase in the charge for inspection with regard to them; and those which came in under the new Code would be so few that no increase was apprehended in their case either. The Code did not come into effect until the 30th of June, and, consequently, the examinations under the new Code would not begin until after that date. He did not think it would be necessary to add to the number of Inspectors, though they might require some assistance during the examinations. As to the cost of the training colleges he quite agreed in the necessity of reducing the proportion contributed by the Government. They now paid 90 per cent of the cost, and had proposed a reduction of 20 per cent in respect of the Queen's scholars, but the House had declined to accede to the proposal. He only hoped that the training colleges themselves would take the matter into consideration, for it was impossible that the present arrangement should be a permanent one, and that establishments professing to be based upon the voluntary system should receive a subvention of 90 per cent from the State. With regard to the point mentioned by the hon. Member (Mr. Pugh), he admitted that the system did not go far enough, but he doubted whether that defect could ever be thoroughly remedied. The completeness of the educational system depended on the willingness of persons to come forward with voluntary aid, and it was not in the power of the Government to produce that willingness on the part of the public.

MR. W. WILLIAMS said, it was impossible for Welsh children to acquire any portion of the capitation grant, owing to the difficulty which attended the learning of a new language.

Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £116,695, be granted to Her Majesty, to defray the Expense of the Department of Science and Art which will come in course of payment during the year ending on the 31st day of March, 1863."

LORD HENRY LENNOX said, that connected with that Vote was, for the first time, a sum on account of the Royal Dublin Society, and he complained that certain correspondence for which he had moved on the subject, several weeks ago, had not yet been presented.

MR. DILLWYN said, he thought that the Vote ought to be postponed, as the return which the noble Lord asked for had not been presented. He moved that the Chairman report progress.

MR. PEEL said, he regretted that the return had not been presented. He was not able to say why it had been delayed, but he would inquire into the cause, and would take care that it should be laid on the table at as early a period as possible.

MR. MONSELL said, he wished to call attention to the fact that the Director of the Museum of Irish Industry in Dublin was also President of the Queen's College at Cork. As Director of the Museum he received £400 a year, and as Dublin was some hours' distance by railway from Cork, it was difficult to conceive how the same individual could efficiently discharge the duties of the two offices.

MR. LOWE said, he agreed with his right hon. Friend that it was not desirable that the same individual should hold both these offices. Sir Robert Kane, he believed, had been called on to make his election between the two offices, but for some reason or other he had not yet done so.

MR. HENNESSY said, that Sir Robert Kane was appointed to the office of President of the Queen's College in Cork by the late Sir Robert Peel while he was Director of the Museum in Dublin, and he believed that Sir Robert Kane discharged the duties of both offices to the satisfaction of all concerned.

MR. WHITESIDE said, he was surprised to hear that Sir Robert Peel should first have appointed Sir Robert Kane to an office which required his presence in Cork, and then should have given him a post in Dublin which rendered his presence in Cork impossible. He really did not know how Sir Robert Kane, though a very able man, could perform the duties of both offices, unless he possessed something of the quality of Sir Boyle Roche's bird of being in two places at once.

Colonel DUNNE said, he wished to know what the duties of the lecturers were.

Mr. CARDWELL said, that Sir Robert Kane was not wholly responsible for the delay which occurred in making his election between the two offices. A correspondence had been going on between the Irish Government and the Treasury. That correspondence was now closed. An improvement would be made in the professorships; Sir Robert Kane would make his election which of the offices he would retain.

Lord NAAS stated, that the late Government understood distinctly that Sir Robert Kane had declined to go to the College at Cork.

Mr. ADDERLEY said, he hoped in that case that the Government would not fill up the vacancy at the Museum.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee *divided*:—Ayes 65; Noes 59: Majority 6.

House *resumed.*

Resolution to be reported *To-morrow.*

Committee also report Progress; to sit again *To-morrow.*

DRAINAGE (IRELAND) BILL.

SECOND READING.

Order for Second Reading read.

Colonel DICKSON said, he would move the second reading of the Bill.

Sir ROBERT PEEL appealed to the hon. Gentleman to postpone the second reading to a future day when it could be taken at an earlier hour.

Mr. HENNESSY said, he hoped the Bill would be read a second time now, as it was a measure very much wanted in Ireland.

Colonel DUNNE said, he thought the Bill should be referred to a Select Committee.

Colonel DICKSON said, he would accede to that course.

Bill read 2°, and *committed* to a Select Committee.

LAND DEBENTURES (IRELAND) BILL.

SECOND READING DEFERRED.

Order for Second Reading read.

Mr. VINCENT SCULLY said, he did not wish to force the Bill through the House in opposition to the feelings of hon. Gentlemen, and therefore he proposed to refer it to a Select Committee, in order that it might be thoroughly discussed.

Mr Whiteside

Second Reading *deferred* till *Monday* next.

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Friday, May 9, 1862.

Minutes.]—Public Bills.—1ª Red Sea and India Telegraph Company; Smoke Nuisance (Metropolis) Acts Amendment.

2ª Bills of Exchange (Ireland) Act (1861) Amendment.

3ª Transfer of Stocks (Ireland).

NOXIOUS VAPOURS.

MOTION FOR SELECT COMMITTEE.

The Earl of DERBY, in rising to move for the appointment of a Select Committee "to inquire into the Injury resulting from noxious Vapours evolved in certain manufacturing Processes, and into the State of the Law relating thereto," said, that in the absence of more exciting topics of discussion, he hoped he need offer no apology to their Lordships for bringing under their notice as briefly as he could a subject which was certainly altogether removed from the range of party or political questions:—so far removed, that his only fear in dealing with that subject was, that he should not be able to attract to it the attention of the House in a degree commensurate with its real importance. It was, however, one of a class of questions which, upon sanitary and economic grounds, could not fail every day to force itself more and more upon the notice of Parliament and the country. We as a nation were proud of the rapid increase in our population—an increase which each year continued to progress, notwithstanding the swarms of people which we annually sent from our shores to replenish the populations of other countries, and perhaps to found new Empires. We exulted still more in the fact, that notwithstanding temporary checks, our manufacturing industry more than kept pace with the amount of our growing population; and no man would be insane enough to suggest any measure which would be likely to result in placing the slightest check in the way of those two great elements of our national prosperity. We must not, however, conceal from ourselves that this growing population and these extending manufactures were not unaccompanied with evils which well deserved the serious consideration of the Legislature. Their Lordships had already taken some steps in reference to the subject to which he was about to call their notice. Not many years ago some stringent measures were introduced, affecting, it was true, only the metropolis, for the purpose of abating what was known as the smoke nuisance. These measures included within their scope the operations of more than one noxious trade, and were, so far as the metropolis was concerned, attended with great advantage. Now, as a Lancashire man, he was not prepared to embark upon any course so extravagant as a crusade against the smoke nuisance. Indeed, he was bound to admit—and he did so with great regret—that that was a nuisance which was regarded with great indifference, if not with great complacency, by a large portion of the population in the manufacturing districts. The House of Commons was, he might add, at the present moment occupied in a kindred inquiry to that to which he invited their Lordships' attention—an inquiry of the utmost importance, with respect to which he entertained very sanguine anticipations, and which he hoped would be attended by beneficial results. He alluded to the inquiry into the question how far we might be able to utilize for the benefit of the country the enormous mass of sewage in the different towns of England, which was at present not only absolutely wasted—thereby contravening every intention of nature and Providence, which designed that every material should be made the means of efficient reproduction and increased fertility—but was converted into a source of contamination, poisoning our rivers and streams. It was only last year, he might remind the House, that in order to attain an object not, he allowed, unimportant, but in comparison with such considerations as the due maintenance of the health and cultivation of the country, comparatively insignificant, a measure was introduced to provide for the better preservation of salmon by enacting stringent provisions against the pollution of rivers. Now, he was sure their Lordships were, generally speaking, unaware of the extent to which that pollution was carried, to the detriment of the health of the community and to the prejudice of the productive powers of the land; and although the case did not fall precisely within the terms of his Motion, he might be permitted to mention that a very eminent chemist, Dr. Lyon Playfair, had told him the other day, that complaints having been made with regard to the quality of the water served out in a certain manufacturing town in the North, he had been called upon to examine it professionally, and found—a material increase in the amount of arsenic and preparations of lead having taken place in certain processes of calico-printing in the town, and the refuse water having been discharged into the stream—that while in the water itself there was no appreciable quantity of arsenic, yet that one pound of the mud at the bottom of the river which supplied the drinking water for the population of the place, contained no less than from ten to thirteen grains of arsenic. That fact clearly showed, he thought, how worthy was the question of serious consideration. That, however, was not the subject on which he was about to address them. That to which he wished to draw specially the attention of the House was the evolution of noxious vapours in certain manufacturing processes. In doing so, he deemed it to be his duty not only to point out the injury inflicted upon a neighbourhood with which he was well acquainted, but also to show before the Committee, which he trusted their Lordships would appoint, that that injury might be easily obviated by means simple and comparatively inexpensive. Beyond that, he thought he should be able to prove that in many cases the very refuse which was the cause of pollution might be made a source of profit to the manufacturers themselves, and that the law as it at present stood was insufficient to enable private individuals or the public to obtain adequate redress in those instances in which they suffered from the causes to which he was adverting. He hoped, then, that their Lordships would bear with him while he endeavoured to establish three propositions—first, the amount of injury now inflicted; second, its preventibility; and thirdly, the inadequacy of the present law to afford a remedy. What the term "noxious vapours" might be held to comprise he could not exactly define. Still less could he say how far the Committee for the appointment of which he asked might deem it right to carry their inquiry. He might, however, observe that under the head "noxious vapours" three distinct classes might be ranged. There was that class which was simply offensive without being injurious to health or vegetation. He did not know whether it was strictly correct to term this class "noxious," but certainly they could be indicted as nuisances at common law. There was another, arising from the manufactures connected with the decomposition of animal and vegetable substances, which was not only exceedingly offensive, but highly detrimental to health and unfavourable to life, yet produced no injurious effects on the vegetable kingdom. There was a third class, partaking chiefly, he believed, of a mineral character and perfectly inoffensive, unless it prevailed in very great excess, so far as injury to animal life or health was concerned, but absolutely destructive of vegetable existence. Without wearying their Lordships with a numerous catalogue of instances in illustration of his argument, he might refer to a manufacture of great and increasing importance—he alluded to the manufacture of alkalies. That manufacture was carried on extensively in a neighbourhood with which he was well acquainted—St. Helens—as well as in Newcastle-on-Tyne, and also, more or less, in Glasgow and other districts. It was most important, considering the extent to which alkali entered into various manufactures, and the large export as well as the home trade. It was impossible to ascertain the amount of the produce of alkali works retained for home consumption, because there was no excise, and therefore no means of obtaining correct information; but he held in his hand a report of the amount exported from this country from 1840 to 1860 of soda and pot and pearl ashes, from which he found, that while in 1840 the extent to which the latter was exported was only 237 cwt., the value being £594; in 1854 the export reached 22,596 cwt., the value being £32,611. But that was a very minor branch of the manufacture. The export of soda amounted in 1840 to 75,704 cwt., or to the value of £44,575, while in the year 1860 the quantity exported was 2,049,582 cwt., the value nearly reaching a million sterling. That enumeration related simply to soda and pearl ashes, and left out of account the important classes of soaps and bleached goods, into which they entered largely, as well as the amount manufactured for home consumption. When their Lordships bore in mind those facts, as well as the circumstance that the articles in question entered into the manufacture of paper, glass, and a hundred other substances, as well as the circumstance that one manufactory, and that by no means on the largest scale, turned out in 1846 about 50 tons of soda a week, and in the present year nearly 100 tons a week, they would have some idea of the extent of the manufacture to which he was adverting. He believed he should be confirmed by his noble Friend near him (Lord Ravensworth) when he stated that in the town of Newcastle-on-Tyne one of these great manufacturers employed 1,000 persons, and covered, under one roof, 16 acres of land. He fairly admitted that this statement of the fact of the great extent of these trades was, indeed, capable of cutting both ways. In the first place, it showed the immense amount of injury that might be inflicted from the want of proper precautions, but it must also impress their Lordships with the degree of caution with which it was necessary to approach any legislation on the subject of a trade so important to the manufacturing interest of this country. If at any time it was important that no undue interference should take place, it would be so at a moment when a great portion of our manufacturers in the north were suffering under the deepest depression, and when the diminution of manufacturing employment would be a more than ordinary calamity. He was the last person who would desire to interfere with the increase of our manufacturing prosperity, if only for the reason that half of his property was situated in the manufacturing districts, and its prosperity or deterioration depended on the prosperity or depression of the manufacturing interest. Therefore they would not expect any proposition to proceed from him likely to offer the slightest impediment to the great manufactures of the country. Those of their Lordships who had travelled by the London and North Western Railway might recollect having seen between Warrington and Newton one of the most beautiful specimens of brickwork to be seen in this or any other country. It was a tower or column 131 yards in height, and one of the most beautiful pieces of brickwork possible to be conceived. This tower was erected by Mr. Muspratt, the celebrated chemist, to meet the objection raised in the neighbourhood on the score of the great injury caused by the exhalations from his works. But this attempt to avoid the cause of complaint, though made in entire good faith, had only the effect of carrying the vapour a little further off, inflicting thereby injury on more distant proprietors, and increasing the difficulty of tracing it home to its source. Perhaps he might take the opportunity of mentioning shortly what was the process of this manufacture. The process of the manufacture of soda was carried on by the decomposition of common salt by means of sulphuric acid. In most of the manufactories, the manufacture of the acid was also carried on in other parts of the same building, for the sake of convenience. The sulphuric acid was produced by the combination of nitre and sulphur, and these together gave forth most objectionable and injurious vapours. But, fortunately, it was to the interest of the manufacturers of sulphuric acid to condense the whole of these vapours, in order to increase the amount and profit of the manufacture; and therefore in most of these works, where the manufacture of sulphuric acid was carried on, no inconvenience or injury was sustained by the neighbourhood. But, unfortunately, a similar condensation was not, or was not so well understood to be, to the interest of the manufacturers with respect to the gasses evolved in the manufacture of soda—that was from the action of the sulphuric acid upon the salt, which gave out a large amount of muriatic acid gas, most injurious to vegetation. These works of Mr. Muspratt were first begun after the year 1831 or 1832, and for some years there were great complaints among the neighbouring tenants and farmers of the injury done to their crops, fences, and trees. From time to time allowances were made, and the complaints were silenced, until at last the evil became intolerable, particularly to the large proprietors in the neighbourhood; and in 1846 the late Mr. Legh, proprietor of a large portion of land in the neighbourhood, and a relative of the present Member for South Lancashire, obtained a considerable amount in compensation from Mr. Muspratt. The Rev. J. Hornby, the rector of Winwick, also obtained compensation to the amount of £1,300 at one time for the destruction of his timber and crops. He (the Earl of Derby) had himself seen a thriving oak plantation which had been entirely destroyed by the gas proceeding from these works. These actions and damages did not stop the manufacture, which went on increasing, until at last Mr. Legh, in 1851, having had the whole of the timber of his estate either killed or so damaged that he was obliged at a great loss to cut it down, brought another action, claiming damages to the amount of £17,000; but, before the action, Mr. Muspratt compromised the matter by the payment of £2,000 and the costs, and by a promise, which was punctually performed, to pull down and destroy the whole of his works. It might appear that in this case the remedy was perfectly successful; but in the mean time there had sprung up in the neighbourhood of St. Helens, two or three miles from Newton, and, according to the prevailing average of the wind, considerably to the windward of the latter place, a very considerable number of other works, against the owners of which the neighbouring proprietors were compelled to bring actions. In 1839 Sir John Gerard recovered £1,300 damages; in 1846, £2,000; and in 1852 he commenced an action for £4,000, which was suspended through his illness and death. In the mean time various other manufactures sprang up, and it was unnecessary to state that the increase of the number of manufactures very materially increased the difficulty of tracing home the injury inflicted upon any particular landed proprietor to the proper source; but it was a remarkable fact, that when Mr. Muspratt's works were destroyed, the improvement in the vegetation, hedges, and young trees was instantaneous. But since the great increase of works in St. Helen's the country was again showing traces, though not to so serious an extent, of the injury it sustained during the period when Mr. Muspratt's works were in operation. But what was the state of the country in consequence of the manufactures at St. Helen's might be conceived from the fact, that in the direction in which the wind ordinarily blew, for three or four miles hardly a living tree was to be seen, though in his memory it used to be thickly covered with hedges and timber—not of the first quality, perhaps—and with very extensive young plantations. Now he ventured to say, that within a radius of two or three miles from St. Helens there was hardly a standing tree at this moment; and if one was to be seen as a person travelled by the railway, it was standing leafless and branchless, giving to the whole country an air of desolation and destitution not to be seen in any other part of the kingdom, except in a neighbourhood with which the President of the Council was acquainted, known by the name of "the black country," in which vegetation certainly did not thrive. He was prepared to show not only that the trees and the country were destroyed, but that, contrary to the ordinary rule, there had been a remarkable depreciation in the value of the property around in consequence of the establishment of these works. In a distance of two or three miles from St. Helens there had been a deterioration in the value of the landed property to the extent of £200,000 within the last few years. The rent of the land, instead of rising, as it generally did, in proportion to the increase of neighbouring towns, was falling rapidly, and to some distance from these works the hedges were destroyed, as if blasted by fire. It was rather curious that the effect on growing crops was not so great as on timber and hedges, and he could only account for this fact by supposing that it arose from the timber and hedges being exposed continuously and year after year to the action of these noxious vapours, while the crops were only exposed to them for three or four months, and in some directions they almost escaped injury, probably in consequence of the prevailing direction of the wind. It appeared, however, that in one instance the crop had been destroyed in one night to the extent of a third, and it was stated that these vapours caused cows to slip their calves, and that sheep would not thrive on grass subject to the constant action of the vapours. In this district there had formerly existed a great number of orchards, on the produce of which many of the peasantry chiefly relied for the payment of their rents; the orchards were now destroyed, and the poor tenantry and cottagers suffered great injury from the loss of the fruit. The cases of these persons deserved consideration, for they were not like their wealthy neighbours; they could not afford litigation, and had no chance of enforcing damages against a wealthy manufacturer for the destruction of their produce. He had heard of the case of a person in moderate circumstances who had purchased a freehold in the north of England, and invested the whole of his capital in the establishment of a nursery in what was then a most favourable situation. A building was subsequently erected in which one of these noxious manufactures was carried on, and he could see a white vapour, perfectly distinguishable, steadily proceeding in a horizontal direction, going further or less far according to the state of the atmosphere, and lighting on the spot where he had planted his nursery. That man was literally driven by those vapours from the spot in which he had embarked his capital, and nothing would tempt him to remain longer in a place in which so large a portion of his means had been destroyed. Such was the state of things near St. Helens. His (the Earl of Derby's) own house was about six miles distant from St. Helens, and at that distance he could not trace the damage to the manufactures, and still less to any particular manufacture; but, certainly, on that side there had been of late a very considerable decay in the older timber, and, to a certain extent, he attributed it to the effect of this poisonous vapour. He had been told by persons who had crossed his park, especially very early in the morning, that they became sensible of a very pungent vapour—though, as he had said, this was four or five miles from the place where these manufactures were carried on—which made their eyes smart, and which left an exceedingly acrid and unpleasant taste upon the lips. He had mentioned those instances merely as a sample of what might be found in other districts of the country, and what he had stated with regard to his own neighbourhood was far from the whole of the case. Now, he would not have thought those circumstances sufficient to invite their Lordships to appoint a Committee, still less to legislate, were it not that he was prepared to show that, with regard to most of these manufactures, and especially with regard to alkali, there was a most perfect and complete remedy—a remedy admitted by the manufacturers themselves. This particular muriatic acid gas had such an affinity for water that a certain quantity of water would absorb 480 times its amount of gas; and, consequently, as the gas passed from the furnace into the chimney, the simplest and most effective of all remedies was to meet it with a constant supply of water, and thus absorb it. The most approved method now was to pack the chimneys with coke made very small, through which the vapour ascended, and down which the water fell, absorbing the vapour and completely condensing it. He was bound to say, to the credit of many of the manufacturers, that they carefully attended to this matter, and that so far as their works were concerned, very little injury was done, in consequence of the complete condensation of the gas. He was sorry to say, with respect to others, that they did not take the same precautions, and they trusted for impunity to the difficulty of bringing an action, and of tracing home to the proper parties the injury which was sustained. Unfortunately, too, in avoiding Scylla, some had fallen into Charybdis;

because, instead of turning the water which came down the chimneys to some useful purpose, it was allowed to make its way to some neighbouring brook, which it as effectually poisoned as the gas poisoned the air. But he had no doubt that this water might be, and indeed had been, by very simple chemical means, converted into a source of absolute profit. There were other manufactures, however, such as copper-smelting works, which produced a gas for which it was more difficult to find a remedy. But should their Lordships appoint a Committee, he held himself bound to show, not only the extent of the mischief, but also, by scientific evidence, that all or a considerable portion of it was easily preventible; and as the maxim held good, *Sic utere tuo ut alterum non lœdas*, there would be nothing unfair in calling upon the manufacturers to abate the mischief. The law as it present stood did not afford a sufficient remedy. For the purposes of prevention the English law was absolutely silent, except with regard to one very partial provision. In 1848, and again in 1858, under the Public Health Act, a certain discretionary power was given to prevent the creation of nuisances of the description to which he alluded. But there were only two remedies which were open—one to individuals, and the other to the public; the one by an action for damages, the other by an indictment for nuisance at common law. He was not going to ask their Lordships to imitate the principles or practice of the French law, the provisions of which were very stringent in such cases; but he held in his hand a report which was presented to both Houses of Parliament in 1855, and which was signed by Dr. Waller Lewis, medical officer to the General Post Office, on the laws of France upon the subject. He found by the law of France that those noxious occupations, 212 in number, were divided into three separate classes, 67 being in the first class, 78 in the second, and 67 in the third; and he would show with regard to the most noxious class the precautions with which French legislation had surrounded it—

> "The establishments of the first class are those that must be kept at a distance from private habitations; but it is not necessary that they be prohibited from the outskirts of a town. To the authorities belongs the duty of examining if the isolation is sufficient, having regard to the importance of the works, to the nature and configuration of the soil, and to the importance of the surrounding dwellings. The demand for authority (*i. e.* for permission to establish) must be directed to the Prefect of the Department, and to the prefect of police for the jurisdiction of the Prefecture of the Seine. The demand must be accompanied by two plans, one indicating the connections of the proposed works with the neighbouring lands and habitations, the other showing its internal arrangements. The demand for authority is placarded in all the communes within a radius of five kilometres (three miles) and must remain exposed during one entire month. Besides this, the Mayor of the commune where the works are to be erected must hold an inquiry (*une enquête*) *de commodo et incommodo* among the nearest neighbours. This inquiry, drawn up by the mayors, consists of evidence gathered by themselves personally, or communicated by those interested in the matter; it constitutes one of the most important formalities preceding the authorization. All the documents are transmitted to the Prefect, who submits them to the Council of Health, and afterwards to the Council of Prefecture, if there is any opposition. When these various formalities have been gone through, the Prefect sends the whole of the documents to the Minister of Commerce, with his recommendations, whatever they may be; when, after submitting the proposal to the advice of the Council of State, the Minister proposes to the chief of the Government an order of refusal or authorization, which the Prefect is charged with executing."

The formalities with respect to the other classes were precisely similar, except that the documents were not submitted to the Minister of Commerce or the Minister of State; but occupations of the second class might be authorized by the prefect, and those of the third class by the sub-prefect. He was not going to ask their Lordships to adopt such stringent regulations, but he would give a few examples of the difficulty of obtaining redress under our laws. In the year 1839 Sir John Gerard recovered £1,000 from Mr. Crossfield, but at an expense of £500 above that sum. In 1846 Sir John brought actions for £6,000; he recovered £2,000, but at an expense of £900. In 1849 he received £450 on threat of proceedings. In 1852 he brought an action for more than £4,000, and went to considerable expense; but that action was never tried, owing to his death. It might be asked why his brother, Sir R. Gerard, did not go on with the action? For this reason—that in the mean time the manufacturers had so increased in numbers that it was very difficult to trace the injury to any particular manufacturer, and therefore a person aggrieved would have no chance of recovering damages. In an action for damages he believed it was necessary to prove, in the first place, not only the amount and extent of the injury sustained, but also by what specific manufacturer the injury was caused. And although, in some few cases, a large proprietor might have succeeded at a very great expense in otaining large damages, yet in no case, except that of Mr. Muspratt, had they succeeded in putting down the nuisance. Action after action was brought and the damages were paid, the business being so profitable as to render it worth while to the manufacturer to run all risks. He could mention the case of a small farmer near St. Helens. The injury he suffered was so notorious that the proprietor voluntarily paid him an allowance of £40 or £50 a year for the injury he was doing. The manufacturer disposed of his works, and the farmer went to his successor to ask him to continue the allowance. He refused, saying, "Go to so and so. His works are within fifty yards of mine, and it is he who does you the injury. At any rate, you must prove that it is done by my works, and until you do you will not get any compensation from me." It might be said that an application might be made to the Court of Chancery for an injunction to restrain the nuisance. But it was probable the remedy might be worse than the disease, for the first thing the Court of Chancery would do would be to direct an issue to be tried at law to ascertain whether this was a recurring and continuous damage, and the injured party would find himself driven to all the expense and annoyance of an action at law with a doubtful result. He believed that such an injunction might be applied for. He gathered from an observation made by his noble and learned Friend behind him (Lord Chelmsford) that such an injunction could not be applied for, and certainly would not be granted. There remained another remedy—the remedy by indictment. But in order to sustain an indictment it was necessary to prove not only an amount of injury suffered by a particular individual, but also that it was a general injury, so affecting the community as to amount to a common nuisance. It was also necessary to show that the nuisance was continuous, and not a casual and accidental nuisance, occurring at particular times. Then there was the same difficulty, in proceeding by indictment, in bringing home a nuisance to a particular individual, when there were many works of a similar character in the same neighbourhood. In addition to this difficulty, a person who proceeded by indictment had no chance of receiving any compensation, because the indictment was a criminal proceeding. If he gained his action, indeed, he might receive a certain amount of costs, but an amount quite insufficient to cover the expense to which he had been put. As to the person who was found guilty of the nuisance, he was only bound over on his recognizances to appear before the Court of Queen's Bench when called upon, to submit to the penalty imposed by the Court, which was always lenient, and often merely nominal. It might be said that there was nothing so simple as an indictment. He recollected a case that occurred four years ago, "The Queen *v.* Spence," where the works were in the neighbourhood of Manchester. That was an action for nuisance arising out of the manufacture of ammonia and alum. In this case there were four Queen's counsel for the plaintiff, and four for the defendant. The costs of the defendant amounted to £4,000, and the plaintiff's costs, for some reason he could not explain, to £2,000. This he knew from the circumstance that he, as a landlord, was one of the contributors, at the instance of his tenants, who were injured. The case was tried at Liverpool, and occupied three days. There were eight learned gentlemen on each side; not less than forty-eight witnesses were examined, and the total expense, as he had said, was £6,000. If the nuisance had been done away, that money would have been well spent; but the nuisance was not got rid off. The defendant was immediately advised to apply for a new trial, involving fresh expense, while the nuisance was going on. Affidavits were filed, but fortunately, before the application was made, it was discovered that the defendant was prohibited by his lease from putting up any buildings of the character which he had erected. An application was made to the Court of Chancery, and an injunction was obtained on the ground of a violation of his lease. He would now ask their Lordships whether he had not substantiated his statement, that a man of moderate fortune and means was without a remedy in such cases. Legislation in this direction had, no doubt, been attempted, but it was only partial in its operation, and not always intrusted to the best hands. The Public Health Act gave to local Boards of Health the power of preventing, for the future, the erection of these noxious and injurious works; but this provision was confined to those districts where local Boards of Health had been established. Moreover, it unfortunately happened frequently that the persons of the greatest influence at these local boards were those who were most prominent in producing the nuisance. No great aid could, therefore, be expected at their hands. The Nuisance Removal Act also made some provision in this direction. If a manufacturer caused an offensive effluvium, which was certified by the medical officer to be injurious to health, and a nuisance, and if the best practicable means had not been used to remove it, the manufacturer was liable to a penalty of £5 a day, which might be increased to a *maximum* of £200, during the continuance of the nuisance. That appeared an easy remedy; but, unfortunately, the next section gave the defendant power to transfer the case to the Superior Courts, so that the plaintiff, who came forward in the belief that he had a cheap and summary remedy, found himself, in this case also, involved in an expensive action at law. Then the Act itself was not to be applicable except in a city, town, or populous district. He believed that there had not been as yet any legal definition by the Courts of the words "a populous district," so that in many cases the preliminary question would arise whether the Act of Parliament was applicable to that district. There was, therefore, another element of difficulty and doubt. He did not ask their Lordships to legislate on his mere statement. He was prepared to substantiate all that he had said by indisputable evidence, and to prove before a Committee the injury done, and the inadequacy of the law as tested by experienced practitioners in this department. He did not ask their Lordships now to legislate, but to say he had laid before them sufficient grounds for a Parliamentary inquiry. He wished carefully to avoid any legislation which should unduly hamper any of the manufacturing interests of the country, but to ascertain whether legislative measures could be introduced on this subject not only without injury, but with profit to our manufactures. If Parliament could so legislate, it would confer a signal benefit on a large portion of Her Majesty's subjects, who were now suffering grevious injury from the nuisances which he had pointed out.

EARL GRANVILLE said, he was sure that their Lordships would not be inclined to negative a Motion for an inquiry such as that which his noble Friend (the Earl of Derby) wished to see undertaken. In the clear speech of his noble Friend there was a case made for that inquiry. At the same time, he must observe that the notice of his noble Friend had caused some alarm in the minds of persons engaged in what might be described as the staple trades of the country; but he was sure that the noble Earl would not be a party to imposing any unjust restrictions on any branch of our manufactures. His noble Friend wished to inquire into the extent of the evil, in order to find a remedy; and he was convinced that the composition of the Committee would be such as to inspire confidence in the minds of their Lordships and the country as to the manner in which its proceedings would be conducted.

THE EARL OF DERBY said, that he would not ask their Lordships to name the Committee until Monday next. In the mean time, he should confer with his noble Friend (Earl Granville) as to its constitution, and, to the utmost extent in his power, give effect to the wishes of such noble Lords as felt an interest in the subject, and might desire to serve on the Committee. He need scarcely observe that the subject of the proposed inquiry had nothing to do with party. His wish was to have the Committee composed of noble Lords who felt an interest in the question.

LORD RAVENSWORTH said, that he would have opposed any Motion which contemplated any undue interference with the manufacturing interests. This, he knew, contemplated no such interference; and he he could state from his own knowledge that the facts stated by his noble Friend were correct. He believed that great good would result from legislation on this question without injuring the manufacturing interest. The legislation which had already taken place on this subject, such as that for the consumption of smoke in the metropolis, and purifying the water in different districts, had proved beneficial; and there was no reason why the same good result should not follow from legislation in reference to manufactures such as those the noble Earl described, which were not confined to Lancashire, but were to be found in great numbers about Newcastle and North Shields. He had that day presented a petition from his own neighbourhood, near the metropolis, which might now be called a populous one, complaining of the grievance occasioned by the establishment of a brick-field in so thickly-populated a district. This subject had been a most fertile source of litigation. In one instance he knew of a professional man who had built a new house, and close by him a brick-field was opened, out of which it was expected that no less than a million of bricks would be taken and burnt. Close by was a street of very good houses. Was it reasonable or just that these offensive vapours should be allowed to invade whole streets of dwelling-houses? He understood there was no effectual remedy for this grievance; and he hoped the noble Earl would not object to the addition of the words "and offensive" after the word "noxious" in the Motion. The noble Earl had alluded to the discharge of arsenicated refuse into a certain stream—he (Lord Ravensworth) wished to call attention to the cases of arsenical poisonings which had occurred so frequently, not only from the preparation of the dresses of females, but from paper-hangings. A more painful illustration of the necessity of such an inquiry as the present could not well be afforded than the case which appeared in *The Times* of the 23rd of April, where it appeared that three children died one after another in the same house, their deaths being attributed to diphtheria, and it was not till the fourth child died that it was discovered they had been in the habit of licking the paper of their room, which contained an arsenical preparation. These were most serious circumstances, affecting the health of the community at large. He most heartily concurred in the Motion, and believed that the best effects would result from the inquiry.

The Earl of DERBY said, that with respect to the proposed addition of the words "and offensive," he was quite in the hands of the House; and there was no objection to their insertion, if their Lordships thought it better. For himself, he should have thought the word "noxious" to be sufficient.

Earl GRANVILLE thought that perhaps the extension of the reference might give rise to some difficulty.

Motion *agreed to.*

Select Committee *appointed*:—

And on *Monday* next the Lords following were named of the Committee:—

D. Richmond
E. Derby
E. Shaftesbury
E. Graham
E. De La Warr
E. Grey
L. Wodehouse
L. Ravensworth
L. Wrottesley
L. Stanley of Alderley
L. Monteagle of Brandon
L. Belper
L. Talbot de Malahide
L. Chelmsford
L. Egerton

House adjourned at a quarter before Seven o'clock, to Monday next, half-past Eleven o'clock.

HOUSE OF COMMONS,

Friday, May 9, 1862.

Minutes.]—Public Bills.—1° Peace Preservation (Ireland); Poor Law Officers' Superannuations (Ireland); British Museum.

MERCHANT SHIPPING AMENDMENT BILL.—QUESTION.

Lord HOTHAM said, he wished to ask the right hon. Gentleman (Mr. M. Gibson), When he intended to proceed with this Bill?

Mr. MILNER GIBSON in reply said, that it was arranged that the Committee of Supply that evening should not go beyond ten or half-past ten o'clock, when he would proceed with the Merchant Shipping Acts Amendment Bill.

Lord HOTHAM said, that he understood the right hon. Gentleman to state last night that he would inform the House this evening when he would bring the Bill forward, but he had not the slightest idea that it would come before the House that evening. He acted under that impression, and communicated with some Members of the House, who were absent in consequence of his statement.

Mr. LOCKE said, he was not present when the right hon. Gentleman made his statement, but he was under the impression from what he read that the noble Lord (Lord Hotham) was correct.

Mr. MILNER GIBSON said, that he had communicated with the noble Lord at the head of the Government, and the arrangement which he mentioned was decided on. However, under the circumstances, he would not bring the measure forward that evening.

VISIT OF M. MERCIER TO RICHMOND, UNITED STATES.—QUESTION.

Sir JAMES DUKE said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether he can afford any information of the object of the French Minister proceeding from Washington to Richmond?

Mr. LAYARD: I fear, Sir, I can give no other answer to my hon. Friend than this, that, so far as Her Majesty's Government is informed, M. Mercier went to Richmond without any instruction whatever from his own Government. I may add, however, that his visit has been attended by no political results whatever.

REGISTRATION OF BIRTHS AND DEATHS IN IRELAND.—QUESTION.

GENERAL UPTON said, he wished to ask the Chief Secretary for Ireland, Whether the present force of Police Constabulary in Ireland will be sufficient for the purpose of Registering Births and Deaths under the contemplated measure of the Government?

SIR ROBERT PEEL: The present Constabulary Force, I apprehend, will be perfectly adequate to carry out the provisions of the Bill.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

RESERVED LIST OF THE NAVY.

RESOLUTION.

SIR JOHN HAY said, he rose to ask the Secretary to the Admiralty, To lay upon the table of the House a copy of the form of commission promoting the first-named ninety officers on the reserved list of Her Majesty's Navy to the rank of captain; and also a copy of the form of commission promoting the last two officers on that list to the rank of captain, with any explanation there may have been for the necessity of changing the form of commission; also a return of the names and pay or other emoluments of the first sixteen captains on the reserved list; and to move that the case of the reserved captains be referred to the law officers of the Crown? His reason for asking for the production of these papers was, that in 1851, the retired list of the navy being overcrowded, and a great difficulty experienced in promoting younger officers to the rank of captain, the then First Lord of the Admiralty (Sir Francis Baring) framed a new reserved list and persuaded certain officers of old and distinguished service to accept that promotion. There would have been no difficulty in placing those officers on the retired list of captains if they had been inclined to go there, and there would have been no difficulty in promoting such officers; but they were of too great an age for the country to expect much benefit from their services, although at the same time they were entitled to claim promotion from their long and faithful service. An Order in Council was issued which induced those officers to accept this promotion. All those officers were men of distinguished service, and had claims to the consideration of the country. There were two forms of commission in the navy. One was for officers on the retired list, who were not entitled to expect promotion or increased pay, and one for officers on the reserved list, who were entitled to expect promotion up to the rank of captain, and all the advantages accruing to officers of similar standing, except service afloat. The latter had a right to expect the increase of 2*s.* per diem which was granted to officers of their standing after a certain length of service; but the Admiralty had not admitted their claims, although, with the exception of two or three officers who had accepted commissions under a reserved form, the commissions of these officers upon the reserved list were identical with those of officers upon the active list. He wished to have a return of the pay and emoluments of the first sixteen officers upon the reserved list, because they were entitled, not only to 2*s.* a day additional, but also to be placed upon the retired list at 18*s.* per diem; while, in fact, of those sixteen officers, none received more than 13*s.*, and some only 10*s.* 6*d.* a day. A case had been brought under his notice, to which he would direct the attention of the House. The widow of Commander Bowden claimed the pension to which she was entitled, but was refused by the Admiralty. The answer she got from the Admiralty was, that her husband being a lieutenant on the retired list of commanders, she was not entitled to a higher pension than had been awarded to her. Now, how a lieutenant could be on the retired list of commanders, he (Sir J. Hay) could not understand. However, upon urgent representations being made, the noble Lord the Secretary to the Admiralty at length did this lady justice, and she was now in the receipt of the pension. The noble Lord was tenderhearted to the widow, but he still refused the claims of the ninety officers which had been urged by the right hon. Baronet the Member for Droitwich and others of authority. All he (Sir J. Hay) required was, that the question should be referred to the law officers of the Crown to decide the matter, and he trusted that the Government would place a generous construction upon the terms of the arrangement made with those deserving officers.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the case of the Reserved Captains of Her Majesty's Navy should be referred to the Law Officers of the Crown,"—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BAILLIE COCHRANE said, he would second the Motion. On the two occasions last year when he brought the question under the notice of the House, the Secretary to the Admiralty opposed him; but he hoped that the noble Lord would be inclined now to take another view of the matter. It was a case simply of justice, and it was not well that impressions should get abroad that officers had been led to make an arrangement prejudicial to their interests upon a statement of the Admiralty which was liable to misconstruction.

MAJOR EDWARDS would entreat the noble Lord, the Secretary to the Admiralty, to reconsider the vote which he had given on the last occasion that this subject was brought forward, and do justice to these unfortunate officers. As a civilian he felt some diffidence in saying anything on that which might be considered purely a naval question; and as it had on so many previous occasions been brought under the consideration of the House, and rejected by such trifling majorities, it was quite unnecessary for him to go into its merits. It was simply a question of justice or injustice to a hundred naval officers, who had served their country well in the hour of her need, and who had accepted the commissions which they now held with the full impression that they should lose nothing, either in pay or promotion; in fact, that they would rise by seniority to the flag. The commissions of these hundred Captains on the reserved list were identical with those on the active list, and in the majority of instances their rank has been conferred for very distinguished services in time of war. The only way in which they differed from the post-captains on the active list was their non-liability to be called upon to serve afloat, except under extraordinary circumstances—threatened invasion, &c. A precisely analogous case to this had taken place in the army. Two years ago, the hon. and gallant Member for Wigan had moved for a Committee to inquire into the question of pay of a number of officers of the army, who, having retired upon half-pay, were placed on a retired list, simply for the purpose of making room for others, and having obtained promotion in course of time, were refused the pay of their increased rank. Their extra pay had since been granted, and this should be considered a precedent in favour of those meritorious officers whose interests they were now advocating. He (Major Edwards) hoped the Admiralty might be induced to pursue a similar course upon the present occasion, which would obviate the necessity for these repeated remonstrances on the part of a large section of the House as to the gross injustice under which the gallant body of men were at present suffering.

ADMIRAL WALCOTT said, he also supported the claim of those officers. He would entreat his noble and gallant Friend, in the name of humanity, for the credit of the service and the honour of the country, to reconsider this subject, and to give the officers in question the benefit to which they were entitled.

MR. C. F. BERKELEY said, he had filled the office of private secretary to one of the Lords of the Admiralty at the time when the order was issued, and his attention had therefore been naturally directed to the claim of those officers. He did not, however, regard their claims in the light in which they had been presented to the House by other hon. Members. The description of the list was, he admitted, rather unfortunate; but still it was a stereotyped form, and he did not think that any reasonable construction of it could entitle these officers on the retired list to the advantages which were claimed for them. Moreover, it would be unfair to some officers on the active list, if those on the reserved list were dealt with as the hon. and gallant Member for Wakefield had urged. If they looked at the position and prospects of those officers in 1851, before the Order in Council was signed, they would find that most of them were the old war first lieutenants, and he doubted whether, if a return of their sea services as commanders afloat were called for, it would be found that they averaged twelve months' service. Of these ninety-five officers, he thought only twenty-five had served afloat as commanders. Of these twenty-five only fifteen had been in command; the other ten served as commanders in line-of-battle ships, principally flagships in harbour or guardships of the ordinary; forty-five had served in the Coastguard or in the Transport service, or in what they called long-shore berths, such as naval rendezvous for raising men, or in superintending packets; and the remaining twenty-five had never served a single day in any capacity, either afloat or on shore, since they were lieutenants. The majority of these would be receiving 18*s.* and 20*s.* a day, while post-captains on the active list only received 10*s.* 6*d.* or perhaps 12*s.* 6*d.* a day.

LORD CLARENCE PAGET said, that the subject had so often been discussed in the House that he felt he need not then enter into its various details. He had, however, to make a statement which would, he believed, for ever set the question at rest. In consequence of the many opinions expressed as to the claims of the captains of the reserved list, his noble Friend the Duke of Somerset had referred their case to the law officers of the Crown. The law officers had gone very carefully into the whole merits of the case; they had done so in deference to opinions that had been expressed by other high legal authorities, who had given a verdict in favour of the claims of the officers of the reserved list. It was not usual, as the House was aware, to give publicity to the confidential opinions of the law officers of the Crown; he would not therefore read any portions of that opinion, except one short sentence. It stated—

> "In our opinion, the Board of Admiralty have taken a correct view of the position and rights of the commanders promoted to be captains on the reserved list, and such officers are not to be regarded as officers on the active list, so as to be capable of rising to the higher scale of half-pay, provided under the Order of Council of 1851."

He felt in a very delicate position with regard to this matter. These gentlemen were brother officers of his own, and he naturally felt a sympathy for them. At one time he felt there was some grievance in their case, but having had the opportunity of going very carefully over the whole of the case, and the correspondence on it, he was bound to say he agreed with the opinion of the law officers of the Crown. Having stated that opinion, he believed the House would think it better he should not go into all the details. It was very desirable that these lists should be simplified, and that there should no longer be such various classes of retirements. But the House should remember that these lists were remnants of the old war, and, desirable as the object was, there were no means of putting them on a better footing as long as the old officers were living. In reply to the question of the hon. and gallant Member for Wakefield, he would state that there was no objection to lay on the table the two forms of commissions the hon. Member had referred to. It had been the practice to give commissions when officers were either promoted to rank or appointed to a ship, and on each commission an officer had to pay a stamp duty of 5*s.* In future there was to be one form of commission for each class of officers in the navy, whether on the active, reserved, or retired list. That commission would constitute the officer's legal rank in the navy, and appointments to a ship would be made by letter. That was the history of the late Order in Council respecting commissions, and it had nothing to do with reserved officers as distinct from active officers. His hon. and gallant Friend asked for a return of the names and pay or other emoluments of the first sixteen captains on the reserved list. It would be invidious to give the first sixteen names, but there would be no objection to give the whole of the names in the list. It was perfectly true that they were not receiving as much as the captains who had been twenty years on the active list, and, being above fifty-five years of age, were entitled to a retirement of 18*s.* 6*d.* a day; but it must be borne in mind that the latter were officers who had served their time as commanders, while most of the officers on the reserved list had not served as commanders at all, and they were not entitled to be put in the same position as officers on the active list. The last part of the Motion he could not consent to, and he hoped the House would support him in resisting it. The hon. and gallant Gentleman and others proposed, on a former occasion, that the case of the reserved captains be referred to the law officers of the Crown. The case had been referred to the law officers, and he had given, as far as he could, a *résumé* of their opinion. He had received a letter from a distinguished officer on the active list, who earnestly entreated him not to accede to the Motion of the hon. and gallant Member, as it would seriously reflect, he said, on many old officers as well as himself. If they were to be in the same position as reserved officers, he hoped that his hon. and gallant Friend would remember, that if by a Vote of the House the reserved officers were put on the same footing with active list, it would have the effect of damaging seventy officers out of the ninety-five who were on that list, because they must cease to receive the extra pay they were now receiving for long service. He was quite sure that, taking that view, his hon. and gallant Friend would do right to allow the question to rest, and not further lead these old officers to believe that they had any just claims to be placed upon an equality with active officers in the service.

COLONEL TALBOT said, that he could not understand why the Admiralty should refuse to concede the just claims of the meritorious officers whose case had been so repeatedly brought before the House. If the question remained as it was at present, it would still continue a bugbear, and the officers would consider that they had not had justice done to them. He wanted to know the reasons on which that justice had been refused. The Admiralty ought to have consulted the law officers upon the question when it was first brought forward; but having at length done so, he did not see why the officers could not be told the reasons why the claim had been refused. If the Motion were pressed to a division, he should certainly support it.

SIR JOHN PAKINGTON said, he considered that the noble Duke at the head of the Admiralty had taken a very proper course in submitting the matter to the law officers. The fact was, the claim depended entirely upon the construction of the Order in Council. He had always considered that order very doubtful in respect to its wording, and he should have been prepared to have voted for the Motion had it not been for the statement of the Government that the matter had been submitted to the law officers, and they had decided that the proper construction of the Order in Council operated against the claims of the officers in question. He quite agreed that it was contrary to the practice of the House to call upon the Government to produce the opinions of their law officers, which were private and confidential documents; and, indeed, he could easily conceive that such a course would be highly inconvenient. Under these circumstances, therefore, and however sorry he might be for the individuals who suffered by it, he thought his hon. and gallant Friend must arrive at the conclusion that he had done all he could for them, and that the matter must be allowed to rest.

MR. MALINS said, the subject was in an unsatisfactory position, and it had not been improved by the speech of the right hon. Baronet. He had heard the right hon. Baronet on several occasions express his opinion that those officers had been ill-treated, and that the construction of the document was in their favour, but the right hon. Baronet now advised them to give way, because the opinion of the law officers had been taken, and their opinion was against them. He had the most profound respect for the opinions of the law officers, but he should like to see the statement of the case upon which it was based. On the last occasion when the subject was discussed the right hon. Baronet the Member for Portsmouth said his meaning was different from that which had been put upon the order; but it was a clear principle of law, that when any one was induced to act upon a written document, the question was not what was the intention of the framer, but what idea was conveyed to the minds of those who were induced to act upon it. There was a conflict of opinion upon the construction of the document. He believed that his learned Friend Mr. Lush, than whom no one was more competent to give an opinion, was directly opposed to the law officers of the Crown. Any opinion might be obtained according as the facts were stated; and if the opinion of the law officers was to be binding, it should be given upon a case submitted to, and settled by the advisers of the reserved captains. He expressed no opinion of his own; but as these gentlemen could not submit the question to any tribunal, he thought the Admiralty ought not to put their own construction upon the order, and refuse all redress. He suggested that the opinion of the law officers of the Crown should be taken on a statement of the facts drawn up to the satisfaction of the Government and the officers, or, better still, that the case should be submitted to the Privy Council or such other tribunal as might be agreed upon by both parties. The question might thus be finally disposed of.

THE SOLICITOR GENERAL said, he should not have risen, as he certainly did not intend to take the unprecedented and inconvenient course of entering into a vindication of the opinion given by the law officers of the Crown. His hon. and learned Friend, however, had rather inconsiderately thrown out an idea that the Government had submitted to the officers of the Crown a garbled statement.

Mr. MALINS: I said nothing of the kind. What I said was, that there might have been the omission of facts which the officers themselves would have wished to have stated.

The SOLICITOR GENERAL said, he accepted the explanation, and would state that the course taken by the Government was, to lay before the law officers all the documents which contained the statements of the officers themselves, the Order in Council, and the other papers, upon the proper construction of which their case depended, in order that they might speak for themselves. Whether their opinion was right or wrong, it was formed upon a clear view of the legal meaning of the document on which the retirement was granted.

Sir JAMES ELPHINSTONE said, he wished to ask, whether the opinion of the Lord Chancellor had been taken on the point, because he believed that the opinion of that high functionary was wholly opposed to that of the Solicitor General. The officers, who had been unjustly treated, were officers who had seen more service than any officers had seen since the peace of 1815. He thought it disgraceful that the Government should refuse the paltry sum that was claimed.

Mr. COLLINS said, he was of opinion, that after what had fallen from the hon. and learned Solicitor General, the Motion should be withdrawn; but he thought the matter was one which ought to be inquired into by a Select Committee.

Lord JOHN MANNERS observed, that it would be extremely unfortunate for the officers themselves if the Motion was, under the circumstances, pressed to a division. He hoped the Motion would be withdrawn, and it would be then competent to the hon. and gallant Gentleman to call the attention of the Government and the House to the question in some other form.

Sir JOHN HAY said, he would withdraw the Motion. At the same time, he wished to announce his intention of moving for a Committee on the subject.

Amendment, by leave, *withdrawn.*

THE RECORD OFFICE.

OBSERVATIONS.

Mr. BAILLIE COCHRANE said, he rose to call attention to the state of the Record Office. A very erroneous impression had been conveyed by certain statements in a recent debate on the subject. Hon. Members had been led to believe that the Record Office was as admirable and perfect as any one could desire, and that the Master of the Rolls thought he had accommodation for more papers than he possessed. The truth was, that the Master of the Rolls entertained an opinion diametrically opposite to that attributed to him. The Report on the subject had been made by the Master of the Rolls, dated the 6th December, 1861, in which, after enumerating all the expedients and makeshifts he had attempted to make in order to take charge of the important records which had been sent to him, he said all these temporary expedients and makeshifts, had, however, been overthrown by the intended demolition of the State Paper Office. The transfer of so many records had necessitated many alterations which were very detrimental to the documents, inconvenient to the public, and burdensome to the officers. Yet they were told that this was an admirable office. The houses in Chancery Lane were not fit for the reception of such important records as were placed there. They were all dark, ill-ventilated, rickety, damp, unprotected against fire, and perpetually under repair. The documents kept there were packed in racks from floor to ceiling; and there was great want of space. It had been stated that the Master of the Rolls had represented that he had so much space that he would take charge of the documents, which it had been intended should be placed in the Victoria Tower. What occurred was this:—when it was determined that the State Paper Office should be pulled down, and that the documents it contained should be placed in the Victoria Tower—to get to the upper room of which it was necessary to mount 350 steps—the Master of the Rolls said, rather than the documents should be placed there, whatever inconvenience he was put to, he would take charge of them. It was then proposed they should be put in the cellars of Whitehall. He had himself visited the Record Office, and what did he find? There was an interference on the part of the Board of Works. They put up an order that no papers or books should be placed near the outer walls lest they should give way. Notices were also posted up to show where ladders were to be found in case of fire. Those important records were deposited, many of them in the cellars, and some even in the stables, a portion of the latter being hoarded off for that purpose. That was the admirable way in which the public works were conducted; yet, from the representations that had been made, the impression left on the House of Commons was that the accommodation provided was perfect and satisfactory; and that in the face of a Report from the Master of the Rolls of the most opposite character. He had therefore felt it to be his duty to bring the matter before the House, thinking it highly injudicious that through any instrumentality impressions should be conveyed to that House which were not strictly consistent with the facts of the case.

Mr. CAVENDISH BENTINCK said, he wished to know why the Record Office had not been proceeded with? In 1850 an estimate was given in, and the building, which was a very ugly one, was commenced. One wing was erected, but owing to the Crimean war the building had never been completed. During that war a portion of the War Office, containing records, was wanted for other purposes, and the records were sent to the present Master of the Rolls for custody. Thus he received 160 tons from the War Office; and lately he had thrown on his hands, to save them from the Victoria Tower, the documents which were formerly in the State Paper Office. No proper accommodation, however, was available for the preservation of the valuable historical documents of the country; and if any accident occurred, the loss would be irreparable. The Master of the Rolls had done more than any of his predecessors for the purpose of securing their safe custody and making them properly accessible to the public. He did not think a due tribute of acknowledgment had been paid to him in that respect. It was well known that shortly after he entered on his office he had commenced a series of calendars of historical documents in his custody. These were now being printed. The records were arranged in an admirable manner, and rendered perfectly accessible to searchers, vast numbers of whom consulted them. During the last year there had been no fewer than 12,435 searches for historical documents, and for these no fees were charged. There was only one room in which the literary searchers could be accommodated, and that was only eighteen feet by twelve feet. It might fairly be supposed that the building was so bad that the Government were ashamed to go on with it. If a picture of it were produced, he did not think the House would approve it. He was sure it could not meet with the sanction of the noble Viscount at the head of the Government; because it combined all the inconveniences resulting from the attempt in these days to imitate a bad style of Gothic and mediæval architecture. He understood that the Master of the Rolls objected strongly to the Victoria Tower, where, owing to their being no fireplace, and no means of making one, it was impossible that any of the legal and historical documents in his custody could be properly kept or consulted.

Mr. COWPER said, he believed they owed the very eloquent appeal of the hon. Member for Bridport to a certain ambiguity in the word "office." When he (Mr. Cowper) had said that he thought the Record Office was perfect, he of course meant to refer to the public building of which the hon. Member was speaking; and notwithstanding what had been said by the hon. and learned Gentleman opposite, he believed the Record repository to be as perfect a building for its purpose as could be erected. No doubt the temporary arrangement by which a number of papers were deposited in hired houses, until the building intended for their reception was provided, was not the most convenient one. It was by no means a new practice to place records in buildings which were not fire-proof. Indeed, the new Record Office, erected by the Government, was the only fire-proof repository of the kind that had been built of late years. Domesday Book and other most interesting records had been kept for centuries at the Chapter-house, Westminster, in a building of which the late Mr. Braidwood said that, owing to the positions of the interior woodwork, fire, if once commenced, would with difficulty be extinguished. The records kept in the hired houses in Chancery Lane and Rolls Yard, although useful, were not of a very valuable character, consisting for the most part of muster-books of old ships, paybooks from the army, logbooks, and the like. The papers before the House, however, showed that plans existed by which the preservation of all these documents would be provided for within no very long space of time. It was said that there was no continuity of management in the office of Public Works, because the head of the department went out with every change of Government. Certainly that remark did not hold good of the proceedings connected with the

Record Office. They began in 1847, when the Earl of Carlisle adopted a plan which, in its main features, resembled the one that had since been executed. In 1850 the Duke of Somerset proposed a large and comprehensive scheme, by which the whole of the records of England for the next hundred years might be provided for. That scheme consisted of three parts, one of which was to have been executed in 1850, and the other two left till future occasions. The first part had been actually carried out, and was represented by the building now under discussion. It had originally been thought that the building would suffice for the Records of the next fifty years; but Mr. Pennethorne's view on that point, which was less sanguine, and extended only to ten years, though it had not proved quite accurate, was nearer the mark. So that with respect to the complaint of the hon. Member for Bridport as to these documents being in hired houses, there was no fault resting on the Board of Works, for they had a plan of an eastern wing to be added to the present building, which would amply provide not only for all the documents spoken of by the hon. Gentleman, but for all those likely to come into the Master of the Rolls' hands for the next ten years. The ground was obtained, and everything ready for commencing the work, except the money. The Government wished, before incurring expense, to be satisfied that it was absolutely necessary. There was a large mass of papers sent in from the War Office and other departments which required arrangement. These having been subjected to careful examination by a Commission appointed by the Treasury, it was found that one-third of them might be destroyed, and 220 tons were reduced to pulp. Thus the expense of keeping useless documents would be saved. Another question that must be considered was whether any new building should be fitted up as expensively as the present building, which was all iron and stone, except the roof, and the most elaborate precautions were adopted to guard against depredations. In considering the question of any new building, it was necessary to know whether the documents to be placed in them were of such a character as to require such expensive fittings. Ancient historical records might offer temptation, but few persons would care to purloin a navy muster-roll of 1807. Those were among the causes that had led to the delay; but the matter was under consideration of the Government. The House would hardly be inclined to take up the complaint that the Government had been too ready to propose a large Vote for an expensive building. When it was said that the hire of houses was a more expensive plan than the construction of a new building, he would inform the hon. Gentleman that the estimate for the new wing was £92,000, and therefore it was difficult to see how far economy would be served by erecting a new wing without an absolute necessity; but, if such necessity should be shown to exist, the Government would not shrink from proposing a Vote to Parliament, in order that the records might be kept in a proper and safe condition. He did not agree with the criticisms which had been passed on the building. The gravamen of the complaint appeared to be that the style was Gothic; it must be remembered that the stories were necessarily low, the rooms small, and requiring much light. These requirements necessitated a different elevation from what they might otherwise have had, but it was, in his opinion, as well planned a building as he had ever seen. He quite agreed with the hon. and learned Member opposite (Mr. C. Bentinck), that the greatest credit was due to the Master of the Rolls for the manner in which he had exercised his office of keeper of the records. The records were now concentrated in one position, instead of being scattered over many places, and were capable of being digested with greater facility by the able men who were now engaged upon the duty. The Master of the Rolls, no doubt, desired that his department should be as perfect as possible, but the financial interests of the country required caution in making any outlay; but, should a necessity be proved to exist, there would be no delay in asking Parliament to grant a sum of money for the purpose.

THE FORT IN PLYMOUTH SOUND.

OBSERVATIONS.

Mr. BENTINCK said, he wished to call attention to a subject which he had already brought before the House on a former evening. It appeared that a fort was about to be constructed in Plymouth Sound, upon an artificial island inside the breakwater. He thought that, even if the fort were necessary, the site was injudiciously chosen, and the fort ought rather to be built upon the breakwater than upon an island which would encroach upon the already limited anchorage in the Sound. The site that had been selected was commanded by numerous batteries, and the formation of an artificial island would be a matter of considerable expense. The right hon. Baronet the Secretary for War had declined to delay the work, although he consented to submit the question as to the necessity of the fort to the Defence Commission. That appeared to be an illogical course of proceeding, because if the Defence Commissioners should report against the fort, every penny that had been expended upon it would be wasted. The right hon. Baronet had stated that it was not possible to put the fort on the breakwater because the breakwater was not sufficiently strong to bear it, but it would be cheaper to strengthen it than to make an island. He wished to know upon what grounds the right hon. Gentleman prepared to defend the course which he had intimated his intention of adopting?

THE DRESS OF DEPUTY LIEUTENANTS.

QUESTION.

MR KNIGHTLEY said, he would beg to ask the Secretary of State for War, If he has any objection to submit to Her Majesty whether it would not be desirable to make some alterations in the dress at present worn by deputy-lieutenants, and to point out the incongruous nature of the costume? Very few persons had availed themselves of it at the opening of the International Exhibition. The tight coatee, the gigantic epaulet, and the stiff collar, had been abolished in the army, and he did not see why deputy-lieutenants should be required to wear all those disfigurements, with the addition of a cocked hat with a parti-coloured plume. There was a suspicion that the dress was somewhat ridiculous—there could be no doubt that it was very uncomfortable. He would recommend the adoption of the tunic as more sightly and convenient. Perhaps the only argument in favour of the retention of the existing suit was that some gentlemen might not like the expense of new uniforms.

SIR GEORGE LEWIS said, he begged leave, in reply to the question of the hon. Member for Norfolk (Mr. Bentinck), to explain that, according to the information he had received, the fort which was to be built at Plymouth would be erected upon a rock, and not upon an artificial foundation. It would be placed close behind the centre of the breakwater, in such a situation that no vessels, except those of the smallest draught of water would think of anchoring near it. The site of the fort was carefully considered by the Defence Commission before it was decided upon. The only alternative was to build it on the breakwater, and the Commissioners considered the site in question the better one in all respects; first, because the breakwater, not being built of solid stone, would not afford a solid foundation; and, secondly, that it was so low that in order to render the guns of the fort effective in all weathers, it would be necessary to build it up to a considerable height above the breakwater, which would have occasioned extra expense. The guns of the fort would be able to fire either in one direction or the other. Under all the circumstances, considering that the Report of the Defence Commissioners might be expected in a fortnight, and that works could not be suspended without a sacrifice of money, and without inflicting hardship upon the contractor and the workmen whom he had employed — he was informed at Portsmouth the other day, that in consequence of the suspension of the works at Spithead, the contractor for those forts had discharged two hundred men whom he had collected together—it did not appear to him to be desirable to suspend the construction of the fort.

In answer to the question put to him by the hon. Member for Northamptonshire (Mr. Knightley), he could only say that he did not think there was any reasonable objection to the existing uniform of the deputy-lieutenants. These things were all matters of taste, and for his own part, he preferred the old uniform of the army to the new one. No doubt the tunic was better adapted to the exigencies of service than was the coatee, but it certainly did not look so well at a drawing-room or a levee. In addition to that, many gentlemen who had got uniforms would object to being called upon to change them, and it would not be convenient to have two different uniforms for gentlemen who purchased their coats at different times. For these reasons he was not disposed to recommend any change.

GRAND JURIES (IRELAND).—QUESTION.

MR. BLAKE rose, pursuant to notice, to ask the Chief Secretary for Ireland whether he was prepared to state his intentions as to bringing in a Bill for the reform of the Grand Jury Laws. The hon. Gentleman observed that the subject of reforming the grand jury laws of Ireland had been before the House in one shape or another for the last five-and-twenty years. The late Sir Robert Peel had said that within his Parliamentary experience he did not remember a single Session in which a Bill had not been brought forward, and he (Mr. Blake) might say that he could not call to mind any session in which Bills had not been brought forward, either by Chief Secretaries, Attorney Generals, or private Members, with the view of dealing with the evil. He confessed it appeared strange to him that so many difficulties should be thrown in the way of a reformation that seemed to be so desirable. The main object of reforming the grand jury laws of Ireland was to establish the great and universally admitted principle that there should be no taxation without representation. The House was not, perhaps, aware that in Ireland the occupying tenant paid the whole of the county rate, and that the landlord paid nothing, although he might own 10,000 acres, unless in cases where he occupied the house on his own demesne, which was seldom the case in a country of almost general absenteeism. Notwithstanding this circumstance, the landlords or their agents sat upon the grand juries to disburse money which they did not contribute to raise, and to control an expenditure which was for their own benefit alone. To show how unfair the system operated, he might say, that although three-fourths of the population of the city of Waterford were Catholics, there had never been a single citizen high sheriff of that religion since the reign of James II. except one. According to the practice in Ireland the high sheriff chose the grand jury, so that there was no representation of the ratepayers whatever. Another objection was, that the tenant paid the whole of the grand jury cess, and a further injustice was inflicted by the fact that the greater portion of the amount so raised went to improve the property of the landlord in the shape of roads, bridges, &c., and in respect of which the landlord got an increased rent when a new tenant came in. Another, and not the least formidable, objection to the grand jury system is the very transient nature of the body itself. They were called into existence three or four days before the assizes; they remained together perhaps, not more than a week; and the consequence was, that they were obliged to dispose of the whole of the business in a hasty and inconsiderate manner. They then separated, and in all probability did not meet again for six months, or until the next assizes. It would, he thought, be very much to the advantage of those whose money was raised and expended, if the grand jury system were so reformed that the grand jury should become a sort of corporation, as in English counties, whose duty it would be to meet together at least four times a year, in order to discuss fiscal matters. He hoped that the right hon. Baronet the Chief Secretary for Ireland would not allow another Session to pass without applying himself to the redress of the abuses of which he complained. Year after year the subject had been taken up by Royal Commissions and by Select Committees of the House of Commons, but nothing had come of it. In order that the House might appreciate the relation between the grand jury and the ratepayers, he would briefly refer to the evidence of one or two influential and experienced gentlemen upon the subject. Mr. Joseph Kincaid, of the firm of Stewart and Kincaid, land agents to Lord Palmerston, was asked whether the grand jury cess was much complained of by the tenantry, and his answer was—"Very much:"—

"Does it appear to you that it would be desirable that the landlords, in the first instance, should pay those rates?—We are agents to an estate in the county of Dublin where the landlord pays the whole of the county cess, and charges no part to the tenant; and I have for a considerable time held the opinion that the landlord ought to pay all the local charges on the land. Several years ago I published a letter on the subject. I should think in Longford the rate amounts to nearly 2*s.* in the pound.

"Is it your opinion that it would be for the benefit of the landed proprietors to take upon themselves the payment of the taxes and charges upon the land?—I think it would be for the benefit of the landed proprietors that the tenants should be relieved from demands by other parties, particularly from the county cess, which presses upon them at a season when they are not able to pay it.

"Does it appear to you that the principle adopted as to the poor rate would be applicable to county charges, dividing the amount between the landlord and tenant?—It may be, but I doubt whether the mode adopted is desirable, the tenant paying in the first instance, and getting an allowance afterwards, and it is open to the objection I have already suggested, that the tenant ought to be relieved as much as possible from different demands upon him at different seasons of the year and that the pecuniary dealings of the tenant with reference to the charges upon the land should be principally with his landlord. That principle of dividing the amount of the charges would be fair, giving the tenant a voice in the expenditure of the public money as well as the landlord; but the details may be exceedingly difficult to manage.

"In what manner would you propose to check the amount of the county rates if the landlords were liable to pay, and not the tenants?—The landlords and agents generally are the persons who lay on the assessment, as members of the grand juries.

"Would you continue the present system of associating the ratepayers with the magistrates?—I think the grand jury laws are capable of very great improvement in that respect; at the same time, I would be inclined to give the ratepayers a voice in the expenditure of the public money."

The evidence of Lord Clancarty, for many years foreman of the County Galway Grand Jury, was also important. The noble Lord said—

"I am of opinion that if more than a partial remedy is to be applied—if a radical change is to be made in the system, it should be to do away altogether with grand juries for all purposes but the criminal business of the county, and to invest the Poor Law boards of guardians—representing as they do all the real and fairly taxable property within their several districts—with all the fiscal powers hitherto exercised by grand juries, subject, of course, to such regulations as would prevent these new duties from interfering with the fulfilment of the primary objects of this institution. Dispensaries, fever hospitals, roads, and all other local public works, it is especially desirable should be placed under representative control, both for the sake of better efficiency, and in order to create that responsibility towards the payers of rates to which they are fairly entitled."

Admiral Trench, when examined on the same subject, said—

"Every attempt to improve the fiscal laws which govern grand juries has failed, and this because the system is itself vicious, and incapable of producing good. . . . I think that no power of raising and expending money should ever be intrusted to an irresponsible body, and least of all to grand juries. I would strongly advise that the whole machinery should be abolished, and an entire new system be resorted to. Surely, the great duration of the grand jury system, the numberless attempts to improve it, and the necessity for present inquiry are, or ought to be, more than enough to condemn it. I have spoken of it as the worst of irresponsible bodies for the purpose of levying and expending public money; and a long and attentive experience has justified me in doing so."

Sir Richard Kane's evidence was as follows:—

"Have you any suggestions you wish to lay before the Commissioners?—No; only that I would strongly recommend that half of the county rate should be placed upon the landlord; and the reason why I say so is this, that the lords of the soil, who generally compose the grand juries, would look, I think, with more attention, and a greater degree of surveillance, to the disposition of the funds, if they were to put their hands into their own pockets. You would have a little more discussion; but, at all events, I think it would have a salutary effect. There are now nominal guardians of baronies, in many instances, who are, I need not say, very useless representatives."

Sir Richard Musgrave likewise said—

"I think it fair that a portion of the rate should be paid by the landlord, and for this reason, that the landlord has the power, as a grand juror, of imposing the rate for the purpose of effecting improvements, now that the rate is entirely paid by the tenant, although the tenant derives benefit from the improvements only during his lease. When his lease expires, the landlord comes in for the entire benefit of that tax which he had imposed himself upon the tenant."

Having thus referred to the evidence of some of the best authorities on the subject, he ventured to direct the attention of the House and the Chief Secretary for Ireland to a few extracts from the Report of the Royal Commissioners in 1842. They said—

"The intent of the Legislature in establishing presentment sessions seems to have been to give to the ratepayers such a representation thereat as would enable them to prevent improper or improvident presentments; but the law is not effectual for its purpose. Magistrates may, and, when a particular object is to be carried, not unfrequently do, attend the presentment sessions of baronies where they have no property, and outvote those who have. Then, as to the associated ratepayers, they are not chosen by the ratepayers at large, but are taken by lot from the reduced lists made by the grand jury in the way already described. They are therefore nominees, not of the class they are to represent, but of the class they are to control. The lot, too, may fall upon the most unfit, which is, of itself, a serious fault in the system; and, the uncertainty in which the ratepayers named by the grand jury are left until the day of the presentment sessions, as to the particular individuals who may be drawn to serve, is obviously calculated to prevent a regular attendance.

(Signed) "J. BLAKE, Chief Remembrancer.
"JOHN YOUNG, Bart.
"BARON GREENE.
"WILLIAM SOMERVILLE, Bart.
"JOHN L. O'FERRALL."

The Committee of 1830.—This Committee, and previous Parliamentary Committees, recommended that in all future leases the whole or a part of all grand jury assessments be placed on the landlord.

Committee of 1844.—This Committee on the townland valuation recommend that county cess and poor rate should be collected together, and that all tenants should have the power of deducting a portion of the county rate as under the poor law.

Devon Commission, 1845.—Recommend that the cost of certain public works in counties be borne by the proprietors, and the support of charitable institutions be transferred to the poor laws.

Committee of 1836—Commission of 1840—Devon Commission, 1845.—All these recommend the office of clerk of the crown and peace to be united; those of 1840 and 1845, that the office of county treasurer should be abolished; that of 1840, that presentment sessions should consist only of magistrates qualified by property within the barony, and the elected guardians of same.

He thought he had now laid before the House an abundance of evidence to show that a change in the Irish grand jury laws was urgently required. The state of things described by the several Commissions, and the witnesses whose evidence he had quoted, still continued. He did not make any charge against the right hon. Baronet the Chief Secretary for Ireland—he did not blame him for the unsatisfactory state of the law—but he trusted the right hon. Gentleman would at one give his attention to the subject, and that before the end of the present Session he (Mr. Blake) might have the pleasure of congratulating him on having accomplished that which so many of his predecessors in office had failed in accomplishing. He believed that there was no subject more worthy of the right hon. Baronet's attention than the question of the reform of the grand jury laws. It was matter of notoriety that there was scarcely any Irish measure, no matter how urgently required, which did not take seven years to debate before it became law; and unfortunately, if any interregnum took place, and that the discussions had to commence *de novo*, another period of seven years was consumed before anything final was done. If the Government adopted the suggestions of the various commissions which had inquired into the subject, they would make the grand juries of Ireland something in the nature of county corporations, and those who paid the cess would feel that they had representation as well as taxation. He believed the right hon. Baronet was not prepared to go into a discussion of the subject at the present moment, as, owing to an unintentional mistake on his (Mr. Blake's) part, he had led the right hon. Baronet to understand that he should, on the present occasion, ask a question only. He hoped, however, that the right hon. Baronet would give him a reply as to whether, in the event of the Government not doing anything in the matter themselves this Session, they would give their support to a proposition embracing the various improvements which he had ventured to indicate. The first point was as to the representation on the juries; the next, that the taxation should be on the poor rate principle—namely, that a portion should be paid by the landlord as well as by the tenant. He knew that the right hon. Baronet's hands were full at the present moment, but he might, without interference with the measures which he himself was promoting, give the assistance of the Government to a private Member endeavouring to effect those necessary reforms.

SIR ROBERT PEEL said, that he was not prepared to enter into a discussion of the grand jury laws. As had been observed, two or three Attorney Generals had failed to make satisfactory progress with measures they had introduced; and he did not think that at the present stage of the Session it would be desirable to introduce a Bill making any considerable changes in the action of the grand jury laws. In the case of the associated cess-payers, there might not be all the freedom of action that was to be desired; and he would be glad to introduce a Bill, perhaps next Session, if he held office, and would give the subject careful attention during the recess. He was not aware that the Irish generally desired to see any serious change made.

MR. MAGUIRE said, that the subject had excited great interest in Ireland. There had been several county meetings held; and the proposals made at those meetings, at which all classes were represented, showed that a measure of the nature shadowed forth by the answer of the right hon. Baronet would not be satisfactory. The question was, why should county cess be borne by one class, and the rate for the relief of the poor be divided between two classes? For his own part he would rather wait ten years than accept a peddling and contemptible measure like that shadowed forth by the right hon. Baronet.

COLONEL DUNNE said, he considered that those who had the management of the cess were those who paid it, for all taxes of the kind must ultimately fall upon the land. He hoped that the right hon. Baronet would see from the observations of the hon. Gentleman who had just spoken, what was the real nature of the changes asked for.

THE DISTRESS IN THE MANUFACTURING DISTRICTS.—QUESTION.

MR. A. F. EGERTON said, he had given notice of his intention to put some questions to the President of the Poor Law Board respecting the working of the Poor Law in the cotton manufacturing districts, Both inside and outside of the House he had heard it stated privately that it was premature to bring the question of the distress in Lancashire before the House on that occasion. To a certain extent he agreed with those who held that opinion. The matter was a very delicate one, requiring careful handling, lest false hopes should be raised; but he ventured to think, that as the subject had already been discussed in the newspapers, both in Lancashire and in London, and among all classes of the population, it, in his judgment, was well that some ventilation should be given to it in that House. No one could doubt that distress was very prevalent in the cotton manufacturing districts. According to the last reliable return, there were 58,000 operatives entirely out of work in Lancashire, and, of course, a much larger number were working short time. For some time past a weekly statement of the state of trade in Lancashire had been issued in Manchester on the authority of the Mayor. The last return, which arrived in London on the previous day, gave the number of people working short time in Manchester as 15,133, while the number of those who were out of work altogether was stated at 7,567. A similar return for Preston stated that 7,700 were working short time, and that 12,105—a very large number — were out of work altogether. In Wigan, as he was informed, no fewer than 4,600 were out of work. Those figures implied a vast amount of distress. There were other towns in the north, the inhabitants of which, he was happy to say, were much better off, principally owing, he believed, to the operation of the French treaty. Among those towns the most remarkable were Bolton and Bury. There was some doubt about the condition of Ashton, but he believed it was badly off, though not so much so as Manchester, Preston, and Wigan. He had no doubt that elsewhere in Lancashire, as well as in some parts of Yorkshire, there was a large amount of destitution—that a great number of operatives were working short time, while many were out of work altogether. Before leaving this subject he might be allowed to pay his tribute of admiration to the manner in which both operatives and millowners had hitherto met the emergency. Perhaps the House was not aware that for a long time the owners had kept their mills open when they could neither sell their products nor have any expectation of selling them at a profit. He believed that many millowners had subscribed from £5,000 to £6,000 in this way. If such had been the conduct of the owners, what could he say about the operatives? Their behaviour had been applauded by all who took an interest in the subject, and he had no hesitation in saying, that they had displayed a spirit of endurance and a patient constancy under considerable suffering that had never been surpassed in the annals of any nation. He had now briefly touched upon the present state of affairs. He wished he could say that their future prospects in Lancashire were more cheering, but he was afraid that relief was still somewhat distant. He had received that day an account from Liverpool of the state of the cotton imports there. It appeared that the stock in Liverpool of American cotton at present amounted to 120,830 bales, whereas at the same date last year the stock was 679,730 bales. The total stock at present in Liverpool was 370,000 bales, as compared with 990,000 bales last year. Of Indian cotton there were now at sea 200,000 bales, whereas last year the quantity at sea was 270,000 bales. He believed that that falling-off might be explained by the fact that the shipping of cotton to this country had been checked by the uncertain state of trade in India, caused by the news of the *Trent* affair. The usual consumption of Great Britain was about 45,000 bales a week. Now, the total stock of the whole of Europe did not exceed 725,000 bales, an amount equal to about seventeen weeks' consumption at half-time. These facts held out no very cheering prospect, and he was afraid that little more cotton was coming. They could only hope that measures would be taken to develop the production of cotton in India. Since the state of things in the north was such as he had described it, the House would see that it was important that the legal means for the relief of distress were properly administered, and it was with that view that he was going to put a few questions to the President of the Poor Law Board. The question had already been discussed at meetings of the local representatives, and a deputation of the Lancashire and Cheshire Members had waited upon the right hon. Gentleman at the Poor Law Office. The proceedings of that deputation had been misrepresented, and he desired, on the part of his hon. Friend the Member for North Lancashire (Colonel W. Patten), who, he was sorry to say, was unable to make his Motion that night, to correct a misapprehension which had received great currency through the leading columns of *The Times*. That paper had thought proper to state that in its opinion the real object of the hon. Member for North Lancashire and those who acted with him was to appeal to the Government for help from the Consolidated Fund. Now, nothing could be further from the intention of his hon. Friend or of any of the speakers on the occasion in question than to claim Government aid or relief from the Consolidated Fund. He was speaking in the presence of hon. Gentlemen who had been present at the reception and who would fully bear him out in what he said. What they really wanted to know from the President of the Poor Law Board was, whether the Poor Law was well administered in the distressed districts—whether all was being done that could be done by legal means. On the present occasion he wished to elicit from the right hon. Gentleman a public assurance that such was the case, for he thought that a statement to that effect would be satisfactory to the country. There was a general feeling among the operatives—he hoped and believed an erroneous one—that the Poor Law was rather harshly administered, that labour tests were imposed in cases where they ought not to be imposed, and that the rigid rules laid down by the Board should be relaxed. He had no doubt that the President of the Board could give the House some information upon all these points. No one could be better informed than the right hon. Gentleman of the state of affairs throughout the country, and he was sure the House would be glad to hear his opinion upon the whole question of the distress and the mode of alleviating it. The question had been mooted in the public papers, whether it was necessary that a large scheme of national charity should be started. In his opinion the time had not arrived for that, but he should be glad to hear the President of the Poor Law Board upon the point. As at present advised, he believed that the means of relief in the cotton manufacturing districts were not yet exhausted, and that the time had not arrived for considering whether appeal should be made to the public at large. He had given notice of his intention to ask the Secretary for India whether any reduction had been decided on in the Indian tariff; and, if so, when they would come into operation? The information contained in the public papers was to the effect that five per cent would be taken off cloth, and three and a half per cent off yarns. Nothing could be better than that reduction, except an entire repeal of the duties. He would not go into the subject of India, which was a large one; but the opinion was generally entertained in the district he represented that India should produce cotton for them, and that they should produce manufactured goods for India. That was, no doubt, a selfish opinion, but he believed it was the sound one, and that India would be better employed in the cultivation of cotton than in its manufacture. The questions he wished to put to the President of the Poor Law Board were—whether, in his opinion, the rules of the Poor Law Board ought to be relaxed; whether he thought the labour test was enforced in cases where it ought not to enforced; and whether generally the board of guardians were administering the Poor Law with due regard to the pockets of the ratepayers as well as to the relief of the existing distress?

Sir CHARLES WOOD said, it would perhaps be well for him to answer at once the question put to him by the hon. Gentleman as to the import duties levied in India, before the discussion on the distress in Lancashire was entered upon. He had not the slightest doubt that the reduction of duty to which the hon. Gentleman had referred as having been announced in the newspapers had taken place, although he had not as yet received a despatch from India announcing the fact. He knew it was the intention of the Indian Government to reduce the duty as soon as the state of that country permitted them to do so.

Mr. POTTER said, he desired, with the permission of the House, to give briefly his opinion as to the extent of the trade of the cotton districts and of the distress now prevailing in those districts. There were no less than 600,000 persons employed in the cotton manufacture, who received between £15,000,000 and £16,000,000 a year in wages when they were in full work, but who at this moment were receiving not more than half that amount. The hon. Member had stated the number of persons who were receiving no wages at all at 58,000; but he believed, if the facts were known, that the number would be found to be something like 100,000. These facts must carry conviction to the minds of all as to the amazing amount of distress that existed. But it was not only the operatives employed in the cotton trade who suffered from the present condition of that trade, but, from the large amount of money that was thrown out of circulation, the distress was much wider spread. The shopkeepers in those districts were, he thought, even more to be pitied than the working classes themselves, because the moment the working classes got into employment they started again immediately, while the small shopkeeper, who had been carrying on his business with the savings of a life, had no capital to start when better prospects opened. He believed that the extent of the cotton trade had been calculated at something like £80,000,000. They had no prospect for the next six months of carrying on more than half that trade. There were no means of doing it, for half the cotton would not be in their possession, and he had no doubt that at the end of the year the return of the cotton trade, instead of being £80,000,000 a year, would not have exceeded some £50,000,000 or £60,000,000. He had no doubt that the working classes of Lancashire had the sympathies of that House as much as of those who resided amongst them; and no man, he was convinced, had a sounder knowledge of the economical question than the right hon. Gentleman at the head of the Poor Law Board, to whom the working classes generally felt themselves indebted for his exertions in their behalf. He did not think that public charity or the Poor Law itself could cope with the present difficulty. He believed, that unless there was some change in the relative positions of this country and America, that unless they got cotton from America, the Poor Law would not be adequate to the occasion. He would not carry that argument further; but what he desired was that the Government should, by means of a Committee or Commission, ascertain the facts of the case, which they could not ascertain from the reports to the Poor Law Board, and then consider what means might be taken to relieve the distress found to exist. In the district where he had resided for a number of years, in a population of 100,000 there were 8,000 or 9,000 persons connected with the cotton trade. They were not, he believed, so destitute as the operatives in other districts, but they were suffering severely, and yet there was hardly one per cent. of that number who ever went into a poor house. He had been an employer of labour himself for many years, and he never remembered one of his own hands or one of his workmen wanting to obtain parochial relief. He believed that that was a character that would apply to the class generally throughout England. The operatives employed in the cotton trade had been growing in intelligence, and had made wonderful progress, more, perhaps, than any other class in the country, during the last thirty years; and when this character of them was borne in mind, the repugnance that they felt to go into the workhouses would be readily understood. The class was not a small one—one-seventh of the whole working population of England was dependent upon cotton. The case was not one which could be adequately met by any system of charity. Indeed, his great anxiety was to spare that class on whose behalf he was speaking the pain of sinking from their high position, and its members would, he felt assured, be prepared to undergo any amount of privation rather than urge upon Her Majesty's Government the adoption of any steps which would have that result. Their present condition was entirely exceptional, and it wanted an exceptional remedy, which would be better able to be suggested after inquiry by a Committee or Commission. The only remedy for the existing state of things in Lancashire would be a large supply of cotton from the United States; but no one in this country, he was sure, would urge the Government to break the blockade of the Southern ports in order to obtain that supply. But he earnestly hoped that the Government would carefully watch the dark cloud which hung over the cotton districts of this country, and which he feared would break upon them and involve them in ruin such as no man could estimate.

Mr. C. P. VILLIERS (who was very indistinctly heard) said, he hoped neither the hon. Member for South Lancashire nor the hon. Member for Carlisle imagined that the extent of the suffering which was now being endured in the manufacturing districts in the north had escaped his attention, or that he had neglected to inform himself on the subject. Nobody, he could assure the House, could be more painfully alive than he was to the extent of that suffering, nor was he without daily evidence of its magnitude. There was hardly a circumstance mentioned by the hon. Gentleman which he could not confirm by his own experience, both as to the extent of the suffering and the generous and noble manner in which it was borne.

Not only had he given his attention to the distress as it had arisen, but he had anticipated the occurrence of that distress; for, so far back as the latter end of last November, having regard to the unfortunate conflict which had broken out in America, and the results to which that conflict was likely to lead in this country, he had deemed it to be his duty to provide, as far as possible, against the destitution which he knew must ensue, and had issued a circular to every union, not only in the cotton districts, but in all those localities connected with American trade, expressing his apprehension of the suffering to which the population would be subjected if the war were to continue, and exhorting the proper officers to make early provision for an unusual amount of distress. He was happy to receive from all those unions replies which indicated a very great confidence in themselves, and a knowledge and experience of the working of the system of public aid in this country which relieved him very much from some apprehensions he had previously felt that they would be taken by surprise, and that their means would prove inadequate to cope with the emergency. There was throughout those answers an expression of satisfaction with the present state of things, and with very few exceptions there was in all of them the expression of the conviction that come what might they would be able to meet the emergency by the ordinary resources which they possessed. That, so far, was satisfactory as regarded themselves; but believing that no greater calamity could fall upon this country than an interruption to that great business which was necessarily interwoven with the well-being and prosperity of the United States, he required returns of the condition of the people, or rather of those of whom the guardians had special cognizance. For six months he received, frequently from week to week, returns of the progress of poverty and the state of the people. Those reports he proposed to lay on the table of the House, so that it would be informed precisely of the state of the population up to that time. He had also attempted to distinguish those districts more immediately connected with the American trade. The returns during the last two months would show their precise condition under the continuance of the distress. He had no desire to underrate the intensity of the case or to encourage the people in unfounded expectations of better times; but those returns showed that latterly the distress had apparently been stagnant, or at least had not increased, as far as they could judge from the number of persons receiving public relief. He did not wish to mislead anybody with regard to these returns, for there were circumstances which might partly account for it; but the fact stood that the returns from the end of April to the present week exhibited some falling-off in the distress as compared with earlier returns. It was under these circumstances the deputation that had been referred to honoured him with a visit at the Poor Law Board. The deputation called on him to state what he considered were the means of relieving the distress, very much in the terms in which the question had been proposed that night. They wished to know whether he was satisfied with the mode in which the guardians administered relief, and whether the means in their hands were adequate for their purpose at the present time. In answering that question he was able to refer to the returns he had just mentioned, and so far, having very carefully watched the operation of the system, he was able to state to the deputation that he did consider that the guardians of the unions and those whose duty it was to administer the Poor Law had hitherto provided excellent means for the purpose, that they were acting with firmness and judgment as well as humanity, and that he had no reason to complain of what was passing in those districts. The unions were acting together in harmony, and judging of the amount of distress by the number of persons relieved, melancholy as was the condition of the people, there was nothing to justify his interference with the local authorities, or any reason to spread alarm in the country as to the inadequacy of the means to meet the present distress. The deputation stated that, without doubting the accuracy of the returns which the Poor Law Board had received, these returns did not fairly or altogether indicate the true extent of the distress; and that though they were very faithful accounts of the actual numbers who submitted themselves as destitute and received relief from the Poor Law, yet that there was an immense amount of misery of which the Poor Law authorities had no cognizance, but of which persons locally acquainted were painfully aware. From these circumstances the Poor Law authorities were made acquainted with the extent of the feeling which prevented sensitive persons from submitting to the extreme consequences of destitution; but it was more than probable that such persons would sooner or later swell the aggregate of destitution. But he might be allowed to state what was the fact, that the Poor Law had no machinery by which it could ascertain the number of those persons, or undertake to relieve any persons who were not actually destitute. That might be a defect in our system, but he believed it impossible to find a remedy. That was a class which could only be reached by private benevolence, and it seemed to him that this was an occasion for the noble and effectual labours of local committees; that the local committees should place themselves in communication with the Poor Law authorities, and bring those cases actually before them, or apply the means in their own hands to their relief in various ways as they thought most fit. But, as the head of the Poor Law Department, he could only answer for the way in which the Poor Law did its work; and when he was asked, as he had been that evening, whether the Poor Law authorities were, as far as he was aware, equal to the emergency, he did not hesitate to say that they were; and in proof of that he need only communicate to the House what they were in the daily habit of communicating to him—that though the distress was great, they were perfectly able to meet the increased demands upon them by the means at their disposal. When he spoke of the exertions of local committees and the aid of voluntary funds he only threw it out as a suggestion, because those committees had the opportunity either of bringing cases of distress before the Poor Law authorities or relieving them themselves. From one statement made by the deputation it appeared that the people of Lancashire were under great uncertainty and doubt as to what the powers of the local Poor Law authorities were. There appeared to be some apprehension that these authorities were fettered, more or less, by some stringent rules of the Poor Law Board in London. He was surprised that any such doubts should have prevailed; but he was glad to have the opportunity of removing any misapprehension that existed upon the subject. He had been told that there was some doubt as to the power of the guardians or overseers to raise the rate to any amount to meet the exigencies of the time; as to whether they could extend their staff with a view to meet all the requirements of an extraordinary state of things; whether there was any stringent rule that required people to sell up house and furniture before receiving relief; and, lastly, whether rules issued by the Poor Law Board were so stern that the guardians had no power to relax them without previous communication with the Board on the subject. He satisfied the deputation upon all those points; and should, with a view to give further publicity to a statement he made as to the powers of local authorities, repeat it to the House. In the first place, then, the Poor Law guardians might raise the rates to any amount, without communicating with the Poor Law Board. They might also increase the number of their staff, in order to distribute the relief that might be necessary. With respect to selling their furniture and household goods, it had been the law for nearly three centuries that those who asked for relief should possess no property, and no doubt provisions in Acts of Parliament to that effect were to be found; but no practical operation was given to those provisions, and in no instance were the people required to make such great sacrifices before they received relief. One member of the deputation stated that he had been informed that some person in Wigan had been subjected to a severe test. He directed a communication to be made to the clerk of the union, and he had received a communication from him emphatically denying that any such case had ever occurred at Wigan. Then it was said that the rules of the Poor Law Board were stringent and unbending, and that the overseers and guardians were obliged to exact a labour test, which was so humiliating to some persons that they would rather starve than submit to it. That was not the case. There was nothing so stern or so stringent in any order issued by the Poor Law Board which might not be relaxed and might not be adapted to circumstances. The whole system was elastic and capable of being adapted to extraordinary circumstances. In the time of the hon. Member for Lincolnshire, some ten or twelve years ago, an order was issued for the guidance of the authorities with respect to relieving able-bodied persons. The order required that when relief was given such able-bodied persons should give work in return; but in that order exceptions were specified, and instructions were conveyed to the authorities, that if they thought it desirable under certain circumstances to give relief without exacting labour, they should do so for a period of twenty-one days, and communicate to the central Board the special circumstances under which they thought it expedient to deviate from the order. It was not a stringent rule, but one which was well adapted to every degree of distress. It went on at the present time, and there was no general request from these unions, with whom the Poor Law Board was in friendly communication, that they should depart from it. There was a sort of cry raised now that there was a novelty in imposing the labour test upon persons in this condition. But the labour test only meant that those who received relief out of other men's earnings should return some work, and it was not a novelty, because it was a provision in the Poor Law which had been in existence for three centuries. The leading provision of the 47th of Elizabeth was, that when people applied to the parochial authorities for relief, they should be set to work. It might be the wisdom or not of our ancestors, but it had been handed down to us, and had never been objected to; and the novelty would be to say, that when people received relief, they should return no labour. Then they heard that the labour was of a kind which was offensive to those who had been engaged in very different employment. But that was not a necessary condition of the order, and unless the guardians were very inconsiderate there was no occasion to impose a test of work humiliating to the people and little suited to their previous occupations. All that was required by the labour test order was, that when an able-bodied man sought relief, he should have the money without going into the workhouse, provided that he did some work in return. Other places had been as unfortunate as Lancashire, and the application of the labour test in them had not been objected to. The case of Coventry, in which city a very severe distress existed for eighteen months, was, perhaps, the freshest in the recollection of the House. When the people of Coventry suffered so severely, the first impression of the benevolent was that they ought to be relieved from the stringent rules of the Poor Law Board. Lord Leigh, a nobleman who, to his great honour, took a prominent and useful part in relieving the distress of the Coventry weavers, thought he could not better serve the people and promote the object which he had in view than by writing a letter to the Poor Law Board, calling upon them in so peculiar an emergency to relax the labour test. The publication of that letter produced consternation among those whose duty it was to administer relief, and there was a general remonstrance from all the other unions. When the letter reached the Poor Law Board they immediately sent an Inspector to a meeting in the town, and the Inspector found at that meeting that Lord Leigh was not acquainted with the provisions of the Poor Law, that he did not know what the labour test really was, and that he believed extraordinary sacrifices were required. Shortly afterwards, Lord Leigh, through the chairman, acknowledged that he had acted in error, that he was not acquainted with the provisions of the Poor Law, and that he saw there must be some rule in administering relief. Not only so, but when large subscriptions had been raised in different parts of the country for the purpose of relieving the unfortunate weavers, a large proportion of the amount subscribed was administered upon the principle of exacting labour. The weavers went cheerfully to work. What they considered their relief was the opportunity to work. They had the opportunity, and he was assured that such was the spirit and right feeling of the people—no doubt it was the same in Lancashire as in Coventry—that they would rather do some work than receive relief without it. There was nothing in the order or in anything which proceeded from the Poor Law Board, or in anything which took place in the administration of relief, which ought to shock the people because of the conditions upon which relief was given. It was under these circumstances that he assured the deputation that there was no reason to apprehend any want of resources in the county of Lancashire, or in the parishes of the county where distress prevailed. He thought it right to state that hardly a day passed on which communications did not reach the Poor Law Board from the chairmen of boards of guardians in that county, who were responsible for these statements, that they were perfectly satisfied that their resources were at present equal to all the requirements which were made upon them. All they prayed was that they might be properly supported in the exercise of their duties, and all they hoped was that they might not be obstructed in the application of those rules which a large experience of their wisdom and propriety warranted them in enforcing. Therefore the House would understand that at that moment there were ample resources for relieving the distress such as it was, and that such was the view of the guardians of the poor of the county. The hon. Member (Mr. Potter) asked what were the prospects of the country, and what he thought generally might occur in the course of the year. He could not give the hon. Gentleman any precise information about that, but certainly he was disposed to take quite as gloomy a view of those prospects as the hon. Gentleman—that was to say, he saw no prospect of any cessation of the distress, such as it was, at the present moment. There was a very large number of people indeed out of employment. As the hon. Member for Carlisle truly stated, their being out of employment involved an immense deal more distress both among those above and those below them, who carried on business subsidiary to their wants. It was impossible to overrate the importance of that consideration, and there could be no doubt that the distress was perfectly appalling. The cotton manufacture really was the great element in the manufacturing business of the country, and it seemed to him that cotton was to commercial life what he ventured to think some years ago that corn was to the physical life of the workpeople. The importance of cotton to the commercial interests could not be exaggerated. It was a gigantic interest, and all matters that depended on it were vast. At the same time, he did not think that there was reason for hopeless alarm. It was not as if the business had ceased to exist; or as if a change had taken place in the taste of the consumers of cotton goods, or that any new discovery had been made rendering cotton goods unnecessary. The present state was clearly temporary, and the only question was how long would the pressure to which the factory people were exposed continue. He ventured to express an opinion that very large supplies of cotton must come from other countries besides America, as it was only natural to suppose that its high price would stimulate production. But even if the distress continued, the resources of the great and wealthy county of Lancaster were more than sufficient to meet all the difficulties arising out of the depression of the trade. He had read with some astonishment an account of the rateable value of the county of Lancaster; and seeing what was the amount of calls made on that rateable value during the first four months of the present year, he felt confident that there did not exist that extremity of want and destitution which had been alluded to. The rateable value of Lancashire in 1856 was £7,298,000, and the cost of the poor in the same year was £455,000. In 1861 the cost of the poor was £429,670. He had made a calculation as to what would be the cost of the poor, supposing the expenditure on them went on at the rate it had been going on during the last four months; and he found it was bringing the expenditure on the poor up to £678,000 for the year, or at the rate of 1*s.* 10*d.* in the pound. Considering what was now paid by other counties, there was nothing very alarming in that amount. In Suffolk, and also in Sheffield, 2*s.* 6*d.* in the pound was paid; and that rate would raise the payment of Lancashire to £912,318. St. George's-in-the-East and Shoreditch paid 3*s.* 3*d.* in the pound, and such a rate as that would make the payment of Lancashire £1,186,013. In Nottingham Union, and in East and West London Unions, the rate was 3*s.* 6*d.*, and that applied to Lancashire would raise the contribution of that county to £1,277,245. As much as 5*s.* in the pound were paid by many parishes in the midland, eastern, and southern parts of England, and a rate of that kind would cause the payment of Lancashire to be £1,824,636. A rate of 6*s.* was paid by a smaller but still considerable number of parishes, and according to such a rate the payment of Lancashire would be £2,189,563. He did not mean to use these figures for any fallacious purpose, or to deny that in some particular towns of Lancashire the distress was most intense. In those localities there undoubtedly existed great suffering and the most vigilant attention was required in administering relief. He might be mistaken (though he was anxious not to state anything not strictly accurate), but he had not heard of any place in Lancashire that paid more than 3*s.* in the pound. He heard yesterday from Preston, and it was stated by the Chairman of the Board of Guardians, as being a very great payment, that, perhaps, the rate there had actually reached 3*s.* in the pound. In that place the distress was most severe; but, upon the whole, where the rates were comparatively so low it might be inferred that the contributions of private persons were liberal, and that great exertions were made by them to provide for the wants of the people. But the people had a right to apply to the poor rate, and to that they must apply before coming upon the public funds. There was no apprehension whatever that the Poor Law guardians were not equal to their position, or that they had not means at their disposal to relieve the poor, but as it had been stated by the deputation that some misapprehension, however groundless, prevailed as to the power of the Poor Law guardians, and as to the character of the rules and orders under which they acted, the Government had thought it right to instruct some persons of experience and judgment to proceed at once to the distressed districts, and to ascertain whether there was any want of information on the part of the guardians, and whether the system on which they acted was strictly legal. These persons, being men of experience, would be enabled to do something to bring into harmonious action with the regular authorities all those volunteer bodies who were doing so much good in giving relief. He trusted that that arrangement would produce a useful effect in preventing the waste of funds, and in directing persons anxious to contribute where they should go. In that matter the Government had been guided by precedent; for there had been former instances of persons being sent down, in times of distress, to assist the local authorities with useful advice. He would refer to one case—that of the Burnley Union. Some years ago when severe distress was prevalent, Sir John Walsham proceeded to Burnley, and, after putting himself in communication with all those engaged in administering relief to the poor, he addressed a report to the Government, in which he said that he found the relief was administered in a manner far from satisfactory, and he was not satisfied that the destitution was adequately met. "In fact," he said—

> "It appeared to me that we are in the Burnley Union in the midst of a general scramble for the rates, which, if order be not introduced immediately into their administration, will before long reduce the ratepayers to insolvency, without, at the same time, leaving the conviction on any man's mind that the indefinite pauperism which had created such a lamentable result had been real to the extent asserted, or that those severe privations which too certainly do prevail, and are, indeed, painfully notorious, have been sufficiently alleviated. On the next day the board of guardians unanimously agreed that I should prepare, with the full concurrence of those present, a series of resolutions to be, I hope, passed by Tuesday's board, which resolutions should provide at once for the following points, namely:—1. Increase of the relieving power. 2. Establishment of relief in kind on an extensive scale. 3. Organization of out relief and settlement committees in and for each district. 4. Organization of a visiting and finance committee. 5. Organization of a labour committee."

They passed a resolution to the effect that the notoriety of the distress afforded a strong temptation to the idly-disposed to throw themselves upon the rates, and that a system of labour ought to be devised under proper superintendence for obtaining that which undoubtedly, was wanted—namely, suitable employment. About six weeks afterwards a report was sent to London that the exertions of the board of guardians, combined with the spirit and patriotism of the manufacturers in employing the destitute heads of families, had been most effective. After the representations which had been made to the Poor Law Board, he had thought proper to send down an experienced person who would put himself in communication with the authorities, in order that the best means of relief might be resorted to, and that the Government might be kept properly informed. He was bound to say, from all that had reached him, that there was not the smallest cause of complaint against the persons in authority; they were doing all in their power to relieve the distress, and there was no disposition anywhere existing to charge them with neglect of duty.

Mr. BRIGHT: I think it was very natural that the hon. Member for South Lancashire should have brought this question before the House, and I am sure that I only express the general feeling when I say that the manner in which he did it was befitting the object he had in view. He being connected with the county—and many other Members of the House also connected with it—must know, that although there is great and growing distress, yet that it is not so universal as many persons at a distance might suppose; and that it is very much more severe in some towns than in others. And this arises, as the House might imagine, on the smallest consideration, from the very different kind of work which is performed, and the different branches of trade which are carried on in the different towns. For instance, in Bolton, where the spinning is almost all of fine yarn, and where only a comparatively small portion of cotton is used, the distress is far less pressing than it is in Wigan and Rochdale, where the spinning is almost entirely of coarse yarns. I look back to the period to which my right hon. Friend has referred, twenty years ago, and I can say, without hesitation, that the distress of the whole county of Lancaster in the years 1840 and 1841 was very much greater than it is at this moment. At the same time, I am not certain that so many persons were out of work then, but the distress had continued for a much longer time; it had been preceded by a period of much less prosperity, and the people were gradually dragged down to a condition far lower than that to which they have now descended. My hon. Friend the Member for Carlisle (Mr. Potter) says that we have not more than about half trade. I should be thankful for half trade if it could be spread with any moderate equality over the country. But whilst the people of Bolton are having whole trade, or nearly so, the people of Wigan and Rochdale have not half trade; and therefore in a matter of this kind, averages are not very safe guides when we are to consider what may be done. I believe—I am sure, indeed—that the case is growing worse, and must grow worse, because, after the prosperity these districts have enjoyed, there are thousands of families who have saved a little money, and who can go on for a certain time without receiving relief; but, of course, the longer the distress continues the smaller the class will become, and the more surely will they be drawn into the abyss into which not a few have already fallen.

Now, nothing can be more sad than the sight of men who, for years past, have saved what they could, and have performed in an admirable manner all the duties of life—to see their earnings and savings and little stores gradually waste under a state of things such as that which now exists. But let us not deceive ourselves for a moment by imagining that we can remove this evil or prevent it. The utmost anybody connected with the county or anybody connected with the Government can do must be to mitigate it to some small, and I hope to some considerable extent. But there must be, whatever is done, wide ruin—extending, I believe, to thousands of families in the cotton districts. Now, what are the means which we have at our disposal to ameliorate the condition of this unhappy class? My right hon. Friend (Mr. C. P. Villiers) has made a speech to night which, on the whole, I think has given satisfaction to the House, and I think also that it will be satisfactory to the country. While he has endeavoured to adhere to the acknowledged and ordinarily acted upon principles of the Poor Law, still I think he has shown that disposition which we should expect from him, and from the department over which he presides, to arm the guardians in every district with the power to exercise a very large discretion with regard to the treatment of this grave evil. The guardians are elected by a very large constituency in every parish, and they are not spending the money of the Chancellor of the Exchequer, they are spending the money which their direct constituents have but recently paid into their coffers; and I believe there is no body of men in the kingdom, or, to limit the area, in the county, to whom you could more wisely intrust the expenditure of the ratepayers' money than those to whom the ratepayers themselves have intrusted it. In the old Poor Law times, when those grievous abuses existed which caused the establishment of the Poor Law Board, it was not so much in the towns that the Poor Law was badly administered; in the towns there is a public opinion that always, in the main, keeps officials in some kind of check with regard to the expenditure of money; it was in the rural districts where the great evils prevailed which caused the new Poor Law to be enacted. If, when the old Poor Law existed, those grievances of encouraging idleness and expending money wastefully did not prevail to a great extent in the towns, they are less likely to prevail now; and therefore I believe my right hon. Friend will be acting in accordance with true wisdom, as well as according to the dictates of humanity, if he does as little as possible—I will say almost nothing—to check the guardians in the distribution of the resources intrusted to their care.

But I do not think the whole of the matter can be met by the boards of guardians. And there is one reason why I think it should not be so met. The House will recollect that all the money intrusted to the guardians is not collected from men in proportion to their means, but according to the rent of the shop, house, or warehouse which they occupy. If you take a town like Manchester, you will find there a merchant who may be making his £10,000 a year, and whose property may amount to £100,000—especially the foreign merchant—whose building upon which he pays rates is not very large, and whose rates are, on the whole, comparatively very small. You collect from all these lands and buildings, but you leave an immense amount of wealth not touched under the Poor Law. Well, although I am not about to recommend any alteration of the law for the taxation of wealth, I say that it is desirable, and that it is necessary there should be other assistance to the people than that which the Poor Law guardians will be able to get from the rates so collected. Therefore I presume there will necessarily be, in every parish where much pressure is felt, a committee formed who shall collect subscriptions which should not come from those who are verging upon distress themselves, as the Poor Law would collect rates, but should come from those who have greater means, and who, under the present system, do not probably pay in proportion to their means. In the town in which I live there has been a committee of the kind established, and it has been working with signal success. A committee of gentlemen of considerable number have canvassed every street in the town where there was anybody at all likely to require relief, and have obtained very accurate statistics, and they have made a rule that whenever they find that the income per head in each family is below a certain amount, that they will afford relief—principally in food, and probably not much—I do not know whether any, in money—up to the point. I cannot pass this over without stating to the House that there has been not a few cases in which families, having received tickets entitling them to obtain this relief, have brought them back to the committee, explaining that since they received them some member or members of their families have obtained better employment, or an extra day or two's work; and therefore they brought back the ticket, that it might go to some one more necessitous than themselves. Wigan and one or two other towns may be worse off than Rochdale, because, with us, the flannel manufacture employs a large number of persons, and we have in that town, as the House knows, a remarkable co-operative institution, which has been of great advantage to the people under this pressure. I was down there only last week, and if I am not wrongly informed, the subscriptions have hitherto been in advance of the necessities of the relief committee. They have spent between £80 and £90 per week, and they have still a few hundreds in hand, although, as far as I am aware, none of the subscriptions in the town have been larger than £50. Therefore, so far as that particular town goes, notwithstanding the severity of the suffering of many, a state of things does not exist which would justify that parish, town, or district in going to another district, or in coming to Parliament for any aid. My right hon. Friend has stated to the House what is the property of the county, but still there has been no rate in aid yet agreed to. I hope it may never come to such a pass as that; but it must be admitted—I think no Lancashire man in this House will, for a moment, deny that there is—at least, I should flatly contradict any man who attempted to say the contrary—I say that there is patience and great power of endurance amongst the people; there is is also great wealth, and I believe an equal liberality amongst those who possess it. And therefore I have the strongest confidence myself, that if this state of things should go on for many months longer, the county will find itself quite competent to take care of its own affairs, without sending the hat round to other parts of the country. At the same time, while I would object to any great measures of relief in the shape of a committee in London, or of Government interference, which would only add to the pauperism of the district and prove most pernicious, yet if there be any one in the Kingdom who is willing to aid an acknowledged distress which exists, let him send quietly, without ostentation, and without getting up a great fund to be scrambled for, whatever sum he can spare to any one he knows in the district. I have no doubt there are many persons who will receive and distribute contributions as the donors may wish.

My right hon. Friend said that the latest accounts showed a slight diminution in the number of persons receiving relief; and he has referred to the question of East India cotton. In the neighbourhood in which I live there has been an attempt, which has gradually extended of late, to introduce the use of East India cotton, and I have no doubt that in some cases mills have been started on partial or full time which had been altogether stopped. But the right hon. Gentleman referred to one point to which I would call the special attention of the noble Lord at the head of the Government. He said that the importations from India had been diminished this year, and that it was greatly owing to the uncertainty which had been caused by the fear of war with the United States. I believe that is quite true, but I wish to tell the noble Lord and his colleagues that nothing, apart from the great question which causes the main part of this suffering—nothing has done more harm to the trade in Lancashire than certain expressions of opinion which we have heard lately from Members of the Government on the question which now agitates and tears the United States. About two months ago I was standing at a place where we are permitted to stand not far from here, and to listen to speeches which are sometimes interesting and sometimes not. On that occasion I heard part of a speech delivered by the noble Lord the Foreign Secretary on the question of the blockade. I heard him state that he—of course representing the Queen, the country, and the Government—had been impartial; we had been perfectly neutral; nobody could in the least complain; he thought the blockade was efficient, and so forth. And then he went on to say, after boasting of his impartiality, that he hoped in the course of two or three months that the Northern States (I am not pretending to quote his exact words, but I am giving his meaning) would permit the South to become independent, and that this country would, of course, wish the prosperity of both States. But what was the effect of that—the moment, the very day, when that passage in his speech went down to Lancashire? I can turn to an hon. Friend of mine who sits on this side of the House, and who represents one of the boroughs in Lancashire which is suffering the heaviest distress. He went down a few days afterwards; and when he came back, he said to me, "What did Lord Russell mean the other night in the House of Lords?" I said, "What did he say?" He referred to the passage. I said, "I don't know what he meant, but I heard him say it." "Well," he replied, "down in Lancashire the whole trade is checked by that very observation, and yarns and cloth in the Manchester market have fallen from 7 to 10 per cent in consequence of that declaration." Now, I want to know whether the noble Lord the Foreign Secretary

knew anything about what he was talking about. In Lancashire they believe—they are often mistaken, no doubt—that great statesmen have great knowledge, and that they know secrets that the public do not know. Now, if there ever was a question in the world on which Cabinet Ministers know no more than any other Members of this House, it is precisely this question which agitates the United States. The noble Lord the Foreign Secretary knew nothing at all of the facts. He had not the slightest ground for believing that the Northern States in two or three months would allow that great country to be broken up and consent to the establishment of a new State. It is quite possible that may happen. I am not going to prophesy, and therefore I will not express any opinion about that question, but I do say that if the Minister—the Foreign Minister of all others—stands forth in Parliament and expresses an opinion like that, it is taken by all the people in the country to be an opinion founded upon facts which give him fair ground to have that expectation, and in my view it is in point of fact a species of intervention, and a departure from the neutrality of which the noble Lord had just been boasting. I say I will express no opinion here on this question—my views are well known—but I say it is not the duty of any Minister to express such opinions. I say, further, that as regards the trade of Lancashire it has suffered very much from the statement of the Foreign Secretary; and, of course, from the various rumours that from time to time are set up that certain things are about to happen, which perhaps may never happen. Let the House bear in mind the state of things here. That cotton which a year ago was worth 6*d.* per lb. is now worth 1*s.* 1*d.* per lb. That is only an increase of 7*d.* in the pound; but if it extends to millions and hundreds of millions of pounds, you can conceive what a sum it becomes. If this cotton has been bought, say at 1*s.* per lb., at which it has ruled almost entirely since October last, except during the period at which there was apprehension of a war with America, and if it has been worked up into yarn and cloth, what the man wishes who has worked it up is that the price of yarn and cloth should gradually rise so that he may at least carry on his operations without loss. If his loss is considerable, he closes his mills. What, then, is the effect of the observations of this sort? Why to lead men to believe that in two or three months the Southern ports will be open and cotton freely coming out, and then the cotton which was charged at 1*s*. will go down to 6*d*. as before—that is to say, if a manufacturer has bought yarn and cloth at a price based upon cotton at 1*s*., the probability is that he may lose 25 or 50 per cent; and if he has any great transactions, he may be absolutely ruined. Now, I do not the least blame Lord Russell for holding any opinion he likes upon American questions—even the most absurd that can be picked up. He may agree with me if he likes; but I say that, being Foreign Secretary, it is contrary to his duty in that office, to his professions of neutrality, and it is contrary to the interests of this great trade of Lancashire, that he should say one single word that should tend to add to the vast uncertainty which now paralyses every branch of that trade, and aggravates the original evil which we are all lamenting. I am in favour of what Mr. Hosea Biglow says in *The Biglow Papers*. He says in Yankee dialect, and without particular regard to grammar—"Don't never prophesy unless you know." I presume to recommend that advice to the Foreign Secretary in future. I hope that nothing I have said—nothing that has been said in the House—shows any disregard for the sufferings that are being endured by the people of Lancashire. I recollect twenty years ago, in 1842, there was a Report made by the Commissioners who were appointed to inquire into the state of Stockport when that town was suffering so much; and that Report gave the highest character to the efforts of the people to sustain themselves from pauperism and the rates. An hon. Friend has handed to me the extract, which I did not know was in the House; but it is worth reading, and I believe that the same may be said of the character of the Lancashire people now. That Report states—

> "On the occurrence of general distress, we find them neither a pauperized mass, nor readily admitting pauperism among them; but struggling against adversity, beating far and wide for employment, and in many cases leaving their country for foreign climates, rather than depend upon any other resources for subsistence than those of their own industry and skill. Those among them who have not been able or willing to leave a place where at present their labour is of little or no value, have been found enduring distress with patience, and abstaining sometimes to the injury of health from making any application for relief; while others, who have been driven reluctantly to that extremity, we have seen receiving a degree of relief sufficient only to support life, often with thankfulness and gratitude, and generally without murmur or complaint."

Depend upon it, that in the short and simple annals of the poor there is to be found a heroism not less than that for which often the thanks of Parliament are given; and I trust that hereafter, when we come to look back upon the abundant compliments which hon. Members now pay to that population, there may be some who will change their opinion of them, and think that they are not improper subjects for admission to political power.

MR. HIBBERT said, that as he had just come from the suffering district in question, having only taken his seat on the previous night, he should be wanting in his duty to his constituents and himself if he did not offer a few observations on the subject before the House. The feeling among his constituents and in Lancashire generally was that the distress was neither caused by the Government, nor by the Legislature, nor by the employers of labour, but that it arose entirely from the unfortunate war in America. On that account the distress was borne with great patience and exemplary fortitude. It was felt, however, that the time had come when the Poor Law Board might well suspend their labour test, which interfered with the proper distribution of relief. He was sorry to hear that the right hon. Gentleman did not intend to suspend that test, the effect of which was that the guardians of the poor could not give outdoor relief without requiring a certain amount of labour to be performed, or if they did not require it, they were obliged to report the cases to the Poor Law Board. It was humiliating to boards of guardians to be obliged to report every case in which they gave outdoor relief to the able-bodied poor, and that restriction ought not to be imposed upon them when the distress, as at present, was of no common kind. It was calculated that there were upwards of 60,000 workpeople out of employment, and about 200,000 working from two to four days a week. He trusted that the right hon. Gentleman would reconsider his decision as to the labour test, and rely upon the boards of guardians properly performing their duties, and upon the people not seeking relief except when they actually required it. The operatives would then thank the Government for the sympathy which they had shown them in their present distress.

The Marquess of HARTINGTON said, that as one of the representatives of Lancashire he begged to return his best thanks to the hon. Members for South Lancashire and Carlisle, who had brought the subject before the House, and elicited the satisfactory reply of his right hon. Friend the President of the Poor Law Board. From the information he had taken pains to collect in his district, he believed that very considerable misapprehension existed as to the spirit in which the Poor Law Board were inclined to administer the rules relative to the distribution of outdoor relief. The provision that boards of guardians should report to the Poor Law Board every case in which outdoor relief was given without exacting the labour test, was construed into a prohibition against such relief. The President of the Poor Law Board had, however, stated, that while he did not think it necessary to make any special alteration in the rules of the Board, he should give the amplest liberty to boards of guardians to meet the responsibility which rested upon them. He could not account for the slight diminution which his right hon. Friend said had occurred in some districts in the number of applications for relief. But he trusted that neither he nor the House would imagine that the temporary cessation of distress alluded to was any reason for relaxing the measures which he anticipated would be necessary to meet the impending difficulties, because no man acquainted with the state of the manufacturing districts would venture to predict otherwise than that there was yet great distress to be endured. In the town of Preston the weekly loss of wages to persons engaged in the cotton trade was estimated at £6,291. The relief given, however, only averaged £463. The usual relief at the corresponding period of the year was £130, so that the sum of £333 represented what had been done by the Preston Board of Guardians to meet the withdrawal of a sum of £6,000 heretofore paid in wages. No doubt other causes had been at work to save the poor rates. There had been a relief fund, private charity had been active, and the savings of the operatives had been drawn upon. There had been whispers and suggestions of a public subscription, and a grant from the Consolidated Fund; but not only had no such proposition been entertained by the Lancashire Members, but such an idea had been altogether deprecated. The House had heard the

particulars with respect to what had been doing in Preston for the relief fund, but he denied entirely that the £3,000 raised there represented in any degree the amount of private benevolence in the neighbourhood. Many of the millowners who had stopped work still continued to feed their hands; and although they undoubtedly might derive some benefit from keeping them together in case of a change in the aspect of affairs, yet it was a generous feeling on their part. The worst thing for the country would be to hold out a hope of a public grant or a public subscription, which would remove from the employers the responsibility that now rested upon them to keep their own workmen employed, or, at any rate, to save them from starvation. He should also deprecate the issue of any Government commission of inquiry, because the fact of the existence of distress was too well known to render it necessary, while such a proceeding would only tend to fill the minds of the operatives with illusory hopes. He could not sit down without adding his tribute of praise to the operatives for their admirable behaviour during the severe crisis through which they were passing. As far as he had been able to learn, their conduct had been admirable. There had scarcely been any remonstrance; there had been no agitation. The only large meeting he had heard of was one to impress on the Government the necessity of repealing the Indian duties. The discussion of that evening might not be of much practical use; but it would be a great comfort and solace to the people who were now enduring distress to know that hon. Members in that House were not indifferent to their great and unmerited calamities.

General LINDSAY said, that on his own part, and on that of the Board of Guardians and the gentlemen intrusted with the management of the relief fund in the town of Wigan, he wished to say that nothing was further from their thoughts than to apply for a sum of money for the distressed operatives out of the Consolidated Fund, until it should have been proved that the rates and private subscriptions were not adequate to meet the case. The universal feeling in Lancashire was that the poor rate was the first resource, the private subscriptions the next; and that an application for any share of the public funds should only be made as a last resource. He had given his support to the attempt made to raise a Lancashire fund by Lancashire gentlemen, of whom there were many, who, though they did not live in the county, were connected with it and largely interested in the distressed district; but the movement was not generally approved, and it was decided to let the Poor Law take its course. In the town which he had the honour to represent (Wigan) the poor rate had not reached a point which would at all justify an appeal to the country; but its amount would certainly have been much greater if it were not for the large fund raised in the borough of Wigan. Nevertheless, comparing the number receiving poor relief with the corresponding week last year, there was a difference of five hundred, and that number would, of course, have been much larger if the whole of those supported from the local fund for the last four months had been thrown upon the rates. The people of Wigan had thought it their duty, as long as they possibly could, to keep those operatives from becoming paupers who were thrown out of employment by a visitation of Providence in the shape of the American war; the Lancashire operatives were a proud race, anxious to help themselves, and doing all they could to avoid receiving relief from extraneous means. With that object a fund of £3,500 had been raised, and that had been recently distributed at the rate of £150 to £180 per week. At present there were no less than 4,500 persons out of employment, in another fortnight that number was expected to be increased by 2,400, and in the course of a month 700 more would probably be added to the number. The speech which the right hon. Gentleman (Mr. Villiers) had delivered that night was calculated to be a most useful one, for it would have the effect of explaining to the public in Lancashire what the general features of the Poor Law were, and of fortifying theguardians, who were sometimes supposed to shelter themselves behind the Commissioners, in the discharge of their duty. He must express his thanks to the right hon. Gentleman for having sent down an officer of the Government to look into the working of the system in those localities, and to organize and combine the action of the boards of guardians with the different relief committees. As he had recently been at Wigan, he could not conclude without expressing his high admiration of the manner in which the operatives had borne their sufferings during the last winter.

MR. BAZLEY said, he also desired to add his testimony to the good conduct and excellent behaviour of the working people of Lancashire under the severe trial to which they had been exposed, and to which they were still subjected. During the late Parliamentary recess the sympathy of hon. Members of that House had been extensively and effectually extended to meet the coming distress in the manufacturing districts, and, in particular, he would take that opportunity of thanking the right hon. Gentleman the Member for Oxfordshire, who said there could be no sadder spectacle than that of men deprived of the opportunity of labour, when they were willing and able to work. The right hon. President of the Poor Law Board talked of their being subjected to the ordeal of labour; but there must, in that instance, he believed, be some relaxation of the rigid rules by which the administration of the Poor Law was regulated. For, independently of the hardship of exposing men, as honest and industrious as any in that House, to a test which they considered derogatory to their position, the ordinary labour tests would incapacitate their hands from performing those delicate manipulations which they would have to perform if they were ever again to earn their bread by their habitual occupations. It had been unwise in this country to depend on a single source for its supply of the raw material so essential to the national prosperity. The Government of the country had sanctioned the constant increase of the great manufacturing system; the Government had largely participated in the amount of revenue derived from that industry; and yet, with a monopoly of the finest cotton-growing lands in the world, it had left the country dependent on the United States for its supplies. Even at that moment he very much dreaded that no adequate efforts were being made to obtain a supply of cotton from India. The right hon. President of the Poor Law Board readily admitted that in all probability the time of suffering on the part of the people of these islands would be prolonged for a considerable period. If that apprehension were justified, the wisest course on the part of the Government would be by every possible means to stimulate our colonian possessions to the production of raw cotton and, above all, to induce the Government of India to give the requisite facilities for its production. To his own knowledge, the improvement of the navigation of the river Godavery had been under consideration for seven years, but little had yet been done to render that important river navigable. If cotton could only be brought down from the vast cotton-growing districts of the interior, there would be a supply sufficient for the whole of Lancashire. That very day he had been examining some of the raw material sent from Australia to the International Exhibition, and he had great satisfaction in stating that more beautiful and excellent cotton he had never seen than that contributed by Queensland and New South Wales. If a sufficient population could only be poured into those dependencies, they would supply all the wants of England in a couple of years. Half a million of Chinese or half a million of Coolies set to work in that quarter would produce the cotton Great Britain required, and yet no effort was made to attack at the root the evils of the existing distress. What was needed was not so much assistance in a pecuniary form as that the labouring classes should be placed in a position of entire independence, with the raw material under their control, so that they might be enabled to raise their daily subsistence by their daily labour. He regretted exceedingly that his hon. Friend the Member for North Lancashire (Colonel W. Patten) was not present, as he would have told the House that in the regiment of Lancashire Militia, of which he was colonel, a number of recruits had been lately received who were so prostrated in point of strength as to be incapable of performing the ordinary initiatory movements required from soldiers. Having had occasion some time ago to visit the eastern district of Lancashire, he found most industrious cottagers endeavouring to raise themselves from the working to the proprietary classes by investing their little savings in joint-stock manufacturing establishments; and being unable from their earnings to pay their litle calls, they were forced to sell their furniture and to deprive themselves of their little comforts, in order that they might keep the engagements into which they had entered. The working classes were actuated hy honest intentions; their desire was to earn a livelihood by their industry, which never before failed them, and only failed them now because the Government had permitted a great trade to be raised upon an artificial basis of supply. He believed that both politically and commercially this country would have been treated better by the United States if it had been less dependent upon them for the supply of its raw cotton. With ample means in their hands, it was not credible that they had suffered us to be placed in our present position. He hoped that in two or three years they would obtain that full supply of cotton which was as essential to a flourishing condition of the revenue of the country as to the prosperity of the working classes.

Mr. W. EGERTON said, that he too could not help expressing his admiration of the patience with which the distressed operatives of the northern counties had endured their privations, though that was not altogether a novel circumstance, for the same spirit had been displayed in former visitations of the same kind, when they had suffered from glutted markets, from over-production, or from unfortunate differences between employers and employed. He was also happy to say that there was co-operation between the masters and the operatives, and that many of the former had at great loss to themselves kept their mills at full work. He had listened with much pleasure to the statement of the right hon. Gentleman the President of the Poor Law Board. It would be very satisfactory to the operatives in the manufacturing districts, among whom, as shown by meetings recently held at Manchester, there was beginning to be some dissatisfaction with the working of the Poor Law. He trusted that the discussion generally would prove to the operatives of Lancashire and Yorkshire that the House of Commons sympathized with them in their distress, and were no indifferent spectators of the noble patience and endurance with which they had borne their sufferings, and that the Government were not unmindful of their duty to see that the working classes obtained a fair share of relief in time of distress.

Mr. GILPIN said, it was new to him that any feeling of humiliation on the part of boards of guardians existed from their having to report the cases in which they dispensed with the labour test, and he believed they were generally satisfied with the law. Returns of pauperism, though they did not adequately represent destitution, were an index of such destitution; and the figures which the returns gave, confirmed the statement of his right hon. Friend. In the eight weeks ending with April of the present year, and commencing with the second week of March, the numbers relieved in the manufacturing districts were, respectively, as follows:—2nd week, 111,000; 3rd, 111,000; 4th, 112,000; 5th, 104,000;

6th, 106,000; 7th, 104,000; 8th, 104,000; and 9th, 105,000. He had received a letter from the clerk to the Manchester guardians, stating, that although returns showed a slight increase in the numbers receiving relief, as compared with the preceding week, the police returns showed an increase of 1,000 operatives in full employment. From Lancaster he had received the following return of the recipients of indoor and outdoor relief for the half-year:—In 1848, 3,556; in 1849, 3,180; in 1860, 1,305; and in 1861, 1,419; and the return was accompanied by a report stating that the decrease, large as it was, was real, the regulations, whilst consistent with benevolence, having done much to eradicate habitual and hereditary pauperism, and to remove stimulants to indolence and profligacy. The hon. Member for Manchester (Mr. Bazley), when he suggested a relaxation of the "rigid rules of the Poor Law Board," used terms which were not justifiable, either as regarded the rules or the manner and spirit in which they were carried out. It was the desire of the Poor Law Board that the Poor Law should be administered in a generous and at the same time in a just spirit. The House should recollect that there was a class of people who, though they were not paupers, were not far removed from pauperism, and upon them poor rates pressed most severely. He hoped, that if the benevolent would respond to the appeal made to them by the President of the Poor Law Board, the relief which they would contribute would be administered through the medium of the Poor Law authorities. That relief should be partly in kind, and not wholly in money, in order that the families of poor men should receive relief as well as the poor men themselves. The tendency of indiscriminate relief was to demoralize, and a man demoralized by such relief found great difficulty in regaining his former position. He sincerely hoped that this discussion would have the effect of convincing the struggling thousands of Lancashire that an earnest sympathy was felt for them in their distress, that their merits, their fortitude, and their patience were appreciated, and that the authorities were anxious to do everything they properly could for their relief.

SIR MINTO FARQUHAR said, that although having no connection with the manufacturing districts, he was anxious to express the strong sympathy he felt for the distress unhappily prevailing there. The subject had been introduced by his hon. Friend the Member for South Lancashire in a most admirable spirit, and it had been responded to by the Minister who had special charge of the interests of the poor in a speech which did him the utmost honour and would give the greatest satisfaction to the country. That right hon. Gentleman showed that the important office he held was not to be worked with hardheartedness, but that there was an elasticity in the Poor Law, which should be administered with kindness towards those who were suffering. The hon. Member for Birmingham had made a most affecting speech, but he regretted that at its close the hon. Member thought fit to introduce a political element into the discussion by appealing to the House whether the men who could bear so much suffering with so much fortitude were not to be trusted with the elective franchise. There was plenty of time to talk of politics in that House, but the subject they were discussing had nothing to do with politics. What they had to consider was how they could best alleviate the distress that existed. The people throughout the manufacturing districts had shown both fortitude and resignation; they had not sought the intervention of the Government to put an end to the known cause of their sufferings, but continued to bear them without complaint, and their conduct would bring on them the admiration of the whole world.

LAWS AND CONSTITUTION OF JERSEY.

OBSERVATIONS.

MR. SERJEANT PIGOTT said, he rose to call attention to the Laws and Constitution of Jersey. The subject probably had little interest for that House, but it was of momentous interest to the inhabitant of Jersey, and of some importance to persons living in this country who visited that island. The Supreme Court in Jersey was presided over by a bailliff, who was a legal gentleman appointed and partly paid by the Crown, but the business was really transacted by twelve persons, called jurats, who attended at their own pleasure, and who were wholly uneducated for the duties they were called upon to perform. With that court the great portion of the residents of St. Heliers, the principal town, were much dissatisfied. A Commission was issued in 1859 to inquire into the constitution of the court, and they had made a Report which brought home to that court every charge that had been alleged against it. He would give an illustration of the injustice that was committed. A resident of England, who had gone over to Jersey, was arrested there, and required to pay over some trust funds which he had in his possession. He was arrested on mesne process, and he lay in prison two years before he could obtain a decision that his arrest was illegal. If he had paid the money—which he could not do, for the sum was large—the Court of Chancery in this country would have made him pay it over again when he came to England. The Report also stated that there was an instance of a case which had been before the court seventeen years, and was not yet concluded. It also stated, that if a lord of a manor desired to take a proceeding for trespass, he could not do so without joining every one of his tenants, though he might have fifty, in the suit. That being the state of things, the only question was, by whom was the reform to be effected? As the local legislature of Jersey had not done anything, it only remained for the Imperial Parliament to pass an Act for the purpose. There could be no doubt of the power of the Imperial Parliament to pass such an Act; and as there was a necessity for it, he trusted the right hon. Gentleman would hold out some prospect of a reform of the constitution of the court.

SIR GEORGE GREY: Sir, before answering the hon. and learned Gentleman's question I am anxious to take this opportunity, of which the strict form of the House might otherwise have deprived me, to say a few words with reference to the subject which has been under discussion for the last two or three hours. I think that the office which I hold and the means of information it places at my disposal render it a duty incumbent on me, which I have great satisfaction in performing, to bear my testimony to the admirable conduct of that great body of the working classes in a large portion of Lancashire and in some part of Cheshire in enduring that distress which they have long been suffering, are still suffering, and, I fear, will be called upon for some time longer to suffer. I think they have shown not only great patience and fortitude in enduring the distress which has pressed so severely upon them, but also the greatest good sense and the best judgment in appreciating the causes of their calamity. And, knowing well its causes, they have exhibited forbearance, wisdom, and right feeling in abstaining from urging upon the Government or Parliament that remedy which might have occurred to them as being likely to alleviate their suffering—namely, a departure from that line of strict neutrality which the Government, with the entire concurrence of Parliament, and, I believe, of the country generally, have observed with respect to the unhappy conflict between the Northern and Southern States of America. Their conduct does them infinite credit, and must tend to increase our sympathy for their trying position. I think the discussion which has taken place to-night is likely to be attended with the most beneficial results. At least, it has had this advantage, that it has enabled my right hon. Friend the President of the Poor Law Board to satisfy this House, as I believe he will also satisfy the country, that he and those associated with him in superintending the working of the Poor Law are doing all in their power to render its administration in these distressed districts as efficient as possible, and to carry it out in a spirit suited to the exigency. But it has done more, for I think it has completely removed the misconceptions that have existed as to the motives which induced my hon. Friend the Member for North Lancashire—whose absence I am sure we all regret—and others who act with him, in bringing this subject under the notice of the House. It was assumed for a moment by some that those Gentlemen intended to make an appeal on the part of Lancashire for some special relief from the Government. That intention has been disclaimed by every hon. Member connected with the distressed districts who has addressed us. The whole tenour of the discussion has been most creditable to those who originated it, as well as to every speaker representing a constituency affected by this severe visitation. It has shown that in Lancashire there not only exists that heartfelt sympathy between all sections of the community which is the best guarantee for a cordial union of different classes, but also that spirit of self-denial and dependence on their own resources which reflects the greatest honour on those who display it. I trust that what has passed this evening, besides proving that of which, perhaps, a proof was hardly wanted—namely, that the suffering of these districts excites our warmest commiseration—will show that the mode in which the relief is to be administered will, without encouraging fictitious distress, insure substantial aid to those who, from no fault of their own, are enduring the most trying misfortune.

With regard to the questions of the hon. and learned Member for Reading respecting reforms in the laws of Jersey, no doubt there are great anomalies connected with them, but I think the same reasons which induced Parliament last year to abstain from passing a Bill dealing with the subject, will induce it now to abstain from pledging itself to any particular reforms, unless it is satisfactorily shown that the same cannot be effected by the action of the States of Jersey. From communications I have recently received I am led to believe that steps are being taken to effect the reforms that are needed, and in the mean time I do not think it is incumbent upon this House to interfere.

MR. HADFIELD said, he would remind the right hon. Gentleman that there had been two Royal Commissions—one as far back as sixteen years ago. The result of the inquiries showed that it was impossible to obtain justice under existing circumstances in Jersey, property consequently nearly lost its value, and persons charged with crimes were left untried for long periods. Nothing, however, had been done in consequence, and he had no hopes of anything being done by the States of Jersey from what had been stated by the right hon. Gentleman.

MR. VINCENT SCULLY feared they were going back to the old bad habit of jumping from one subject to another on Friday nights. There were sixteen different questions on the paper that night upon the question of going into Committee of Supply, and four others in Committee. He thought it would be better when one hare was started to follow it up until it escaped or was killed. He intended to speak only upon three of the questions that had been mooted that evening. The first was with respect to grand jury reform in Ireland, respecting which the Chief Secretary had said nothing at all, notwithstanding the hon. Member for Waterford had expressed his conviction that he would receive a satisfactory and straightforward reply. He hoped the question would again be put on Monday; and if it were not satisfactorily replied to, that it would be asked again on Tuesday. Then, a question had been asked with respect to the Royal Court of Jersey. He had inquired into the subject with great interest, and before he entered Parliament he had the audacity to publish a pamphlet—he believed it had long been out of print—in which the matter was discussed. He thought the Court required very great reform, and he believed its reform had been neglected on account of the proximity of the island to France. With regard to the distress in Lancashire, he was glad to hear that the Government met it with such sympathy and such a disposition to do what could be done for its relief; and he only wished that in the case of the equal, if not greater distress, in Ireland the same amount of sympathy had been displayed. He would also express a further wish that the Irish had the present Home Secretary for England as Chief Secretary for Ireland, and that the English had the present Chief Secretary for Ireland for their Home Secretary.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

House in Committee.

Mr. MASSEY in the Chair.

Motion made, and Question proposed,

"That a sum, not exceeding £116,695, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for the General Management of the Department of Science and Art, of the Schools throughout the Kingdom in connection with the Department, and of the Geological Surveys of Great Britain and Ireland, &c."

MR. ADDERLEY said, he thought that the directorship of the Museum of Irish Industry, on its becoming vacant, should not be filled up again; and that the Museum of Irish Industry should, as soon as possible, be made one institution with the Royal Dublin Society. Originally the Irish Museum was instituted as a boon to the Roman Catholics, but the present Director, Sir Robert Kane, was also Principal of the Queen's College at Cork. When he was performing his duties at Dublin, he was necessarily neglecting his duties at Cork, and *vice versâ;* and all he asked the Government was, that when next Sir Robert Kane betook himself to Cork, he should remain there; and that the directorship should not be filled up. He also hoped that the Irish Museum would be incorporated with the Royal Dublin Society as speedily as possible. He could not move to reduce the Vote, inasmuch as salaries were now due; but he hoped the Government would direct their attention to the subject in future.

MR. LOWE said, there was great justice in what the hon. Gentleman had said, and the Government would communicate with the Lord Lieutenant and see if the change could be effected. There was, however, one difficulty in the way, and that was the constitution of the Royal Dublin Society. Its government was in the hands of a committee, who were elected by the Society at large. That point, therefore, would have to be considered, and negotiations taken.

Mr. COGAN said, he thought that the right hon. Gentleman (Mr. Adderley) had acted with some injustice in attacking an absent Gentleman, Sir Robert Kane. The Museum of Irish Industry was founded by Sir Robert himself, who was a man of high scientific attainments, and by developing its resources he had been of great service to Ireland. It was to be regretted that there was nobody connected with Ireland on the Treasury Bench to explain the objects of so useful an institution. He might add that at the formation of the Queen's Colleges there had been great difficulty in obtaining officers for them, and it was at the earnest solicitation of the Government that Sir Robert had accepted the principalship.

Mr. O'BRIEN said, he hoped that the Museum of Irish Industry would be maintained as a separate institution, and not amalgamated with the Dublin Society, which was a private association. He thought Government should have ascertained the feelings of the Irish Members before expressing an opinion upon the subject.

Mr. VANCE admitted that there ought not to be two Museums in Dublin. He thought that the Royal Society effected ten times as much for science and art in Ireland as the other institutions.

Mr. HENNESSY said, there was no institution in Ireland of more practical value than the Museum of Irish Industry, which, without explanation or consideration, had been so rashly condemned by the Vice President of the Education Committee. The object of the Museum was to develop the industrial resources of Ireland, and it had fulfilled its mission with remarkable success under the able directorship of Sir Robert Kane. It was to be regretted that Ireland was governed by a body of gentlemen who knew nothing whatever about it, and who were ready at any moment to sweep away its most useful institutions. There were two similar institutions in London, which cost a much larger sum, and he hoped the noble Lord at the head of the Government would, under the circumstances of the case, see the expediency of directing his attention to the subject.

Mr. DILLWYN said, that while disclaiming anything like hostility to the South Kensington Museum, he could not but express a doubt as to the propriety of voting the public money for its support. It was not the duty of the Government to give high art education to those who could afford to obtain it for themselves without assistance. He did not think that the recent progress in art had arisen from votes such as that under consideration. But, in some respects, he doubted the existence of progress at all. The Trafalgar fountains, the Duke of Wellington's funeral car, the Guards' monument in Waterloo Place, and the Exhibition building, were not instances in favour of Government teaching in art. The improvement of art as illustrated in our manufactures he attributed, not to Governmental instruction, but rather to the influence of the railway system, the freer intercourse between nation and nation which, as a consequence prevailed, and the existence of such exhibitions as the present and that of 1851. Under those circumstances, he felt disposed to ask the House to reduce the Vote to the amount at which it stood last year, and thus mark its sense of the small value which it set on Government interference, while vested interests were left untouched. On all the items of the Vote that were increased over the sum voted last year he proposed to move a reduction to the amount of the excess. All he wished to do was to lay down a principle. Those who objected to the Government becoming a teacher of drawing throughout the country would support him. He moved that the Vote be reduced by £7,106.

Mr. H. SEYMOUR objected to so many Votes being placed together under one head; nine Votes were included in the total sum asked for. In it art, science, and navigation were amalgamated; and he thought that art and science must feel some surprise at the strange company in which they were thus placed. He believed the Government schools of art throughout the kingdom were to a great extent valueless, and that they entailed an expense very much disproportioned to any advantage they conferred. The schools at South Kensington were frequented by the most fashionable young ladies in London, who paid nominal sums for the instruction which they would otherwise derive from private masters, and the private masters were thrown out of employment. The Vice President of the Board of Education deprecated the increase of Government masters, and, to be consistent, he ought to vote for the Amendment. If the Amendment were carried, no harm would be done, because there was a balance of £22,000 in hand, the surplus of monies already voted by Parliament. He had opposed the photographic establishment, in which item alone there was a decrease, and he doubted whether there were any photographs which would sell for £1,250. The number of visitors fell from 610,000 in 1860 to 604,000 in 1861, and the receipts from the public from £2,000 to £1,400 ; so that as the expense increased the interest in the department decreased. Captain Fowke was employed to build a picture gallery at South Kensington, and the public were invited to see how cheap and good it was, but the year afterwards £27,000 had to be voted because the gallery was unsafe. They had seen what were the powers of Captain Fowke. Those powers had culminated in the Great Exhibition, and they might now be quite sure that whatever advantages his buildings possessed they could not boast of either elegance or beauty. He doubted the expediency of having a Science and Art Department at all, and he would advise the Government to withdraw the Vote.

MR. AUGUSTUS SMITH said, he wished to call the attention of the Committee to the great increase which had of late years taken place in the amount of that Vote. In 1847 it was £8,000, and it had risen to £116,000 a year. He believed it would be better to leave the encouragement of science and art to private enterprise, instead of placing them under the patronage of the Government. As an instance, the Crystal Palace was infinitely better than the new Exhibition building.

MR. BLACK said, he believed that the establishment of these schools of design led to great abuse, as many persons who sent their children to them had ample means of giving them a private education in any accomplishment they might think proper. The efforts of private teachers were thus discouraged, and the interference of the Government was productive of real evil.

MR. BLACKBURN said, he thought it was high time that some check should be put upon the constantly increasing expenditure in the Kensington Museum. Last year it was £18,000, this year £22,000.

MR. LOWE observed, that it had been the opinion of that House that the manufactures of the country, though possessing many admirable and durable qualities, were deficient in grace and elegance. That led to the institution of the department now under consideration, and there was no doubt that it had answered the object in view. Specimens in various manufactures now to be seen in the Great Exhibition, and remarkable for their beauty, were the work of persons educated in the Department of Science and Art. A complaint had been made that the Estimate was continually increasing. That was the very merit of it. When the Department was founded 8,000 pupils were learning under the system at £3 5*s.* 6*d.* per head. Now there are 91,000 pupils at only a cost of 8*s.* per head. It had been said that persons belonging to the highest classes came to the schools ; but, if they did, they paid a larger sum than others, and thus it was that the department was able to educate the rest so cheaply, and the terms which a master on receiving his certificate agreed to were that he should teach artisans three times a week at 6*d.* per week, and give a certain amount of gratuitous instruction to poor children. The proposed Amendment, notwithstanding what had been said to the contrary, really affected vested interests. There was also an increase of £250 for prizes, which was owing to this, that there were a good many more pupils, though the value of the prizes had been diminished. Then, if there were more schools, there should be more masters, which would account for the increase for salaries from £17,500 to £18,000, and so, also, more Inspectors would be required. In the management of the photographic department considerable improvements had been made. They had got rid altogether of positive photographs, and sold only negatives, to purchasers who would give the best terms to the public. Then there was an increase of one-third to the space appropriated to the museum, and that, of course, involved additional expense for stoves, fittings, and furniture. They held examinations for the masters in science in November, and for the pupils of those masters in May every year, and the candidates could not be collected without advertising for them. Owing to a rule which had been laid down by the Marquess of Salisbury and the right hon. Gentleman opposite (Mr. Adderley) an astonishing impulse had been given to the spread of education in science throughout the country, for the master was to be paid only for each pupil who passed an examination. It was not for replacing the picture galleries, which were models of what such galleries should be, and which no one could see without admiration, that the House had voted £27,000, but for buildings to replace the wooden schools. He did not think it was the wish of the House to take away their salaries from men who had earned them, or, having built a museum, to deprive those who had charge of it of the means of lighting, warming, and keeping it in order, especially at a time when so much was being done to spread a knowledge of science and art throughout the country.

Lord HENRY LENNOX said, after the explanation which they had just heard from the Vice President of the Committee of Council, he was sure the hon. Member for Swansea would admit, at least, the advantage of having in that House a Minister who was responsible for the control of that institution, for the maintenance of which they were called upon to vote public money. Every one must see the utility of having Ministers who were responsible for the several departments of science and art in that House. Of all the Art Institutions of the country, he agreed with the Vice President, it was the South Kensington Museum which partook most of a national character, and that it was with that institution that the idea had originated of circulating works of art through the country. When the unhappy photographer was near setting fire to the British Museum by his apparatus, the managers thought they could do nothing to prevent the recurrence of such an accident; but that was not the case with those who had charge of the Kensington Museum, for they had devised a scheme which enabled them to light the Museum four nights in the week, and the vast majority of those who visited it at night were composed of the working classes. In proof of the good that the institution had done he would conclude by quoting the words of the Committee which sat upon the subject. They said in their Report that they had arrived at the opinion that the South Kensington Museum in respect of its action, as well throughout the United Kingdom as in the metropolis, was exercising a most beneficial influence, and that it was well deserving the continued and liberal support of Parliament.

Colonel SYKES would support the Vote, as the South Kensington Museum was the most instructive building in the country.

Mr. DILLWYN said, that the salaries of Gentlemen in other departments had not increased in the same ratio as those of the officers of the Kensington Museum, and he did not see that the latter were more deserving of increased salaries than those who belonged to other departments.

Motion made, and Question put,

"That a sum, not exceeding £109,589, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for the General Management of the Department of Science and Art, of the Schools throughout the Kingdom in connection with the Department, and of the Geological Surveys of Great Britain and Ireland, &c."

The Committee *divided*:—Ayes 48; Noes 111: Majority 63.

Original Question put, and *agreed to*.

House *resumed*. Resolution to be reported on *Monday* next; Committed to sit again on *Monday* next.

BRITISH MUSEUM.

LEAVE. FIRST READING.

The CHANCELLOR of the EXCHEQUER said, he would move for leave to bring in a Bill to enable the Trustees of the British Museum to remove portions of their Collections. The object of the Bill was to enable the Trustees to remove certain of their collections to South Kensington. The Bill also contained provisions with regard to certain outlying parts of collections which were not strictly contained in those collections themselves. He hoped the print of the Bill would be in hon. Members' hands in a few days.

Leave given.

Bill to enable the Trustees of the British Museum to remove portions of their Collections, *ordered* to be brought in by Mr. Chancellor of the Exchequer and Viscount Palmerston.

Bill *presented*, and read 1°; to be read 2° on *Thursday* next, and to be *printed* [Bill 108].

House adjourned at a quarter after One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, *May* 12, 1862.

Minutes.]—Public Bill.—2ª Register of Voters.

DISTRESS IN LANCASHIRE.

QUESTION.

The Earl of SHAFTESBURY said, he had given his noble Friend the President of the Council private notice of a Question he was about to put, on a subject of painful and general interest. Their Lordships had, no doubt, all heard of the great distress now unhappily prevailing in the cotton manufacturing districts of Lancashire, and of the admirable manner in which it was borne by the people. Nothing could exceed their dignified and noble bearing under the trials they were called upon to sustain. Their endurance was not to be measured by the amount of physical privation which they had to contend with. To his certain knowledge many, who, by great industry had, during the period of prosperity—a period extending over the last five or six years—invested very considerable sums, by which they hoped to make provision for, perhaps, premature old age, had been compelled to expend the whole of their savings, in procuring sustenance for themselves and their families, since the commencement of the distress; so that when again they should be able to recommence work by the removal of the cause which had for a time put an end to the demand for their labour, they would have to recommence under every disadvantage the task of making provision for the future. But, notwithstanding all their privations, and all the difficulties to which they were exposed, he wished their Lordships to remark the good sense and sound judgment which these operative classes had displayed throughout. They had been guilty of no excesses; they did not complain of their employers, nor attribute their sufferings to social distinctions; nor did they expect that they could be ameliorated or remedied by any interference on the part of the Legislature or of the Government. It was admirable, also, to see the good understanding which prevailed between the employer and the employed in an emergency in which both were such severe sufferers. No doubt very large fortunes had been amassed in this branch of industry, and some few employers were not fully sensible to the demands of their duty; but a great many of the manufacturers, in order to afford employment for their hands, were carrying on their operations at a serious loss; others were expending considerable sums in the shape of contributions for the relief of the workpeople; and the consequence was, that the most happy understanding existed. If their Lordships contrasted this state of feeling with that which had existed during former periods of manufacturing distress, they could not but be gratified with the increase of intelligence which was manifested among those classes of our population. Several modes had been suggested by which the distress might be temporarily relieved. First, there was a proposition for a large grant from the Consolidated Fund. That, however, he apprehended, would not be received with much approbation in any quarter. There was also the resource of private contributions. Although, undoubtedly, he was far from saying that sympathy might not be shown in the way of contributions. But that was not the mode in which he believed the people would desire to be relieved. He believed they would prefer to receive relief from the administration of the Poor Law, in so far as it could be made adequate for the purpose and to the peculiar circumstances of the case. Therefore it was that he wished to ask his noble Friend if Her Majesty's Government were prepared to advise anything in the shape of a relaxation of the rigid rules of the Poor Law in respect to relief, more especially in respect to the labour test. He would even now have the labour test applied to those who were idle and not disposed to work. But it must be borne in mind that these people were destitute from no cause which they could control. They were disposed to work if work could be found for them to do; and in the present state of the trade, when there was no employment for them, and they were consequently driven to ask for relief, the enforcement of the labour test would be most cruel and injudicious. This was especially the case with regard to the class of persons employed in many branches of the manufactures carried on in these cotton factories, and which required very delicate handling, and could not be performed by persons whose hands were hardened by rough work. To set such persons to break stones would be not only to expose them to much unnecessary suffering as a condition of the relief afforded, but would in many cases deprive them of the means of earning their bread when a revival of trade took place, and their labour was again in demand. Then, again, to put men to outdoor labour, and expose to drenching rains those who had been accustomed to work in the heated rooms of factories, would be to bring on them other inevitable disorders. He hoped, therefore, his noble Friend, on the part of the Government, would be prepared to give, in answer to his question, an assurance that some relaxation would be made in the administration of the Poor Law relief, especially in regard to the labour test. But, whatever the decision of the Government, he was sure they would join with him in the expression of sympathy and respect for the admirable conduct of those honest but industrious and suffering men. He begged to ask his noble Friend, Whether it was the intention of Her Majesty's Government to advise some temporary relaxation in the administration of the Poor Law relief, especially as regards the labour test, in order to meet the present emergency?

LORD OVERSTONE said, he was not aware that this Question was to be put, but he could not allow the opportunity to pass without expressing his feeling of deep sympathy for the sufferings endured, and of respect for those who bore them, with the patience and manly fortitude so well described by the noble Earl. He joined cordially in his expression of admiration for the conduct of the people of Lancashire in their distress; and he felt confident they would continue to show the same noble bearing whatever trials might still await them. Connected as he had been through life with the district, he necessarily regarded their sufferings with the greatest interest and sympathy. He had lived among the people of Lancashire, and knew them to be amongst the most industrious, intelligent, and well-conducted of the labouring classes. He had known them from the highest and most wealthy classes to the most needy and hard-working, having lived among them in the days of their highest prosperity and passed among them many and many an anxious day in periods of the severest trials and distress. He knew the enlightened views and liberal generosity of the richer classes, and he was equally acquainted with the manly courage, the love of country, and attachment to the principles of justice which characterized the poorer classes of that district. He therefore was not surprised that the conduct of all classes in the present crisis had been such as to command the approbation of their Lordships and of the country at large. He certainly did hope, not only that the attention of the Government, but of all classes, would be extended to that district during the fearful trial which he feared was yet awaiting them. It would be felt, on the one hand, that their suffering was not occasioned by any fault or misconduct of the people, but in consequence of the firm adherence of the Government to the law of nations in not interfering with either of the belligerents in the contest unhappily going on in America. But, at the same time, they would all feel that a case of greater difficulty or of more grave responsibility could scarcely arise than that which was presented to the Government in dealing with the sufferings of these people. It was easy to satisfy their own feelings by calling for relief from the Consolidated Fund, or from private subscriptions; but it was imperative, that while every facility should be afforded for making those resources applicable for the relief of distress, they should nevertheless proceed upon those sound principles which alone could render such relief a blessing to those to whom it was extended. He was confident that the Government in this great emergency would not fail to act under the guidance of sound principle and with a due regard to the ultimate consequences as well as the immediate effect of their measures upon the condition and permanent well-being of the manufacturing population.

EARL GRANVILLE said, it must have been satisfactory to the noble Earl (the Earl of Shaftesbury) to have an opportunity of expressing his own feelings, which were those, he was sure, of the House generally, as they were those of Her Majesty's Government, in favour of the class in whose behalf he had pleaded. It was impossible for any one representing the Government to deny that very great distress did exist in the cotton manufacturing districts, and that much individual suffering had resulted; or to withhold his sympathy and admiration at the manner in which that suffering and destitution had been met both by the employers and the employed. At the same time, so far as the facts were known to the Government, that distress was not quite so general as had at first been imagined. There were great numbers of persons wholly out of employment, no doubt—large numbers, also, were working half instead of whole time; but there were others, again, in some districts who were employed at nearly full time. Great sympathy had been manifested for the suffering class both in Lancashire and in the adjoining counties; and he thought great judgment had been shown by the manufacturers and employers of labour, as well as by the guardians of the poor of the several unions, in the mode which they had adopted of meeting the distress. With regard to the steps taken by the Government in reference to the administration of the Poor Law, and in especial regard to the labour test, he had to answer with reference to that test, that it was to be remembered that there was already power in the boards of guardians to dispense with that test for a period not exceeding three weeks at their own discretion, in cases of emergency, at the end of which time they must report to the Poor Law Board; who, if they saw sufficient reason, might permit the discontinuance of the test for a still longer period. It must also be remembered that there existed a large class of operatives who would desire to perform some labour in return for the relief that might be afforded to them. The great object of the Government in dealing with the Poor Law authorities was to see that the rules and regulations of the law were conformed to, but at the same time to make them so elastic that they might at all times be made available for meeting cases of pressing emergency. Her Majesty's Government had considered the subject most anxiously, and had come to the same conclusion that the people of Lancashire themselves had come to—namely, that the resources of Lancashire were as yet sufficient to meet the emergency. Up to the present time he believed there was nothing in the case, either in the number of persons thrown upon the relief fund or the amount of the rate, which should cause serious alarm, or lead to the opinion that the Poor Law would be inadequate to meet the demand upon it. Except in one or two parishes, the rate had not yet reached any very high amount; and those parishes had, under the existing law, power to call upon the adjoining parishes for aid. With regard to the capability of the district, he reminded their Lordships that six years ago the ratable value of the property of the district was £7,000,000, and it had since considerably increased. There was no reason to suppose, therefore, that the resources of Lancashire would fall short of the demands which might possibly be made upon them in the present exigency. He found that committees were beginning to be organized to aid the local authorities in the administration of the relief, by ascertaining the wants and claims of the distressed people; and the Poor Law Board had sent down a most experienced Inspector, a gentleman who had been for five or six years engaged in an adjoining district of Lancashire, and who enjoyed the confidence of the authorities, to co-operate with the guardians. That gentleman, Mr. Farnall, would confer with the magistrates, with the clergy of all denominations, the Poor Law guardians, the committees, and others; he would endeavour to place their local committees in harmonious working with the local authorities, would advise the guardians as to the best means of providing labour or other tests for those who might become the objects of relief as circumstances suggested, and would originate and put in force such other measures as were calculated to lead to the most satisfactory solution of the difficulty. The noble Lord (Lord Overstone) had referred to the feeling of sympathy exhibited by the manufacturers, and he (Earl Granville) admitted that it was impossible to speak too highly of their conduct, taking them as a body. No doubt a certain number of the manufacturers had shut up their mills, and thereby contributed to the general distress; there was no doubt that in other parts the manufacturers were a little inclined in some instances to cast a burden upon the Poor Law guardians which in some sort belonged to them; but there was no doubt that the majority were animated with the best feeling towards those they employed, submitting to very great sacrifices themselves in order to alleviate the suffering of their hands, and were taking that course of prudence and humanity which was most likely to avoid those consequences which an injudicious course of conduct would produce. With regard to the operatives, it was impossible to speak too highly of them—their patience, their submission to the will of God, their perfect knowledge of the secondary causes that have led to the difficulty, their feelings for the sacrifices to which their employers are exposed, their appreciation of the relations between the Government and the people, and their understanding that Government, not having mixed in social affairs of this kind, are not responsible when distress arising from any failure in the demand for labour takes place, and further, their knowledge that the Legislature was wholly inadequate to meet such an emergency. Knowledge of these facts, and the conduct which that knowledge has produced, reflect most creditably upon the operatives of that large district, and speak for that increased intelligence and intellectual improvement, as well as that great improvement in their moral character, to which the noble Lord has so properly borne testimony. It was with great satisfaction that he was enabled on his own part, and on the part of the Government—he believed he might say on the part of all their Lordships—to express their admiration of the conduct of these poor people, together with their deep sympathy for their sufferings.

THE EARL OF DERBY said, he could not refrain from bearing his testimony, from personal knowledge, to the admirable manner in which the manufacturing population of Lancashire, both employers and operatives, had met a calamity which was almost unparalleled in the history of England. Nothing, on the one hand, could be more admirable than the patience and submission which the operatives had displayed under privations which they had little reason to anticipate; and, on the other hand, the noble Earl opposite (the Earl of Shaftesbury) had only done justice to the great majority of the millowners when he said, that at considerable loss to themselves, they had carried and were carrying on their works for the sole purpose of furnishing employment to the population around them. It was to be remembered, moreover, that many of them had most generously and liberally contributed from their private purses to the relief of the distress around them. He was entirely satisfied with the statement which the noble Earl (Earl Granville) had made as to the course which the Government were pursuing. The very last resource to which, under circumstances such as the present, any population ought to have recourse, more especially a population upon the whole so well to do as that of Lancashire, was assistance from the public purse; and he certainly should not be disposed to hold out to the distressed districts any expectation of their receiving, until they were reduced to the last extremities, any aid from that quarter. He thought the Government had taken a judicious course in sending down a confidential agent to communicate with the boards of guardians, the relief committees, and others engaged in the work of relief, and to keep the central Board constantly and thoroughly informed as to the particular condition of each district. As to the statement that the present distress was not so great as on some former occasions, he thought the Poor Law authorities might themselves be misled—he was afraid that statement was true only of Lancashire as a whole. Although it might be correct to say that there had been times when Lancashire was in greater distress than at the present moment, yet he believed that in particular towns and districts, such as Manchester, Blackburn, Preston, and Wigan, distress was never more general or pressing. The Government, no doubt, were right in their determination to use, as far as they could, the machinery of the Poor Law for the relief of the distress; but it ought never to be forgotten that among the manufacturing operatives there were thousands who would bear any amount of suffering and privation rather than submit to the degradation, as they deemed it, of applying for parochial relief. Their Lordships must not, therefore, think that the funds administered by the Poor Law Board would, however liberally they might be applied, be sufficient to meet the distress which in many instances prevailed to so great an extent. Those who were suffering from that distress must look to assistance from private sources, and he was sure private charity would not, on an occasion which called so loudly for its aid, be found wanting. Contributions were, he rejoiced to say, proceeding at the present moment from persons locally connected with Lancashire to a great extent; and he might also state that many persons, in their anxiety to do their duty under the circumstances, were quietly and unostentatiously subscribing funds, the subscription of which might hereafter seriously interfere with the rendering of that public assistance which the public generally might feel they were called upon to make. He was therefore anxious that it should be understood, that if hereafter it should be found necessary to make an appeal to the country at large, the disposition and liberality of persons immediately connected with Lancashire should not be estimated by their assumed ability to contribute to any public subscription; because he felt assured a very unjust measure would be taken of the efforts which had been, and which were continuing to be, made locally if any one were to say, "It is not right that the Lancashire manufacturers should apply to us for assistance, seeing as we do from the published list, how small is the sum which they themselves subscribe who are locally interested." He might add, that while he was satisfied, on the one hand, that the people of Lancashire were bearing the distress which had fallen upon them with a patience, a resignation, and a resolution which did them the highest credit, he was, on the other hand, convinced that many were exerting themselves to the full extent of their means to relieve that distress; and he felt assured that when these means were, if not exhausted, greatly reduced, those who so exerted themselves would not appeal in vain to the sympathy and liberality of their fellow-countrymen to meet an exigency for which their own funds might be insufficient, and to cope with which the Poor Law furnished an inadequate machinery. The last resource, he believed, to which the manufacturing population of the North would desire to have recourse would be to present themselves as petitioners for relief from the public funds of the country.

REGISTER OF VOTERS BILL.

SECOND READING.

Order of the Day for the Second Reading read. [Bill No. 43.]

LORD LYVEDEN, in moving the second reading of this Bill, said, it was a measure to facilitate the registration of voters for the convenience of the constituencies throughout England and Wales, by providing an alphabetical Index to the Register of Voters in Counties, Cities, and Boroughs. The Bill had been passed through the Commons and sent up by a large majority, and the Members for South Lancashire and Middlesex had supported it. Under these circumstances he hoped their Lordships would assent to the second reading.

Moved, That the Bill be now read 2ª.

THE MARQUESS OF SALISBURY said, the noble Lord who had charge of the Bill had studiously neglected to point out how his measure would prove advantageous or useful to the counties. On the other hand, as he believed a very considerable expense would be thrown on the counties, and that the measure was wholly unnecessary, he should oppose the second reading.

LORD CHELMSFORD said, that no great interest had been manifested in the other House of Parliament in respect to this Bill. It was evident that the measure would impose a very considerable expense upon counties, and he was quite at a loss to see what possible advantage would accrue from the passing of the measure. The present system of registration was quite sufficient. When the revising barristers had concluded their duties, they sent the revised lists of electors to the clerks of the peace of the counties and the returning officers in the boroughs respectively, who arranged the lists alphabetically and had them printed. He submitted that that course of practice was found to be quite sufficient for all practical purposes. The result of passing this Bill would oblige the authorities to print the names of the electors twice instead of once; and, consequently, in such a borough as the Tower Hamlets, where the electors numbered 29,918 names, the expense would be doubled. As the noble Lord has given no satisfactory reason for incurring those extra expenses, he trusted that the second reading of the Bill would not be assented to.

THE EARL OF CARNARVON objected to the measure. It effected no more than was already done by a far better and more useful arrangement. The Bill merely doubled the existing register. The Bill ought not to pass, at any rate, in its present compulsory form. The matter ought at least to be left to the option of the counties and towns.

EARL GRANVILLE said, the Bill involved no great constitutional question of any sort; and as the House of Commons had agreed to it by a large majority, it would, he thought, be most ungracious on the part of their Lordships to refuse the second reading.

THE MARQUESS OF SALISBURY would not press his objection to a division.

Motion *agreed to.*

Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

RIVER SHANNON—PETITIONS.

MOTION FOR SELECT COMMITTEE.

THE MARQUESS OF CLANRICARDE *presented* Petitions from various places in the West of Ireland, praying for Inquiry into the Causes of the great and frequent Inundations of the River Shannon and its Tributaries, and into the Effects of the Works constructed by the Shannon Commissioners of 1839, and said, he had given notice of his intention to move for a Select Committee to inquire into this subject. The noble Marquess said he regretted to say that he had received a notification from the noble Earl the President of the Council to the effect that his Motion would be opposed, and he was therefore compelled to go at some length into the subject. He was afraid that the Government had not a due appreciation of the importance of the matter, or of the case of justice involved. He was sure they had not given proper attention to the subject, but had simply taken the statements laid before them by the Irish Board of Works — statements which, he regretted to say, were fallacious in every respect, and audacious in some respects; and he would undertake to prove what he asserted, if a Committee were appointed. He did not want to inquire too narrowly into past errors, but merely to seek a remedy for existing evils; and that remedy might be provided without one shilling cost to the State, except for the inquiry itself. The Board of Works had, indeed, offered an inquiry, but it was of so limited a nature and so clogged by conditions, that it could not be accepted. The great body of water caused by the overflow of the Shannon and the lakes from which it arose, slowly making its way to the sea, had produced a state of things which every traveller in Ireland had noticed as the greatest disgrace to the country. The land along the Shannon from Limerick to Lough Allen, a distance of 150 miles, might be called a bog. In the last century several Acts had been passed by the Irish Parliament, with a view to improve the navigation of the river, and from time to time since then various improvements had been made with the same object. In the year 1831, under the Government of Earl Grey, certain works were projected, which were afterwards so badly executed that at present they were a positive nuisance; and when the landowners who were affected applied for a remedy, the objection of the Board of Works was that they were necessary for navigation. The Board stated that since the works had been made with a view to navigation solely, the landowners were out of court, because the river could not be improved without injuring the navigation. The Board laid it down very distinctly, that it was futile to expect "perfect drainage combined with navigation, the first principles of each system being in direct opposition." Anything more absurd and untrue never was uttered. The first thing that was wanted with a view to navigation and for drainage was, to get the command of the river; and the first step towards that object was to deepen and widen the channel. The noble Earl opposite (the Earl of Derby), when Secretary for Ireland in 1831, gave such instructions to Colonel Burgoyne with respect to the improvement of navigation and the reclaiming of vast tracts of land which were periodically inundated, as showed that he was of a very different opinion from the Board of Works. Under Sir John Burgoyne, Mr. Rhodes made a survey, and suggested a plan which, if it had been properly carried out, would have given complete command over the waters of the river and prevented the calamities that had since occurred. Then came the Act of 1836, the fourth section of which provided, that the Commissioners appointed under the Act should, while providing for the improvement of the navigation, make out a plan and estimates of the works proper to be executed for otherwise improving the river, for confining its waters, and for preventing the inundation of the contiguous lands. The Act also suggested that the taxation to be levied should be proportioned to the benefit to be derived by the respective landowners. The Commissioners made a Report in 1837, and another in 1838. In the latter they asserted that the landowners would be amply repaid for the local taxation that might be levied, partly by the improvement in the navigation, and partly by the improvement of their land. About ten years afterwards, the powers of the Acts of Parliament having been meanwhile transferred to the Board of Works, a Report was presented, in which it was asserted that the low lands were then rarely flooded. He did not hesitate to declare that this representation was entirely untrue. He did not deny that some good had been done, but he asserted that the particular lands to which the Commissioners adverted were injured, and not benefited; and, moreover, that the inundations were not less but more frequent. If their Lordships would give him a Committee, he undertook to prove this, and to show that a great amount of property was sacrificed in the most wanton and unnecessary manner. It was often asserted that Irish proprietors would not drain and improve their land. But in this case they wanted to lay out their money in draining the land. The Government, however, had the key of the drainage of the whole country, and the Board of Works would not allow the question to be investigated, because they knew how much incapacity and misconduct would thereby be exposed. The allegation that the Board of Works had nothing to do with the Shannon previously to 1850 was not true; for though the formal transfer, under the Acts for Improvement of the Shannon from the Commissioners to the Board of Works only took place in that year, an Act passed in 1846 gave the Board in reality that power which was subsequently made the subject of a formal but unnecessary transfer. The question now was as to the remedy which ought to be applied to an admitted evil. The Board stated that all the crops ought to be removed from the land before October —as if there were no floods before October; the fact being that the land was now often covered with water in spring, summer, and autumn; and one day's rain last week or the week before was sufficient to cover with water the lands contiguous to the Shannon and the Suck. He did not mean to say that none of the works executed on the Shannon had effected any general benefit; but he did allege that as regarded some portions of the country these works had been productive of positive mischief, owing to the manner in which they had been executed. The subject was connected with the peace of the country, for the people in some districts exposed to the inundations were not inclined to bear their calamity very quietly when they saw that a remedy might easily be applied by their own hands. If the landlords and clergymen had not interfered, it was highly probable that the peasantry would have carried some of the dams away. No doubt that would have been a *malum prohibitum*, but he must say that in his conscientious opinion it would not have been a *malum per se*, because the removal of those dams would have been a benefit to the country. The cry of the Board of Works was, "Oh, you are going to injure the navigation." He denied that assertion. He and those who acted with him were desirous of effecting that improvement in the navigation which, in many places, was now imperatively required. It was only a few weeks ago that a boat loaded with provisions for the people in the west was stopped because it could not pass through the canal of Lough Allen. The original plans had been so botched by the Board that in some places the navigation was even dangerous. With the disgraceful condition of public works in the district to which he was inviting their Lordships' attention, it was almost impossible to believe that there could be a Board of Works and a Lord Lieutenant in the country; and the talk about promoting useful works and extending drainage on private properties sounded like an absurdity and a mockery. The authorities boasted that there were 232 miles of navigation open; but were they on that account to leave the centre of Ireland for ever a swamp? At the very time when the Commissioners were pleading their inability to erect flood-gates, or to make any improvements whatever, they had balances in their hands, as shown by the Parliamentary Returns, of from £8,000 to £10,000. It was true that, with regard to the accounts of the Board, he had not the ability to understand them. It was a great exaggeration to say there was anything like famine in Ireland; but there was, undoubtedly, great distress and want of employment in these very districts. What he asked was a fair and impartial inquiry into a state of things which reflected discredit on the Government and the country. He defied the Government to contradict what he had stated. He pledged himself to prove all he had advanced if a Parliamentary inquiry were granted. The noble Marquess concluded by moving—

> "That a Select Committee be appointed to inquire into the Causes of the great and frequent Inundations of the River Shannon and its Tributaries, and into the Effects of the Works constructed by the Shannon Commissioners of 1839 upon the Navigation and upon the Drainage of the Country; and how far such Works were in accordance with the Plans referred to in the Statute under which they were undertaken."

THE EARL OF GRANARD said, that this was a question in which the people of the district referred to were most deeply concerned, and he therefore wished to say a few words in support of the Motion of the noble Marquess. No doubt the objects of the Legislature in passing the Shannon Improvement Act were twofold—to promote the thorough drainage of that part of the country, and to render the river available for navigation. In both these objects the Commissioners had thoroughly failed. The present state of the Shannon was a permanent impediment to the arterial drainage of the country, for by the present arrangements the waters of the Shannon were brought back to swell the tributaries, and to flood the whole country; for, with a want of foresight difficult to account for, the Commissioners made their calculations without reference to the development of the arterial drainage, and without reflecting that waters which used to take, perhaps, two or three days in getting to the Shannon would, owing to the new system of drainage, reach that river in so many hours. The lands near the river were let for a very high rent, but owing to the recent inundations, by which a pernicious sediment was deposited, they were useless for fodder, and only grew a considerable crop of rushes. The damage done last year was not less in amount than

£100,000; and at one time 300 acres of his lands were under water. The noble Lord, having read letters from Colonel Greville, M.P., from the Treasurer of the County of Leitrim, and others, detailing local grievances, proceeded to say that it was found impossible to obtain any redress from the Board of Works, and it was therefore felt necessary to come to their Lordships and see what could be done by way of a Parliamentary inquiry. Unless the people of the country saw some prospect of their wrongs being remedied, he greatly feared some act of violence would be committed which might seriously endanger the public works on the Shannon. An attempt of this sort was made last year at Roorkey on the 16th September, the papers relative to which were laid on the table, which was only prevented by the meritorious efforts of Captain Hawley, a local justice of the peace, residing in the neighbourhood. Then as to the much vaunted navigation of the river, it was a complete failure. In the first place, no vessel drawing six feet of water could make use of the river; and no two of the locks were of the same length. To show the wisdom of the proceedings of the Commissioners, at one place they had blown up nine feet of rock, only to be replaced by nine feet of wall. After having borne taxation to the amount of £300,000, the proprietors and inhabitants had now put up with nine years of useless remonstrance; they had memorialized every one whom they could memorialize; but the only replies they received were, that the matter was "receiving best attention," that it was "under consideration," and that sort of thing. They had accordingly taken confidence and appealed to their Lordships to relieve them from the intolerable evils under which they were suffering. He thought, if the inquiry were granted, the Shannon might be made what it ought to be—useful to the country—instead of continuing a bad imitation of the Nile without its fertilizing influence.

Earl GRANVILLE said, he thought the patience of the noble Earl, which had lasted nine years, must have been exhausted during this debate. The noble Marquess had indulged in language which, if not unparliamentary, it was, he thought, most undesirable and most unfair to use against public servants who had not seats in that House. The noble Marquess had accused the Board of Works of being fallacious in their statements, and completely ignorant of their business. When he (Earl Granville) remembered that amongst the persons so assailed were Sir John Burgoyne, General Jones, and the present respected chief of the Commission, Sir Richard Griffiths, who from his (Earl Granville's) personal knowledge when he visited Ireland last year, was a most popular and highly respected person, he felt that whilst the language used by the noble Marquess could not injure the Commissioners, it showed that his noble Friend did not feel much confidence in the strength of his cause. He also thought that the noble Earl (the Earl of Granard), whom he was happy to hear speak with so much facility, would do well to avoid, in dealing with local matters, attempting to influence the Government with threats of popular disturbance. With respect to the state of the case—by the Act of Parliament passed for the improvement of the Shannon it was provided that the works, when completed, should be handed over to the Board of Works; and in pursuance of that provision the works, having been declared complete, were handed over to the Board some twelve years ago. He thought it hardly reasonable that their Lordships should be called upon to re-open an inquiry into the execution of works which were completed when they were handed over. No doubt, some alterations had been since made, but not one without the sanction of successive Governments. They were supposed to be improvements, and what additional expense had been incurred had been thrown on the general taxpayers, and not on the adjoining counties. Her Majesty's Government felt bound to rely on the statements of their own officers, and from them it appeared that the average rise of the river was three feet less than it formerly was. It must be remembered, also, that improvements in drainage increased the liability of rivers to flood, until a channel was made by the action of the river. As to the navigation, Her Majesty's Government received indisputable proofs that it was highly prized and was greatly on the increase. After the large expenditure that had already taken place on the Shannon, they were of opinion that it was not desirable that more public money should be spent on the navigation of the river or in the drainage of the surrounding country. But Her Majesty's Government were ready, if the lords-lieutenants of counties would engage to assist, to join in an inquiry as to what measures might be taken to improve the drainage of the land or to prevent its being flooded by the river. But the inquiry must not take place under one engineer only, who would be supposed to be under Government influence. One engineer must be appointed by the residents and another by the Government, and thus an inquiry both useful and economical might be carried out. He trusted, under these circumstances, his noble Friend would not persevere with his Motion.

THE EARL OF DERBY said, it appeared to him that the points of difference between the noble Marquess and the Government lay in a very narrow compass. His knowledge of the subject extended to thirty years back, he (the Earl of Derby) having been the first to give instructions for a Commission to inquire into the navigation of the Shannon and its tributaries. No doubt, very large sums had been spent on this double object of the improvement of the drainage and the navigation, and it was now a matter of complaint that the evil, instead of being abolished, had been increased. That, no doubt, was a matter of fact which their Lordships might inquire into. Now, the noble Earl (Earl Granville) said the Government were quite willing to institute an inquiry by two scientific persons. He (the Earl of Derby) believed that the noble Marquess would admit, that if such an inquiry could be had, it would be more advantageous than a Committee of the House. He understood, however, that the Lords of the Treasury accompanied their offer with certain conditions, one of which was that the half of the expenses of the preliminary inquiry should be defrayed by the proprietors; another that the measures recommended by them to be adopted should be carried out at the whole expense of the proprietors, under the superintendence and control of the Board of Works. To that he imagined there would be no objection. But it was further provided that no measure should be proposed which was injurious to the navigation of the river. He thought that this clause might prohibit scientific persons from bringing forward effectual schemes for draining the lands, lest they should propose anything injurious to the navigation; whereas it might be that decided improvements in the drainage might be carried out with very slight injury to the navigation. Her Majesty's Government might, he thought, still reserve to themselves the right of withholding their sanction to any scheme that might be proposed, and thus sufficiently preserve the interests of the navigation. If this clause were withdrawn, he should not object to the inquiry as proposed by the noble Earl. He thought that this was a subject for inquiry; but if the noble Earl insisted on the conditions he had mentioned, he (the Earl of Derby) should be disposed to vote in favour of the noble Marquess's Motion.

EARL GREY entirely concurred that it would be far more satisfactory that an inquiry should be made; and he thought the expense would be so small as to make it a matter entirely unworthy of consideration that it should be levied on the landowners. He thought, if there was to be an inquiry, it would be far better that the scientific persons employed should not be fettered by any conditions.

EARL GRANVILLE said, he did not think it desirable to depart from the arrangement that the Government should bear one part of the expense of the inquiry, and the parties interested the other. He was quite ready to assent to the suggestions made by the noble Earl opposite, to the effect that the inquiry made by the two persons appointed in the way which he had mentioned should be unfettered. It would, of course, afterwards be open to the Government to take any course which they might deem right.

THE EARL OF CLANCARTY said: My Lords, I am glad that, although at the eleventh hour, Her Majesty's Government have seen fit to concede to the demand for a scientific inquiry into the state of the River Shannon, and the effect of the navigation works upon the drainage of the adjacent lands. My noble Friend who introduced the Motion for a Select Committee has been reproached for the very strong terms in which he animadverted upon the conduct of the Board of Works. My Lords, I think it right to remark to your Lordships, that my noble Friend did no more than give expression to the feelings of indignation with which the sufferers in general from the Shannon floods view the injury done to their lands by the blundering manner in which the navigation works were planned and carried out by that Board—feelings greatly aggravated by the refusal on the part of the Government to allow of the wrong complained of being even inquired into. It was, in fact, as much as to declare than an acknowledged evil should remain unabated; that the whole of that great area of land in the west and centre of Ireland, injuriously affected by the pent-up waters of the Shannon, should so for ever continue, precluding the development of the resources of the soil; and that notwithstanding the heavy assessments to which, under the Act for improving the Shannon navigation, the adjacent counties had been subjected for the purpose, as the Act required, of opening and clearing the course of the river from its source to the sea, and so confining its waters within their natural channel as to prevent any future inundations, the cesspayers must rest satisfied with knowing that their money had been expended in such entire disregard of those salutary provisions of the Act, that the current of the river had been artificially obstructed, and that their lands were, in consequence, in some places more than ever flooded. No application was made for the expenditure of any public money; no favour of any kind was looked for; no private interest sought to be served at the expense of another, still less at the expense of the public. The Shannon proprietors only demanded what, upon every principle of justice and sound policy, the Government ought at once to have granted—they demanded that the impartial and scientific inquiry, now so tardily conceded, should be instituted, and to be empowered to have at their own cost such works executed as might be recommended, consistently with navigation of the river, for the drainage and reclamation of the adjacent lands. Their memorial, when presented to the Lord Lieutenant, was received by his Excellency with much apparent favour, in presence of the Chief Secretary, Sir Robert Peel, and of the Chairman of the Board of Works, Sir R. Griffith. The most flattering assurances were given, and it was stated that a general measure for arterial drainage would be brought in. The deputation, in fact, retired, feeling satisfied that their memorial would be favourably considered; that at a very early period there would be a large amount of profitable employment given, that would afford relief to a considerable extent in the prevailing distress; and with a conviction that this appeal to Parliament would not have become necessary. I certainly failed to gather from the speech of the Lord President of the Council for what reason the Lords of the Treasury thought proper to disavow the conduct of the Irish Government, and to return that most ungracious answer to the memorial which is now upon the table of the House. Let me, for a moment, call your Lordships' attention to it. Their Lordships, though individually most respectable, do not, be it remembered, number among them a single Irish representative, and, I am sorry to say, have in this case manifested very little concern about the interests of Ireland. How do they deal with the Irish memorial? After noticing the large expenditure that had been made upon the Shannon navigation works, they say, that "having regard to the time which has elapsed since the works were certified by the Shannon Commissioners as being completed, their Lordships decline to sanction an inquiry being now made into the question, whether the Shannon Commissioners did, or did not, carry out all the works which may have been in contemplation at the time they were authorized to proceed with the Shannon navigation improvement." From hence it would appear that because, for upwards of ten years, the Government have refused to pay any attention to the representations and complaints made regarding the injury to property arising from the Shannon works, and the total disregard by the Shannon Commissioners of the provisions of the Act of Parliament as to the drainage of the river, the injury done is to be perpetuated, and all question of a remedy for a grievous wrong forbidden. It appears to me, on the contrary, that each succeeding year, by adding loss to loss, was but an aggravation of wrong that called loudly for redress. The minute then proceeds—

> "Their Lordships further distinctly decline to hold out any expectation that any further grant can be made from Imperial funds towards these works."

This, my Lords, was a most gratuitous refusal of what was not asked, but, on the contrary, in the terms of the memorial, very distinctly disclaimed: it was an expression of illiberality where it ought not to have found place. Their Lordships may, perhaps, have apprehended, that inasmuch as Ireland is now taxed to nearly double the amount she was ten years ago, there might have existed an expectation of some benefit in return from public expenditure; or, more likely, they felt that the injured might, with undeniable justice, demand that they should not be specially taxed anew to repair the blunders of the Government engineers. But the memorialists put forward no such claim. They viewed the evil of the obstructions in the course of the River Shannon as one the removal of which would confer great benefit upon the adjacent lands, and were satisfied that, in proportion to benefit conferred, those lands should pay for it. Their Lordships then proceeded to say that, "as regards the flooding of the lands adjoining the river, they have no reason to believe, from the information they have obtained, that any lands near the river are more liable to flooding now than formerly." In saying this their Lordships seem altogether to have ignored the fact that the memorialists, the owners, and the occupiers of the lands in question, had made a very different representation to them, and certainly they were as trustworthy and more competent informants than any subordinate officers of the Government. But what does the information afforded to their Lordships amount to? "That no lands are more liable to flooding than formerly." Why, it was expressly set forth in the Shannon Improvement Act that the river should be opened and cleared, and the waters confined within their natural channel, so as to relieve the contiguous lands from inundations; and was it reasonable to expect that the occupiers of those lands, after the district had been heavily taxed for the Shannon improvement, should be satisfied because their Lordships had been informed that no lands near the river were more liable to floods than formerly? Their Lordships, however, then proceed to state that, under certain conditions, they are willing to consent to an inquiry by two engineers — one to be appointed by the Government, the other by the Shannon proprietors; but such were the conditions and restrictions upon the inquiry, that the offer could not be, and, probably, was not intended to be, accepted. The discussion this evening has, however, led to the abandonment of those restrictions which would have rendered the inquiry of no value whatever, and to a substantial, though ungracious, concession to the demand as originally made, not quite, however, to the full extent, as all the works are to be executed under the superintendence and control of the Board of Works. I have some doubts whether the parties interested will be satisfied to have the works placed under that sole control. A very strong feeling exists that the Board of Works, when acting as Shannon Commissioners, were either totally incompetent or had wilfully thrown away, upon works worse than useless, the enormous sums that were intrusted to them. For my own part, I have no doubt that they did make a great and very costly blunder in their management of the undertaking. But I have too high a respect for the character of the Chairman of the Board, Sir Richard Griffith, to believe that he would sanction or concur in anything he did not believe to be right, or that his associates could be altogether unworthy of confidence. I believe, that if the nature of the work to be done is clearly defined, there would be as good security for its being well and economically executed under the superintendence of those Gentlemen as of any engineer, however eminent, that the Shannon proprietors might appoint. The evils arising to the country from want of drainage through the Shannon as the main artery are such that all minor considerations should yield to the great object of having it accomplished through the deepening and clearing of the river channel. I would even say that if the maintenance of the navigation were inconsistent with such a work, its value is not to be compared with the importance of increasing very largely the productive powers of the country, improving its sanitary condition, and providing permanent and beneficial employment to a peasantry whose holdings are now rendered unimprovable, the fruits of whose industry are always deteriorated and often swept away by untimely floods, and whose dwellings are rendered damp, comfortless, and unwholesome by the exhalations arising from the pent-up waters. The navigation, it is true, has cost above half a million, but what is it worth? Why, the tolls do not even cover the expense of maintenance. It is not, however, sought or desired to do away with it, but only to have it provided, as Parliament originally contemplated, by deepening and clearing the river course, instead of throwing back the waters and raising the levels by artificial dams. Be it recollected, too, that by increasing the productive powers of the land, the inland navigation, as well as railways, would obtain the support of increased traffic, and the community at large the benefit of the development of the national resources. I am glad the Government has given way to the legitimate demands of the Shannon proprietors, although some advantages, especially in the investigation of matters of account, might have arisen from the inquiry by a Select Committee.

All I will further say is, that the subject has been brought forward and pressed on public grounds, and on public grounds only; and I trust that the concession just now made, though due rather to the intervention of the two noble Earls who lately addressed the House than to the free will of the Government, may conduce to the attainment of the important object for which the Motion for a Select Committee was made.

LORD MONTEAGLE said, that if there was a man to whom the people of Ireland owed the deepest obligations for carrying into effect local improvements, it was Sir Richard Griffith. He rejoiced that an arrangement had been acquiesced in for carrying on an inquiry by scientific persons, as Parliament could not thereby be precluded from exercising its judgment on the subject afterwards.

THE EARL OF ST. GERMANS said, he also wished to bear his testimony to the zeal and ability of Sir Richard Griffith, and to the benefits produced by the works that had been executed by the Board of which he was the head on the navigation and drainage of the Shannon. He trusted that his noble Friend would not assent to any work which would affect the navigation of the Shannon, which had been materially improved of late years. He contended that the drainage of the country had been also improved by the works that had been executed. It appeared to him that it was hardly fair to argue from what occurred during the last two years, which were remarkable for a most unusual fall of rain, that those inundations of the Shannon were of common occurrence. He did not think that any works which could be made would totally prevent floods.

THE MARQUESS OF BATH said, he understood that one engineer was to be appointed by the Board of Works and the other by the landowners on the banks of the Shannon. If that were so, the consequences would probably be that they would differ in their reports. He did not know whether the noble Earl the President of the Council would be satisfied with the report from each engineer, but he thought they ought to have power to appoint an arbitrator.

THE MARQUESS OF CLANRICARDE said, he was satisfied with what had taken place, and had no objection to an inquiry according to the terms proposed by the noble Earl the President of the Council.

He would repeat that never were such barbarous works executed as those upon the Shannon. Not a single dam had been erected according to the original plan, from Limerick to Killaloe. The strong fact of his case was that false levels had been taken, and mistakes made, that no ingenuity could explain away.

Motion, by leave, *withdrawn.*

LORD MONTEAGLE *moved* for Copies of Memorials to the Commissioners of Her Majesty's Treasury from the Chamber of Commerce of Limerick and the Grand Canal Company of Ireland, respecting navigation of the River Shannon.

Motion *agreed to.*

TRANSLATION OF COLONIAL BISHOPS.

THE EARL OF POWIS wished to draw the attention of the Secretary of State for the Colonies to a notification in the *London Gazette,* from which it might be inferred that Colonial Bishops stood on a different footing from other Bishops, and that it was necessary for the new Bishop of Colombo, on his translation from the see of St. Helena, to be reconsecrated. As this was clearly an error, perhaps the noble Duke would see that it was corrected in a subsequent number of the *Gazette.*

THE DUKE OF NEWCASTLE said, that the translation of a Colonial Bishop was very rare, and that the present was, perhaps, the first instance in which it had occurred. The error arose from the clerk having copied the ordinary form on appointing a new Colonial Bishop, when consecration was necessary.

THE EARL OF DERBY would suggest that an explanation of the error should be inserted in the *Gazette.*

THE DUKE OF NEWCASTLE said, he would take care that the correction should be published.

House adjourned at a quarter-past Eight o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Monday May 12, 1862.

MINUTES.]—PUBLIC BILLS.—1° Discharged Prisoners' Aid; Crown Private Estates; Retiring Pay, &c. (British Forces, India); Universities (Scotland) Act Amendment; Local Government Supplemental; County Elections (Ireland); Elections (Ireland).

2° Corrupt Practices at Elections; Salmon Fisheries (Scotland); Lunacy (Scotland); Weights and Measures (Ireland) Act (1860) Amendment.

THE UNIVERSITY OF ABERDEEN. QUESTION.

COLONEL SYKES said, he wished to ask the Lord Advocate, On what grounds and at whose suggestion the Class Fees have been increased, and many bursaries abolished in the University of Aberdeen, without previous communication with the authorities of the University?

THE LORD ADVOCATE in reply said, he believed the question of the hon. and gallant Gentleman referred to two ordinances which had recently been passed by the Commissioners of the Scotch Universities, and which were at present awaiting the assent of the Privy Council. But as the Government were in no way responsible for those ordinances, and as they had been passed under powers vested in the Commissioners by an Act of Parliament, while there were recognised modes of bringing them under the notice of the Privy Council, he did not think it right that he should then enter into any consideration of their merits. He had to state, however, that the revision of the Class Fees in the University of Aberdeen, and the regulations with regard to bursaries, had proceeded in a great degree on the recommendations of the Royal Commissioners who had inquired into those subjects in the year 1826, and the result had been not to increase, but rather to diminish, the expense of passing through the University. He believed also that the Commissioners had not come to any conclusion without previous communication with the authorities of the University.

TRAFFIC THROUGH PARK LANE. QUESTION.

MR. ALCOCK said, he would beg to ask the First Commissioner of Works, Whether he sees any objection to allow hackney cabs to pass through a portion of Hyde Park, in order to avoid Park Lane, which is now rendered almost impassable at times owing to the traffic to the Exhibition?

MR. COWPER said, he was aware that Park Lane was too narrow for the traffic which it was at present required to accommodate. But the proper remedy for that inconvenience would be to widen Park Lane, or else to give an outlet towards the north from Hamilton Place. He was afraid, however, that if the traffic which at present passed through Park Lane was transferred to Hyde Park, the inconvenience would be transferred with it, and a new obstruction would arise in a place which had hitherto been free from it; and, under those circumstances, he was not prepared to adopt the measure to which the hon. Gentleman had referred.

PROPOSED SOLDIERS' INSTITUTE AT PORTSMOUTH.—QUESTION.

MR. W. EWART said, he wished to ask the Secretary of State for War, If a Soldiers' Institute will be formed at Portsmouth, in conformity with the Report of Captain Pilkington Jackson?

SIR GEORGE LEWIS said, that the Government had taken a Vote for the creation of Soldiers' Institutes without stating at what particular places they were to be established. He should be prepared to appropriate a portion of the sum towards providing an Institute at Portsmouth, but its precise site had not yet been determined on.

MURDER OF MR. THIEBAULT IN TIPPERARY.—QUESTION.

MR. VINCENT SCULLY said, he rose to ask the Chief Secretary for Ireland, If he has any official information to the effect that the recent Murder in the county of Tipperary was committed about 3 p.m., at a most open spot on the public highroad, within two and a half miles of the Police Station at New Inn, and three and a half miles of those at Cashel and Golden respectively, and that its commission was not known to the Police at New Inn until 7 p.m., at Cashel until 8 p.m., or at Golden until the following morning?

SIR ROBERT PEEL replied, that he could only repeat what he had stated the other evening. He was not aware of the exact distance of the scene of Mr. Thiebault's murder from the police barracks named by the hon. Member, but no doubt his information was correct. As regarded the commission of the offence, the whole of the parties suspected of being implicated in the murder were arrested on the night succeeding the outrage.

COLONEL DICKSON said, that the right hon. Baronet had not given any answer to the question, which had reference to a subject of very great importance. The question of the hon. Member for Tipperary was not directed as to whether any person had been arrested on suspicion of the murder. What they wished to know was, whether it was a fact that a heinous murder had been committed at 3 o'clock in the afternoon; and, although the police barrack was within three miles and a half of the place where the outrage was committed, no information was received at the barrack until fully four hours after the murder had taken place.

EMBASSY CHAPEL AT PARIS.

QUESTION.

Lord ROBERT MONTAGU said, he wished to ask the Secretary to the Treasury the following Questions respecting the Account for Civil Contingencies:—Whether the Item "for Votes proposed to be taken for New Services" refers to money spent for objects for which the sanction of Parliament had not already been obtained; and whether the "Net Loss on the sale of a Chapel in Paris" of £2,000, is the difference between the purchase money which had been paid without the sanction of Parliament and the sum obtained by sale when that Vote had been disallowed; and if so, whether the sum of £2,000 thus disallowed should be charged on the Fund for Civil Contingencies?

Mr. PEEL said, in reply, that the first question of the noble Lord referred to the expenditure of the year 1860-1. The money had been advanced by the Treasury, and it was afterwards paid out of a Vote passed by that House in the course of the last Session. These were sums that were urgently required, and which it was necessary to pay before the expenditure had been sanctioned by Parliament. In answer to the second question of the noble Lord, he had to state that the money for the Chapel at Paris was paid out of the Civil Contingency Fund. When the Vote was refused by the House, it became necessary to sell the Chapel, and the proceeds of the sale were applied in payment of the advance made by the Government; but the sum so realized was less by £2,000 than the amount of that advance.

SALES IN THE ENCUMBERED ESTATES COURT.—QUESTION.

Lord ROBERT MONTAGU said, he now wished to ask the Chief Secretary for Ireland, Whether in the Return No. 202, recently laid upon the Table of the House, the "total amount of purchase-money, £5,940,989," comprises the value of the Estates which were sold in the Encumbered Estates Court; or whether this item refers merely to the amount of the purchase-money of Estates already brought into the new Landed Estates Court? He asked the question, not because he doubted the accuracy of the Return, but because some persons imagined that the £6,000,000 mentioned included some of the sales under the old Encumbered Estates Court.

Sir ROBERT PEEL said, the figures in the Return referred to sales under the new Landed Estates Court. The amount sold under the old Encumbered Estates Court was about £21,000,000.

TURKEY AND MONTENEGRO.

QUESTION.

Mr. FREELAND said, he rose to ask, Whether any information has been received by the Government with reference to a defeat of Hussein Pasha in the Herzegovina, announced by telegram from Ragusa, by way of Vienna, and with reference to other reverses which the Turkish Troops are said to have sustained?

Mr. LAYARD said, he would recommend his hon. Friend not to pay too much attention to telegrams from Ragusa, unless he wished to judge of them in a non-natural sense. So far from the Turks being defeated, he believed, as far as the Government had received information, that they had been successful in their operations. There was no doubt that they had sustained some losses, and, through treachery, a party of Turkish irregulars had been seized by the Montenegrins. He might add that the Turkish Government were acting with great moderation, although exposed to great provocation. He did not know who sent those telegrams, or whether they were sent for stock-jobbing or other purposes.

CAPTAIN COLES'S CUPOLA SHIELD.

QUESTION.

Admiral WALCOTT asked the Secretary to the Admiralty, Whether the Cupola Shield, on board the *Trusty* floating battery had not been altered from the condition in which it was used in the practice firing which took place when it sustained successfully the shots from a 68 and a 110-

pounder gun, it being now proposed to submit it to an experimental firing from a 150-pounder gun; and whether Captain Cowper Coles, of the Royal Navy, the Inventor of the Shield, had been consulted on the propriety of using such a severe test in the present state of the Cupola Shield; because, if not, he considered Captain Coles's interest and patent might be seriously prejudiced?

LORD CLARENCE PAGET replied, that the Admiralty had been in communication with Captain Coles with a view of preparing the shield, as far as possible, according to Captain Coles's own wishes?

TASMANIA—CONVICTS.—QUESTION.

MR. ADDERLEY said, he wished to ask, Whether the Papers for which he had intended to move on the subject of claims made by the Colony of Tasmania for the maintenance of Convicts from England will be laid before the House if he withdrew the Motion.

MR. CHICHESTER FORTESCUE said, the Correspondence was comprised in the Annual Reports upon our Convict Establishments, and would shortly be in the hands of Members.

CUSTOMS AND INLAND REVENUE BILL.

COMMITTEE.

Order for Committee read. [Bill No. 90.]

MR. NEWDEGATE said, that in the course of the last session he called the attention of the House to the very inconvenient form in which the Supply Bill was submitted for the consideration and decision of the House; and he regretted to find that the same objectionable form, or something very like it, had been adopted upon the present occasion. He believed the House had become aware, from the confusion of the debate which had taken place on the second reading of the Bill now under consideration, that it was impossible to discuss with any advantage on that stage of the measure the principle of any of the various proposals which it contained. The House, by accepting that form of Supply Bills, were virtually abandoning that which had always been considered one of their principal functions—namely, the exercise of a careful control over the mode in which taxation was imposed upon the people. They decided last Session that they would not require the Chancellor of the Exchequer to divide his then Supply Bill so that they might deal separately with each of the great charges proposed in the Customs, in the Excise, and in the income tax. He regretted that decision. The result was that afterwards, in the course of last Session, a Bill was introduced relating to the Inland Revenue which was, in point of fact, supplementary to the Supply Bill, and which contained a vast aggregate of provisions, most of which, however anomalous, were absolutely necessary to give vitality to the taxation which the House had sanctioned; but that Bill was of such a complex character, that it had been designated by the hon. Member for Stamford (Sir S. Northcote) as an "omnibus Bill," and still more appropriately by the right hon. Member for Oxfordshire (Mr. Henley) as a "plum-pudding Bill." So obvious had it become that the House could not in that case have performed the functions intrusted to it, that on the urgent representations of the Committee the right hon. Gentleman was induced to divide the measure. But let the House consider what was the form of the present Bill. It was exactly like the Bill of last year, an "omnibus" or "plum-pudding" Bill. In it they had provisions for the imposition of a vast amount of Customs duties, for the continuation of and for alterations in Excise duties, for a considerable change in the Stamp duties, and for the reimposition of the income tax under a new process of collection. Now, no one had attempted to discuss those proposals on the occasion of the second reading of the measure, because any such discussion would have been absolutely futile. The necessary result of entering upon it would have been that one Member would have spoken of the Income Tax, and of the altered manner in which it was to be assessed and levied; another would have dilated on the changes contemplated in the department of Stamps; a third would have rushed into the Customs, and a fourth would have stated the objections which his constituents entertained to the proposed mode of dealing with the Excise. It was manifest that such a debate must have been simply a game of cross questions and crooked answers. The only opinion which the House could give on the second reading of such a Bill was, whether the Chancellor of the Exchequer was a nice man or an objectionable character. The discussion must have been reduced to an examination of the conduct of the Chancellor of the Exchequer; and that was the course actually taken on the second reading of the measure. They had a discussion as to the propriety or the impropriety of the Chancellor of the Exchequer having gone down to Manchester and made a financial speech in that populous city instead of having addressed his observations to that House—and he (Mr. Newdegate) really thought, that so far as related to the discussion of that Bill on the second reading, the right hon. Gentleman might just as well have spoken in Manchester as in the House of Commons. Then let them look at the position in which they would have been placed if any condemnation had been expressed of any considerable part of the Bill which the right hon. Gentleman had introduced. He would then have got up and told hon. Members in one of his eloquent diatribes that they might entertain whatever opinion they thought fit with respect to him and his conduct; but that if they ventured to vote against the second reading of the Bill, they would be virtually voting for repudiation, because the House had already granted in Supply the men to be kept on the rolls of the army and of the navy, and the military and naval establishments which were considered necessary for the defence of the country. He would have said, if the House had objected to the second reading of the present Bill, there could be but one interpretation put upon their Vote, and that was that they intended to repudiate the obligations which the country had contracted to the public creditor; for the amount of taxes which it was proposed to impose under that measure was £24,000,000 or £25,000,000, and that was a sum nearly equivalent to the whole of the interest of the National Debt. Under these circumstances he believed hon. Members would see, that if that House intended to deal practically with the financial proposals in the Bill, it ought to be divided into probably as many measures as there were schedules attached to it. Schedule A related to the Customs, Schedule B to the Excise, Schedule C to the Stamp duties, and Schedule D to the whole mass of the income tax; and he asked whether the continuance and the alteration of any one of those great branches of taxation did not form a sufficient subject for a separate Bill? But the effect of framing the measure as it stood was that no adequate discussion could take place either on the principle involved in the proposed taxation or on the mode in which each tax was to be levied, except in Committee on the Bill. If in the Committee they attempted to discuss one point they would find it so involved with other matters contained in other portions of the Bill that the discussion would have no effect whatever. If the Bill were divided, each matter might be discussed and determined upon its merits, and that too with very little loss of time. He would not move that the Bill should be divided; but having called the attention of the House to the matter, he had done his duty. He could not, as an individual Member, prevent such a course of proceeding as that proposed by the Chancellor of the Exchequer, but he could not help thinking that, if persisted in, it would entail great difficulties, and induce restriction on the House of Commons which might produce lamentable results to the country.

Mr. BASS wished to repeat the objections he had already urged to the Bill before the Speaker left the chair. The Bill was without any precedent in one respect. It imposed taxes to the amount of £5,000 upon a small body of individuals—a measure which had never been heard of before. He objected to the principle introduced by the Bill. It could not stop at this point—either it must be carried further, or the House must retrace the step it had taken. The right hon. Gentleman said the brewers would obtain an advantage by the substitution of an addition to their licence for the duty on hops. But that could not be the case, because he imposed the tax in another shape. He (Mr. Bass) was surprised at the acquiescence of Members connected with the agricultural interest, especially those who represented the barley-growing districts, in the proposal to increase the malt duty. He was told that the change was approved of by the brewers in London; but he could assure the right hon. Gentleman that it was almost unanimously disapproved of by the country brewers. He denied that the proposition had been approved of by the brewers; and he believed that when the right hon. Gentleman paid the drawback on the stocks on hand, he would have a deficiency instead of a surplus of £180,000. The right hon. Gentleman said that justice to the common brewers required that in increasing the cost of their licence he should impose a tax on private brewers. Now, on the part of the common brewers, he (Mr. Bass) disclaimed any such compensation. If there was any compensation in the measure, it was a mere shadow; and, besides, it would be a most vexatious measure to those whom it would affect, and would certainly be unproductive. He hoped the right hon. Gentleman would amend this part of his proposition, and not subject the public brewers to the odium of having fixed upon their private competitors this miserable impost.

MR. W. E. DUNCOMBE said, that the right hon. Gentleman the Chancellor of the Exchequer was very fond of taunting hon. Gentlemen on the Conservative side of the House with the success of the French commercial treaty, which he seemed to regard as the panacea for all our financial evils. Now, he (Mr. Duncombe) quite admitted that anything which tended to strengthen our commercial relations with France must be of a beneficial character to both countries:—what he objected to was, the mode in which that treaty was effected and the time it was carried out. He objected altogether to the principle of making the financial arrangements of this country depend upon a treaty with a foreign country, combining our budget with a French commercial treaty, and mixing up direct and indirect taxation. That was a most objectionable principle; and when the right hon. Gentleman said that it had conferred benefits upon the country, he was rather exaggerating his case. He doubted if the treaty had conferred much benefit on the working classes. The chief articles which had been exported to France in consequence of that treaty were coal and iron, and it was obvious to every one who had any knowledge of the subject that neither the coal nor the iron trade of this country was in a depressed state before that treaty was made; whereas, on the other hand, the articles which had been imported from France were not articles which were largely consumed by the working classes of this country. Another thing worthy of remark was, that the Chancellor of the Exchequer would never have been able to have effected that treaty if he had not been guilty of a public injustice and a great political inconsistency. The income tax, the House would remember, was, according to the right hon. Gentleman's own showing, to be taken off in the year 1860; but when the time arrived for its total abrogation the right hon. Gentleman actually doubled it, the secret being that it was necessary to do so in order to provide for the gaps made in the revenue in consequence of the Anglo-French treaty. Then, again, the right hon. Gentleman proposed to abolish the paper duty in 1860, and actually did succeed in passing a Bill to that effect through this House. Fortunately, however, the House of Lords exercised their undoubted prerogative and threw out the Bill, and so diminished the deficit in the revenue by more than a million. In the following year the right hon. Gentleman succeeded in getting a measure for the repeal of the paper duty passed, although Her Majesty's Opposition had plainly told him that he could not do without it, and that, even if he could, it was not a tax which he should have chosen to remit when the income tax was so high and the tea and sugar duties stood at the war rate. The right hon. Gentleman said that remission of those taxes would have involved a much larger amount. What of that? Such a proceeding would have only been a reduction of the duty, not a total remission of the tax. The paper duty, he apprehended, was gone for ever, and could never be reimposed; and the right hon. Gentleman always chose to lose sight of that fact when he spoke upon revenue questions. Well, then, in the present Budget he made a proposal to remit the hop duty, and to impose an extra licence duty on brewers and home-brewed beer, which was an injustice which was not decreased by the remission of the hop duty. Such a remission, it was also to be observed, would only benefit a very small portion of the agricultural interest, while the imposition of 1*s.* per quarter on malt, and a duty on beer, would subject the great body to an obnoxious and inquisitorial tax in the shape of brewing licences. The arrangement was tantamount to increasing the malt duty, and the malt duty was already an unpopular tax, and could not be depended upon as a permanent source of revenue. Under these circumstances he objected to the form in which the right hon. Gentleman had chosen to introduce this Bill, agreeing as he did with his hon. Friend the Member for North Warwickshire that it was a most objectionable process to mix up so many financial measures in one Bill. The fact was that, the House of Lords having established its right to reject a Money Bill if they chose, the right hon. Gentleman was afraid to make separate Bills of his budget propositions, thinking, no doubt, that if they were all included in one measure, the House of Lords would not take upon itself the responsibility of rejecting it. The Chancellor of the Exchequer, however, by the form of his Bill, while endeavouring to assail the prerogatives of the House of Lords, did, in fact, curtail the privileges of the House of Commons by diminishing the opportunities of discussion. They had not now the same opportunity of discussing the various points of the Budget as when they were introduced as separate measures; and he had not the slightest doubt of the soundness of the judgment of the hon. Member for North Warwickshire when he stated that the time would come when the practice of including all the propositions of the Budget in one Bill would be very inconvenient and a serious public disadvantage. A good deal had been said on various occasions in that House upon the importance of reducing the expenditure, which seemed now to have reached a rate of £70,000,000 a year. This he thought far too high; and it would be a great advantage if it could be reduced; but looking at the state of Europe, looking at the state of America, and looking at the various causes of the present high rate of national expenditure, he could not indulge in any very glowing anticipations with respect to the reduction of the expenditure within the next two or three years. In those circumstance it was most important that the financial affairs of this country should be conducted in a fair, just, and equitable manner; and it was because he thought the financial management of the Chancellor of the Exchequer was open to criticism that he had not hesitated to rise in his place and enter a protest against it.

Mr. LOCKE objected to the 12th clause, which he contended had no right to be in the Bill. The Chancellor of the Exchequer proposed to repeal the duties on hops, both British and foreign; but if they searched the Bill from end to end, they would not find a word on that subject. This was a remarkable fact, as Clause 12 directly interfered with the rights of the owners and holders of hops. At present, the English grower of hops, after drying them, was liable to pay on the 1st of January 14*s.* per cwt., whether the quality of the hops was good, bad, or indifferent. What was the position of the foreigner? The foreigner was enabled to bring his hops into this country without paying any duty at all, and put them into bond; and when he took the hops out of bond to sell them, and not till then, the duty was paid. The foreigner, therefore, had an advantage over the English merchant. In addition to that, the English hop merchant had a right to export his hops to a foreign country and receive back the amount of duty which had been paid upon them. But the Chancellor of the Exchequer proposed to do away with that right, and he provided by one of the clauses in this Bill, that if previous to the 16th of September, 1862, the English hop merchant exported hops, he could not re-import them for the next six months after that date, although foreign hops would then be allowed to be imported duty free. That was a glaring injustice done to the home producer. When the duties on paper, foreign timber, wines, and other articles were repealed, a certain amount of drawback was given, and it was extremely unfair to deny it in this instance.

Mr. ROEBUCK said, he had given notice of a Motion to allow a drawback to brewers on the hops which they had in their hands at the time of the passing of the Bill. The Chancellor of the Exchequer said he intended to take off the duty on hops, and to recoup himself by putting a duty on beer. If the hops had already paid duty as hops, and were subsequently rendered liable to a duty as beer, it was obvious that they would be taxed twice over. He therefore asked the right hon. Gentleman to allow a drawback on hops, in order that his darling expedient of taxing beer might be adopted. He wished to know what the right hon. Gentleman proposed to do on that point.

Mr. DODSON said, he thought the hon. and learned Member for Southwark (Mr. Locke) had put the case of the hop merchants a little stronger than he was entitled to do. The right to a drawback upon the exportation of hops was given when there was a duty upon their importation, so that if they were exported and the drawback obtained, a duty would have to be paid upon their re-importation. If, however, that right was to be continued after the abolition of the import duty, the holder of a stock of hops would be able not only to export his hops and obtain the drawback, but immediately to re-import them and take the chance of the English market.

Mr. BUXTON said, that although the imposition of a tax upon private brewers was but fair to the trade, still he believed that neither the brewers in London nor those in the country were inclined to hold the Chancellor of the Exchequer to his promise in that respect.

THE CHANCELLOR OF THE EXCHEQUER said, he did not think that it would be convenient to the House that he should follow in the track of hon. Members who had opened questions of great breadth and importance not immediately connected with the scope of this Bill. The hon. Member for North Warwickshire had referred to the framing of the Bill, a question which involved matters of controversy that had been very carefully considered in former years, and upon which the House had arrived at a deliberate conclusion. He had no desire that that controversy should be revived; but, if it were, it would be better that it should be revived with the fulness and gravity of consideration which its importance deserved. On similar grounds, and also on others, he should decline to follow the hon. Member for the North Riding (Mr. Duncombe), because he could not conceive any task more hopeless than to endeavour to mitigate the displeasure with which that hon. Member regarded the financial proposals which he had made on behalf of the Government. So far was this displeasure carried that the hon. Member could see nothing but hostility to the landed interest in a Bill the only important new proposal of which with regard to taxation was to remove a tax from an agricultural product, so far, at any rate, as its immediate incidence was concerned, and lay it upon a class of traders. And let the House look at the other proposals of the hon. Member. The hon. Member complained that it was a breach of faith on his part not to obtain the repeal of the income tax in 1860, but, at the same time, he said that our expenditure amounted to nearly £70,000,000, and in another part of his speech, apparently referring to declarations which fell a few nights ago from the leader of his party, he took the opportunity of recording his dissent from those declarations, and said that he did not see how there could be any material reduction of expenditure. At one and the same moment, and in one and the same breath, the hon. Member declared there must be an expenditure of £70,000,000, and that he (the Chancellor of the Exchequer) had been guilty of a breach of faith in not obtaining the repeal of the income tax. To ordinary minds those propositions were a little difficult to reconcile; but, as the hon. Gentleman was able to reconcile them, the most becoming course which he could adopt would be to leave him in possession of that satisfaction, and not attempt to dispute their reconciliation.

MR. W. E. DUNCOMBE explained that he had said that he thought an expenditure of £70,000,000 too high.

THE CHANCELLOR OF THE EXCHEQUER had then misunderstood the hon. Member. He certainly understood him to say, that looking at the condition of Europe and at the circumstances which had led to that expenditure, no material reduction could take place at present. To the speech of the hon. Member for Southwark (Mr. Locke), who was always so vigilant in guarding the interests of his constituents, he might more conveniently reply when the House, having gone into Committee, came to the clause to which it referred; and with regard to private brewing licences he would only say that he never proposed those licences as an essential part of the financial scheme of Her Majesty's Government, and that it was a matter upon which they should feel themselves at liberty to give way to what might appear to be the prevailing sense of the House.

MR. BENTINCK said, that what the right hon. Gentleman had just told them was what he was always in the habit of saying when discussion was inconvenient. He said he would not follow all the points of the discussion, because he did not wish to raise a controversy. That might be a very convenient course for the right hon. Gentleman to follow, but it was not very likely to meet with the approbation of hon. Members. Then the right hon. Gentleman resorted to the plan of putting his own construction on what fell from hon. Members, and then proceeding to argue upon it. The right hon. Gentleman accused his hon. Friend the Member for the West Riding (Mr. Duncombe) of inconsistency; but he had misrepresented the purport of his hon. Friend's observations. He (Mr. Bentinck) understood his hon. Friend to blame the Chancellor of the Exchequer for getting rid of sources of revenue which, without resorting to new burdens, would have enabled them to meet their financial necessities and to deal with the income tax with which he (the Chancellor of the Exchequer) was of all men pledged to deal. Hon. Members opposite seemed almost as much to misunderstand the policy of the Chancellor of the Exchequer as the Chancellor of the Exchequer had chosen to misunderstand his hon. Friend. The hon. Member for Derby (Mr. Bass) had recommended the abandonment of the duty on private brewing, and said that such a course would add but little to the deficit. Why, it seemed as if the plans adopted by the Chancellor of the Exchequer for the last three years had been designed for the purpose of producing a deficit, and he thought the right hon. Gentleman had succeeded. The hon. Member for Southwark (Mr. Locke) seemed to understand the feelings of the hon. Genleman still less. The hon. and learned Gentleman complained that the foreigner had a great advantage over the Englishman. The right hon. Gentleman's object had always been to give the foreigner an advantage. [*A laugh.*] The right hon. Gentleman seemed to be amused at the suggestion; but he appealed to the House whether the policy of the right hon. Gentleman had not been to take money out of the pockets of the English people and put it into the pockets of the foreigner? Those hon. Members who dissented from that opinion had better controvert it. The right hon. Gentleman had on various matters preached in one way and acted in another. Having agreed—as he must have done in his official capacity—to the whole of our expenditure, he had systematically, and both directly and indirectly, discouraged that expenditure. He had invariably gone out of his way to declare that the expenditure, for which he was responsible, was in excess of what it ought to be, and that no man regretted it more than himself. The right hon. Gentleman had succeeded, to use a phrase of his own, both in "deluding the nation and embarrassing the Government" by the financial policy which he had pursued. The right hon. Gentleman had stated this to be a time of exceptional circumstances—that there was great distress arising from causes that had never existed before. He (Mr. Bentinck) was quite willing to admit that the causes of the existing distress had never been known before. But what he wished to ask the right hon. Gentleman was this, was not that distress foretold before it occurred; and did not he and his colleagues wilfully and in the most determined manner, when their attention was called to the subject, deny the possibility of the occurrence of the distress of which they now complained? As one of those who took various opportunities of alluding to the subject—so repeatedly, indeed, that the noble Lord at the head of the Government suggested that the remarks would probably be reprinted once a fortnight—so frequently did he remind the noble Lord of the probability of the consequences of the coming distress that the noble Lord took exception to the number of reminders; and the noble Lord himself stated, towards the close of the Session, that he was convinced there was no reasonable expectation of a decrease of the revenue from the distress of which the Chanceller of the Exchequer now complained. The Government, although warned of what might be expected, were determined to be revenged on those in another place, for the purpose of gratifying a few men on their own side of the House who had an interest in the penny newspapers, and the country was now suffering from the occurrence of that distress the possibility of which the Government so emphatically denied. He could not avoid taking the opportunity of reminding the Chancellor of of the Exchequer of two proposals which he had made some years ago. At that time the right hon. Gentleman was at considerable trouble to give a legal sanction to the practice of gambling on the Stock Exchange. Now his great object seemed to be to transfer that vice to another class of society, and to encourage gambling among the lower orders. But that was not the only meritorious proposal of the right hon. Gentleman. The effect of the 9th clause would be to encourage a large amount of tippling where it would not otherwise take place; and he wished to ask the right hon. Gentleman whether the amount of vice to be so created would be compensated by the wretched sum of money which he expected to gather into the Exchequer from that source.

Mr. DARBY GRIFFITH said, that while he could not concur in all the financial propositions, he was not disposed to agree to the wholesale condemnation which had been passed upon the policy of the Chancellor of the Exchequer. The general policy of relaxing commercial restraints on foreign commodities was one which hon. Members would not venture to resist; but there could be no doubt that the particular details for carrying out that policy were a fair subject for criticism. At the time when Sir Robert Peel introduced his new commercial system there was a general chorus of approval throughout the country; but he (Mr. Griffith) did not see why relaxation should have been carried so far as had been done by the Chancellor of the Exchequer, and why a moderate duty should not have been imposed on all the manufactures of foreign countries, and why the Customs should have been denuded of so many articles of revenue. A duty of 10 per cent on foreign silks and similar articles would not have infringed the principle of free trade in the slightest degree. Some points of general policy had been referred to on that (the Opposition) side of the House in respect to which he did not agree. They were said to be willing to support a policy in Italy entirely different from that of which the public approved, and that they looked with approbation on a policy which would preserve to the head of the Roman Catholic Church his present temporal power. Was that a policy agreeable to the Conservatism of England, or of the sister country? No; it was the policy of the Holy Alliance which they were thus called upon to approve. But the times of 1815 were not the times of 1862. We were just then recovering from the waves of a great convulsion, and were willing to adopt almost any expedient for the promotion of peace and quietness. The question of the supremacy of the Pope was not then agitated. ["Question!"] We were now dealing with a question affecting £25,000,000 of money, and he considered that a legitimate occasion for referring to general topics. Would it accord with the feelings of the country if any party in the House were to raise a finger or spend a stiver of taxation in supporting the ancient state of things in Italy? If there were any such men in the House, they were very few in number, and would be repudiated by the country. Nothing could be more foreign to the feelings of the people of this country than the exercise of any influence in support of a power which they believed to be erroneous and contrary to the liberties of mankind.

House in Committee. MR. MASSEY in the Chair.

Clause 1 *agreed to.*

Clause 2 (Provisions of former Acts to apply).

MR. HENLEY said, he had intended to call attention to the operation of the Excise Act with regard to private houses; but there was an idea abroad that the right hon. Gentleman meant to get rid of the difficulty in another way, and he would like to know what was the fact, as it would probably save him the trouble of making any remarks on the clause. He wished to know how the Bill would affect the operation of the Excise Act in reference to private houses.

THE CHANCELLOR OF THE EXCHEQUER said, he was ready to give a pledge that under this Bill no question could be raised as to the application of the Excise Act to private or dwelling-houses.

Clause *agreed to;* as were Clauses 3 to 7 inclusive.

Clause 8 (Penalty for brewing Beer (not for sale) without Licence, 10*l.*)

MR. BALL remarked, that the observations which had just fallen from the Chancellor of the Exchequer induced him to hope that his feelings were softening towards the agricultural interest. If so, he hoped to achieve a victory on the present occasion, and would much rather do so than make a speech; and therefore, if the right hon. Gentleman intended to give up the clause, he would not address the Committee on the subject.

THE CHANCELLOR OF THE EXCHEQUER: I will put my hon. Friend out of his pain in a few words. This proposal regarding private brewing was a proposal which the Government thought it to be their duty to make, upon the ground that when they were about to impose upon the brewers for sale a charge in lieu of the hop duty, abstract justice undoubtedly required that they should propose a corresponding charge upon private brewers. They were sensible that some inconvenience must attend the operation of that charge; but it was a choice between two difficulties, as is commonly the case in all matters of legislation. After what I have heard to-night stated in this House by my hon. Friends the Members for Derby and Maidstone, I cannot but feel that the relative weights in the scales are altered, and I admit that the principle of *volenti non fit injuria* does apply after such a declaration from Gentlemen of such influence in their places in this House. Undoubtedly, the charge is a small one, and I can quite understand the argument of those who say the advantages of economy in brewing for sale are such that the charge to be paid in lieu of the hop duties may be put out of view entirely. After that declaration I can have no difficulty on the part of the Government in making over to the hon. Gentleman (Mr. Ball) the triumph he desires, cordially congratulating him upon the success which he has obtained; and I hope (although the hope is a faint one) that the hon. Member for the North Riding (Mr. Duncombe) will, after the character I have received from the hon. Member for Cambridgeshire, not think me irreconcilably hostile to the Agricultural interest. I shall, therefore, not press the proposal for a licence upon private brewers, and when you, Mr. Massey, put the clause, I shall allow it to be negatived.

Mr. BALL suggested, that as the right hon. Gentleman had given way on a point of comparatively small importance, he should take into consideration one of much graver interest. Upon all occasions when he proposed the remission of taxation upon different articles of consumption, the Chancellor of the Exchequer told the House that reduction of taxation did not always mean diminished revenue. Now, if he would only carry out this principle with regard to the malt tax, he would bestow a great boon upon the agricultural interest, and would afford a great accommodation to the country at large.

The CHAIRMAN, interrupting the hon. Member, said, that this Bill did not deal with the malt tax, and the clause now before the Committee referred to a specific tax on beer.

Clause *negatived.*

Clause 9 (Occasional Licence may be granted to Victuallers to sell Beer, Spirits, &c., at such Time and Place as the Commissioners of Inland Revenue shall approve).

The CHANCELLOR of the EXCHEQUER said, he wished to draw attention to the Amendments of which he had given notice, and also to state, that there might be no misunderstanding on the subject, that the object of this clause was not to raise revenue; it was a matter of police regulation, and must be judged upon its own merits, irrespective of the fact that a small revenue would be derived from it. The clause applied to certain descriptions of public assemblies a principle which had already been recognised by the law as applicable to certain other descriptions of public assemblies. The law had provided for such public assemblies as were periodical and recurring with regularity, but the law had omitted to provide for such public assemblies as were occasional, although in principle the two cases were alike. When large public assemblies took place there, was a disposition among a portion of the community to provide themselves with liquor, and this disposition was generally found to be so strong, that, in fact, liquor always was provided. At any rate, it was not an object on the part of the Government to facilitate a provision of liquor in cases where such provision was not already made, and he proposed to leave it not only to the discretion of the Commissioners of Excise, who would be bound under this clause not to grant an occasional licence except where it was thought conducive to public order, but he proposed also to leave it to the discretion of the local authority—namely, the magistrate, to determine whether a licence should issue or not. At present the local authority, however expedient it might be deemed with the view to public order, had no power to issue, nor had the Board of Inland Revenue power to issue such a licence, and the consequence of this was, according to complaints which had reached him from various quarters, that liquor was provided for these assemblies, but clandestinely, in part by licensed victuallers, and in part by persons altogether unlicensed; and the traffic, therefore, had not been under the supervision of the police. The effect of this clause would be to give to a particular class of people already licensed to sell liquors the exclusive right of providing them on these particular occasions; and having given that exclusive right to those persons, who would themselves be under the control of the police, they would become the most effective auxiliaries in preventing the sale by unlicensed persons who would not be under the supervision of the police. At present, when a licensed victualler sold at a regatta, or any occasion of that kind, strong liquors, he found there unlicensed people doing the same, but he did not give information against them because he had no title to be on the ground himself; and in cases where a traffic of that character was likely to take place, it was wise on their part to interest those over whom they could have a hold, and who might assist them in enforcing the law against those who might endeavour to evade it. As the clause was at first proposed it would have left the authority exclusively in the hands of the Commissioners of Excise—that was, the Board of Inland Revenue—they would have had a right to grant the licence, not only on fiscal grounds, but having regard to public order. He was of opinion that it would be an improvement to the clause if the power was given to the local authorities; and the Committee would understand, that if his Amendments were adopted, it would rest entirely with the magistrate having jurisdiction in the place to determine whether the licence should issue or not. Provision had been made that no such licence should avail to authorize the sale of liquors on the Sunday; and he should also propose an Amendment in line forty-three, which would prevent authority being given for the sale of liquors during the night—that was to say, that the sale would only be permitted within the hours after sunrise and before sunset. He therefore proposed to insert the words, "and with the consent of a magistrate having jurisdiction at the place of sale."

SIR WILLIAM JOLLIFFE observed, that "the magistrate having jurisdiction on the spot" was any magistrate in the county, and by the Amendment, therefore, as it stood a licensed victualler could obtain the licence from any magistrate with whom he might happen to have influence. That would be an unwise provision, and might give occasion to great offence in the neighbourhood where the assemblage took place. He thought the power ought to be restricted to magistrates sitting in petty sessions within the district, to the chairman of petty sessions, or to some really responsible authority.

MR. AYRTON said, he was glad to find that some alteration was to be made in the direction now proposed. He thought the Chancellor of the Exchequer would have done well to have embodied in this measure the clause introduced last Wednesday into the Public-houses Bill for Scotland. The clause to which he referred had reference to occasional licences, and provided that the consent of two justices of the peace, having jurisdiction in the district where the licence was to be granted, should be obtained before any such licence should be issued by the Excise, and that the whole bench of magistrates should have power to make regulations for the sale of liquors under such licences. By adopting this clause they would secure the advantage of assimilating the law for England and Scotland. The Act of last Session repealed the former Acts, that allowed only beer to be sold at fairs and races; and the sale of all excisable liquors was now permitted. This tended to make every public assembly a place of debauchery. Instead of enlarging the permission for the sale of liquors, it ought to be brought under the control of the law, as in Scotland. He hoped the right hon. Gentleman would accept the clause as framed for the Scotch Bill.

MR. PACKE thought that the licence ought to be granted by two magistrates instead of one.

THE CHANCELLOR OF THE EXCHEQUER remarked, that if the House had determined as to the mode of arranging such a clause for Scotland, that was a very clear and important precedent, affirming the principle of the proposition before the Committee; but he thought the proper result from that was, that they should exclude Scotland from the operation of this clause. He admitted the force of the objection taken by the hon. Baronet to the jurisdiction of a magistrate who might not be acquainted with the district or the circumstances of the case; and he would suggest, therefore, with the view of requiring that the magistrate should be locally acquainted, to insert these words—"usually acting in petty sessions for the district." It had been suggested that these licences should be signed by two magistrates; but he was inclined to think, as the operation would only last, perhaps, for one or two hours, or at the most only from sunrise to sunset, that it would be imposing too heavy a burden upon the magistracy to require the attendance of two of their number for the purpose. The argument that this was a measure tending to increase the consumption of spirits, was in the nature of an objection to the principle of the clause, which it appeared had been affirmed by the House a few days ago for Scotland. He believed, however, that the fact would be the reverse. It would substitute a controlled and regulated sale for what was at present unchecked and irregular. He thought it would be better to give the power to one justice of the peace.

SIR WILLIAM JOLLIFFE thought the licence of two magistrates was quite in accordance with all recent legislation that required magistrates to act. It would be no more inconvenient to obtain the signatures of two justices than of one.

MR. PULLER hoped the hon. Baronet would not press his objection. Whenever an Act spoke of two justices of the peace, a meeting in petty sessions was contemplated; and in a small matter, such as in granting occasional licences to sell beer for a few hours, to require that two magistrates should come together, perhaps from a long distance, for the purpose, would be creating unnecessary difficulties, the extent of which would be understood when they remembered how difficult it was sometimes to get two magistrates together to transact the ordinary business of the petty sessions.

MR. WARNER quite concurred in the opinion, that some further restriction was required than the signature of one magistrate, for half-a-dozen magistrates might licence as many different publicans to sell beer and strong drinks in places where, perhaps, nothing of the kind was required. He would suggest that the words should be, "a stipendiary magistrate or two justices of the peace."

Sir JOHN TROLLOPE thought the whole matter should be left in the hands of the Excise, without the interposition of the magistrates at all. If the Excise authorities were allowed to grant occasional licences for a period not exceeding three days, they could send to the police a list of the names of those persons to whom such licences had been granted, and that would be sufficient to give the police jurisdiction.

Mr. LAWSON thought there was a fallacy in the argument that no more intoxicating liquors would be sold than were sold now, because the legalizing the sale of any article must tend to increase its sale. The working classes honoured the right hon. Gentleman, and esteemed his policy, and he sincerely joined in those feelings; but the right hon. Gentleman could not do a greater injury to the working classes than by facilitating the sale of intoxicating drinks, and thereby promoting disorder and immorality.

Mr. WYLD said, the effect of the clause would be most injurious in the mining districts of Cornwall, on the occasion of the pay meetings. In the Cornish mines 500 or 1,000 men were paid their wages on a particular day; and if the clause stood, there would be enterprising publicans availing themselves of it, and tempting the men to spend their earnings in drink. He wished to ask the right hon. Baronet the Member for Petersham (Sir William Jolliffe) if he intended to press his Motion for the rejection of the clause, because if he did not do so, he (Mr. Wyld) would certainly move that it be struck out.

Sir WILLIAM JOLLIFFE said, that if his objections were not removed, he should certainly divide the House against the clause.

Mr. HENLEY said, the question raised was a curious one, and had been discussed in a curious way. It had been discussed as though it was not well known that beer was sold now at these places. But people did not assemble at cricket-matches and wakes and fairs without having beer. Make what laws they pleased, the people would have beer. The great thing they had to do was to prevent their having it in excess. This very discussion would convince anybody that this was a subject not easy to legislate upon. He believed, after a not very short experience, that it would be better to leave the law as it stood; because if any irregularities were committed, the magistrates would give information to the Excise authorities, and they could exercise their discretion in the matter. The right hon. Gentleman shook his head; but he (Mr. Henley) knew more about the matter than the right hon. Gentleman did. He knew many cases in which the magistrates had communicated with the Excise, and the Excise had laid informations. It was a thing that did not occur often, as the people were wise enough not to go to extremes. The people of England were not such fools as they sometimes obtained credit for being. They knew how to be merry and wise. If there were any excess, the Excise on a proper communication would lay an information. He knew this, because he had had the pleasure, or nuisance as it might be, more than once in his lifetime of hearing these informations. He thought there would be great difficulty in the clause being made to suit everybody. The hon. Baronet the Member fer Petersham (Sir W. Jolliffe) wanted two magistrates, while the hon. Baronet near him (Sir J. Trollope) did not want any magistrates at all. Now, what would happen if the Excise should grant licences to everybody who asked for them at 5*s.* each? Why there would be four or five publicans at every wake or fair, where only one was needed, and then they would use all sorts of temptation to induce the people to go to them. It was impossible to stop the people having beer. Every village in his county had a cricket match once a year. A barrel of beer was brought to the spot, and in the evening there was a dance. What harm was there in that to anybody? and yet they would come with a stringent Act of Parliament, and say the people shall not drink a glass of beer after sunset. These meetings were usually held about Michaelmas, when the sun set about six o'clock; but the dance did not commence till about half-past nine, and the people were not to have a glass of beer while they were dancing. He did not believe the clause could be enforced, and therefore his advice to the right hon. Gentleman was to withdraw it altogether.

The CHANCELLOR of the EXCHEQUER said, that notwithstanding the intimation from the right hon. Gentleman, he must correct an important part of his statement. The right hon. Gentleman said that beer and strong liquors were universally drunk at these meetings. [MR. HENLEY: I said nothing about strong liquors—only beer.] Well, beer—and the right hon. Gentleman said there was no harm because the Excise interfered whenever there was cause. He could not agree that no harm was done when the law was systematically broken. He was surprised to hear the right hon. Gentleman say he knew more about the subject than himself, as he (the Chancellor of the Exchequer) had the best sources of information regarding it. The statement of the right hon. Gentleman that the Excise could interpose for the protection of the public morality was founded on a fundamental mistake. The necessity for the clause arose from the fact that the Excise had acknowledged that they were powerless to enforce the law, and had been compelled to issue general instructions to their officers not to interfere. [MR. HENLEY: Hear, hear!] He had the best authority for stating that there was no case of interference within the recollection of the officials at Somerset House. He held that the tendency of recent legislation had been to place such indulgences as this under some sort of government, and must therefore adhere to the clause. He was quite willing, however, to amend the clause so as to require the signatures of two justices of the peace. He would, therefore, put his Amendment in the following words:—

"And with the consent in writing of two Justices of the Peace usually acting at Petty Sessions, in Petty Sessional Divisions within which the place of sale is situate."

MR. ROBERTSON said, there was no such clause in the Scotch Bill as the hon. Member for the Tower Hamlets had stated. The clause to which he probably meant to refer was intended merely to afford an extension of the hours of business to hotels on the occasion of a public ball or similar entertainment.

MR. AYRTON observed, that the clause sanctioned the sale of liquors not merely beyond the regular hours, but in any place whatsoever within the district.

MR. LESLIE trusted the clause would not be extended to Scotland. The clause in the Scotch Bill answered every purpose.

MR. W. E. FORSTER said, he thought this clause was very much out of place in a Bill of this kind, which was to raise £25,000,000 of taxes. It ought to be considered as a provision in a Bill dealing with the whole licensing system, which was acknowledged on all hands to be in a most unsatisfactory state. The whole system required to be remodelled. He hoped the right hon. Gentleman would withdraw the clause, and embody it next year in a Bill reforming the whole licensing system.

MR. BENTINCK hoped the clause would be rejected altogether.

MR. BARROW felt that the scheme for legalizing the sale of liquors was the best way of placing that sale under effectual control. In the present temper of the country it was impossible to enforce the existing law. Not merely at cricket matches and fairs, but at Volunteer meetings, beer was necessary, and it ought to be supplied in a legal manner.

MR. KER SEYMER said, that for the first time they had heard in the House an advocate of the Maine Liquor Law; but he had better bring in a permissive Bill on the subject, in order that it might be fairly discussed, than attack the Chancellor of the Exchequer for giving those facilities for drinking beer which the people desired. Englishmen would have beer just as the higher classes would have iced champagne at dinner. They could not put down drunkenness by an Act of Parliament, and they must look for such a result to the general improvement in the habits of the people. That process was going on at present, and he saw no reason why they should not allow a man who liked his beer to have it.

MR. BAINES reminded the House that as the clause stood it was proposed to allow spirits to be sold as well as beer at fairs, which was a very serious matter, and would be dangerous to the morality of the people. Drunkenness, as they well knew, led to every description of crime, and he implored the Chancellor of the Exchequer to adopt the advice of the right hon. Member for Oxfordshire, and leave the law as it at present stood.

MR. WARNER proposed the insertion of words excluding spirits from the operation of the clause.

THE CHANCELLOR OF THE EXCHEQUER said, that to adopt the Amendment would only lead to the violation of the law, and give rise to the odious employment of common informers.

Amendment, by leave, *withdrawn;* Amendment of the Chancellor of the Exchequer *agreed to.*

Mr. BLACKBURN moved an Amendment excepting Scotland from the operation of the Act, calling the attention of the Chancellor of the Exchequer to the fact that there was already a Bill in the House regulating the sale of beer and spirituous liquors in Scotland.

Mr. STEUART hoped the Committee would not sanction the principle of applying one law to one part of the kingdom and another to the rest.

The CHANCELLOR of the EXCHEQUER observed, that the hon. Member seemed to forget that the whole of the law regulating public-houses in Scotland was different to that of England. He had no objection to the Amendment.

Amendment *agreed to.*

Sir WILLIAM JOLLIFFE then rose to move the total rejection of the clause. He should have been glad if he could have escaped dividing the Committee on the question; but he felt that not to enter his protest against this measure would be to fail in doing his duty to the country. He must therefore call the attention of the Committee to the evils which he believed would be the result of this measure. He thought that there was not a Member on the other side of the House who would not admit that much evil was caused in this country in consequence of a large part of our revenue being derivable from the sale of excisable liquors. There was not a single magistrate to be found, whether he resided in a rural district or a manufacturing town, who would not tell them that crime was greatly aggravated by the facilities afforded for obtaining drink. Under those circumstances, and believing this to be an extension of the power of vending intoxicating liquors, he felt it impossible to permit the Committee to give their assent to such a clause without appealing to the Chancellor of the Exchequer not to persevere in pressing it. His right hon. Friend the Member for Oxfordshire (Mr. Henley) had said that he believed that the clause, even if it passed, would be attended with little effect. It would certainly not prevent the people drinking beer, and he had no wish whatever to prevent the people drinking beer. He had, however, a strong wish to prevent the extension of intoxication, which, he believed, would result from the passing of this clause. What was the meaning of increasing the consumption of intoxicating liquors? it meant more crime of all kinds, more starvation, more deserted families; it meant every misery which could afflict the rural population and the humbler classes of this country; and if by passing this clause they aggravated—as he feared they would do—the amount of intoxication, they would inflict a great and lasting injury upon the country which would far outweigh any advantage that the Chancellor of the Exchequer would derive from the increased revenue resulting from consumption. Depend upon it they could not increase the consumption of intoxicating drinks in this country without increasing its charges. They would add to the expense of prosecutions, they would add to the charge of maintaining the poor, and they would add to many other charges if they passed this clause. Let the Committee consider how large was the extent of ground thrown open for the first time upon which spirituous liquors were to be drunk; for they were going to extend all over the country the facilities with which spirits could be obtained. Such a proceeding, he was quite sure, would prove a fertile source of national misfortune—far greater than the evils which were incurred from the passing of the Beer Act. Independently of all these considerations, see how unjustly this clause would operate. Did the Chancellor of the Exchequer mean to exclude beer-shop keepers from selling beer at fairs, and give an exclusive right of supplying it to the comparatively small body of licensed victuallers—for that would be the effect of the clause—and henceforth those who sold spirits, beer, and tobacco, would be permitted to supply the people at all fairs and on occasions of festivity. If the Chancellor himself did not contemplate the evils which he said would arise from passing such a clause as this, let him ask his hon. Friend the Secretary for the War Department what he supposed would be the condition of the neighbourhood of our permanent camps and military stations? Remember that the sale of spirituous liquors at such places would not be carried on by the respectable class of licensed victuallers. They would not have the quiet orderly keepers of the best licensed houses vending liquors in such places; but the licences were to be granted indiscriminately, and they might have people going down from London making a permanent business of attending country fairs; and they would have a sort of cheap-jack ambulatory gin-shop wandering all over the country, demoralizing the inhabitants, and spreading the worst of vices, because the parent of all others, throughout the land. They would, in point of fact, exclude by this legislation alike the beer-shop keeper and the licensed victualler from supplying refreshments at such places; and upon all these grounds he did hope that the Chancellor of the Exchequer would adopt the advice of his right hon. Friend the Member for Oxfordshire, and leave the law as it stood, rather than pass this clause, amended as he admitted it to have been.

MR. LOCKE said, that having for some years had the pleasure of sitting under the presidency of the right hon. Baronet, as chairman of the Court of Quarter Sessions, he knew how difficult it was for almost any person to obtain a licence to sell spirits; and he reminded him that, after all, the magistracy would have the means of checking the evils he anticipated if they should arise, by withholding the licence.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided:*—Ayes 116; Noes 63: Majority 53.

Clause *agreed to.*

Clauses 10 and 11 *agreed to.*

Clause 12 (British Hops re-imported chargeable with Duty for Six Months after 16th September, 1862).

THE CHANCELLOR OF THE EXCHEQUER said, he would now reply to the question of the hon. Member for Southwark (Mr. Locke) before the Speaker left the chair. In his financial statement he announced that the Government were prepared to repeal the hop duty upon the condition that the greater part of it should be levied in another form. Since then many representations, as might be expected, had been made in favour of granting a drawback on hops. There were two main arguments urged in favour of that being done. One was with regard to the case of hop factors in London and the other great ports: they represented that it would pay these parties to export their hops, and keep them abroad for a sufficient time at a profit, and that therefore it would be much better to make a payment to them directly rather than that money should be wasted by exporting the hops for the purpose of bringing them back again. There was another argument made use of by some brewers, not by all. They said—"You are going to put on us a sort of commutation for the hop duty in the shape of augmented licence. We shall begin to brew in October with hops upon which we have already paid the duty; and yet upon the beer thus brewed we shall have to pay the tax which is to be levied as a substitute for the hop duty: we shall therefore in effect pay the duty twice upon the same article." Now, this question of drawbacks was not a question to be settled on principle; but it seemed only just that a concession should be made. His hon. Friend the Member for Southwark referred to the drawback which was granted last year on paper and on wine. Now, with regard to both those cases, the drawback was a simple boon to the parties who had stocks on hand. The reason in the case of wine was an engagement they had entered into; the reason in the case of paper was that unless they had allowed the drawback, they could not have kept the trade alive, and they would have received no duties from spring until autumn. Neither of these considerations applied to the present case. But still there was an argument very fairly urged by factors, who said they could export the hops and thereby get the drawback. Under these circumstances Government had considered what concession they would make, and they had come to the conclusion that they would be justified in asking the Committee to grant to holders of British hops on September 15 a pecuniary allowance at the rate of 7*s.* per cwt. He should therefore propose to pass the present Bill through Committee as it was, because it contained in the 12th clause and the schedules the conditions upon which the Government plan was founded; and he would give notice to-night to insert in the Bill a provision to grant 7*s.* per cwt. on the stock of hops in hand on the 15th of September. If these provisions were satisfactory to the Committee, the plan would go forward to the country as it was originally announced, subject to that single modification. On the other hand, if those conditions were not satisfactory to the Committee, Government would have no option in the present state of the finances but to recede to the position which they occupied on the 3rd of April. He thought they had gone to the utmost limit that equity would allow. They would have no alternative but to let the matter drop. He need not say that it would be with great regret that he should fall back upon such an alternative, as expectations had been raised which he should be sorry to disappoint. He trusted, therefore, that his hon. Friend the Member for Southwark would not persevere in his Amendment.

Mr. MALINS said, he could not see the justice of the principle on which the Chancellor of the Exchequer's proposal was based, for he could not perceive the difference between the case of hops and the case of other articles on which duties had been reduced or removed and drawbacks allowed. Unless the stock of hops in hand was so considerable that the difference between the 7*s.* rate and the 14*s.* rate would embarrass the hon. Gentleman's finances, he hoped the principle of justice would be acted on, and that the full allowance would be made. He would, however, accept the proposition rather than that the hop duty should continue.

Mr. LOCKE also considered the concession insufficient; but as the parties interested were at the mercy of the Government and the House, he saw no hope of inducing the right hon. Gentleman to improve his offer. He had expected that a much larger sum than 7*s.* would have been accorded, seeing the position in which the trade now stood and the losses they had sustained during the last two or three years.

Mr. ROEBUCK said, that under the circumstances, he should accept the offer made by the Chancellor of the Exchequer, and should withdraw the Motion which stood in his name, leaving it to the right hon. Gentleman to do what was required in this matter.

Mr. HADFIELD said, that the allowance of 7*s.* per cwt. would be a temptation to the hop factors to export their hops, as they would, on re-importing, be entitled to the whole 14*s.* The expense of sending their stocks abroad, of warehousing them, and bringing them back at the end of six months would, he was informed, be about 4*s.*; and it was hardly worthy of Parliament to put the trade to such an expense.

Mr. BASS was anxious to know what amount the right hon. Gentleman computed he would have to pay to the hop factors for drawback. In the case of paper the drawback amounted to 150 per cent more than had been reckoned for.

The CHANCELLOR of the EXCHEQUER said, it was impossible to ascertain the quantity of hops in the country. Some facts would induce the belief that the stock was very large, and others that the stock could not possibly be so large, because his hon. Friend (Mr. Bass) had himself consumed so many. Upon a conjectural estimate, probably the drawback of 7*s.* per cwt. would cost the country between £50,000 and £100,000.

The Chancellor of the Exchequer

Clause *agreed to;* as was also Clause 13.

Clause 14 (9 *Geo.* 4, c. 18, granting Duties on Cards and Dice, repealed).

Mr. BENTINCK said, he had never heard that card-playing was conducive to the morality of any human being; and whatever might have induced the right hon. Gentleman to facilitate access to beer, he could not understand on what ground he proposed to facilitate access to cards. He wished to know on what ground the proposition was made.

The CHANCELLOR of the EXCHEQUER said, he did not think that an assembly whose members had every facility of access to cards, and to whom price was no object, ought to be so extremely fastidious when a proposition was made in favour of those to whom the question of cost was one of some importance. He did not propose the reduction in the same sense as he had proposed the reduction of duty on a large number of commodities for the health and advantage of the people. It was simply a question of superseding a law that was constantly evaded—substituting an honest system for a dishonest one, which encouraged dishonest men at the expense of the fair-dealing trader. The quantity of cards sold without paying any duty at all was enormously out of proportion to those on which the duty was paid, and he believed that by reducing the duty to 3*d.* a larger amount of revenue would be raised than by retaining the duty at 1*s.* He did not want either to proscribe or to encourage card-playing. His object was to obtain a certain amount of duty.

Mr. BENTINCK remarked, that if the object of the right hon. Gentleman was not to encourage card-playing, that certainly would be the result of a change cheapening the article which was indispensable for the purpose.

Mr. SOTHERON ESTCOURT inquired, whether the right hon. Gentleman proposed to repeal the duty on dice, which at present amounted to a prohibition?

The CHANCELLOR of the EXCHEQUER replied, that owing to the impracticability of enforcing the payment, the duty on dice had been practically repealed for some time under a Treasury order.

Clause *agreed to.*

Clauses 15 to 28 inclusive, *agreed to.*

Clause 29 (The Sums assessed under Schedules (A.), (B.), and (D.), for 1861, to be taken as assessed for 1862).

THE CHANCELLOR OF THE EXCHEQUER said, it had been the intention of the Government, as the Bill was originally framed, to have no new assessment under Schedule D in the present year, believing that they should thereby be sparing a great number of persons a great deal of trouble. He found, however, that the public opinion on the point was very much divided, and the Government had therefore decided on having a new assessment under Schedule D, but not under Schedules A and B. Of course the assessors would, under the circumstances, receive the bounty. He moved to amend the clause accordingly.

MR. SOTHERON ESTCOURT asked, whether, in some cases, this clause would not make the local Commissioners responsible for the acts of persons whom they did not appoint?

THE CHANCELLOR OF THE EXCHEQUER, did not think any such inconvenient consequences were to be apprehended.

SIR JOHN TROLLOPE said, it would appear by the construction of this and a subsequent part of the Bill, Clause 31, that there was an intention entirely to override the present system of appointing collectors, and to assume for the Commissioners powers which hitherto had belonged to the parish alone.

MR. BARROW thought that the assessors should be appointed by the Income Tax Commissioners to whom they were known; such was the case in the country, and the consequence was that a re-assessment was hardly ever required.

THE CHANCELLOR OF THE EXCHEQUER said, the Commissioners referred to were not the Commissioners of Inland Revenue, but the local Commissioners.

MR. SOTHERON ESTCOURT said, the objection taken was, that no alteration ought to be made in the existing system of collection and assessment, of which the fundamental theory was that the people should tax themselves.

THE CHANCELLOR OF THE EXCHEQUER said, as there was to be no new assessment under Schedules A and B, there would be no assessors; and, consequently, it would be impossible for assessors to present the collectors named by the parish. The clause merely sought to provide for the lapse which would otherwise be created.

SIR JOHN TROLLOPE asked, whether assessors would not be appointed under Schedule D?

THE CHANCELLOR OF THE EXCHEQUER replied in the affirmative.

SIR WILLIAM JOLLIFFE said, great complaints were made of the harsh operation of the system of quarterly payments. Many persons, especially clergymen, who received their money half-yearly, were obliged to pay taxes on their incomes three months before they were received.

THE CHANCELLOR OF THE EXCHEQUER thought the Committee would see that he would not be justified in coming to the Committee and asking for £25,000 for the assessors on Schedules A and B for doing nothing. On Schedule D the work was done, and on it it ought to be paid.

SIR HENRY WILLOUGHBY wished to call the attention of the Committee to a practical grievance, and hoped he should obtain its assent to a fair remedy, though it must also have the sanction of the Government, as it would involve, to a small extent, an outlay of the public money. In some parts of the country great numbers of income tax payers were summoned to have their appeals heard. Of these many had to attend twice for this purpose. In many cases the appeals were not heard at all; in the majority of cases the appeals were confirmed. He wished to impress on the subordinate officers a little more care in their mode of summoning persons liable to the tax. The proviso he proposed to add to Clause 29 would give to persons whose appeals were not heard, or, on being heard, were decided in their favour, the reasonable costs of 6*d*. per mile on the distance from their homes for each day of their attendance. This would have a tendency to check the practice of reckless summoning. There was a direct precedent for giving such costs in the Act 48th of *Geo.* III. The taxpayers were entitled to have their time and their duties considered. The tax ought not to be made infinitely more odious by the manner in which its machinery was worked. The subordinate officers required some check of the kind he proposed, to make them more careful in this matter. The charge the proviso would entail was not great, and the Government would be a gainer by inducing a better feeling among the taxpayers than existed at present. The hon. Member moved that the following proviso be added to Clause 29:—

"That all persons entitled to appeal from assessments of income tax, who shall attend the meetings of the Commissioners when duly summoned, shall be, if the appeal is not heard, or, if heard, is decided in favour of the appellant, entitled to costs at the rate of 6*d*. a mile from their place of abode for each day of such attendance;

such costs shall be given in a certificate from the Commissioners, and shall be paid in such manner as the Commissioners of Her Majesty's Treasury shall direct."

THE CHANCELLOR OF THE EXCHEQUER said, the Motion was informal, and could not be submitted to the Committee; but regarding it as an appeal to the Government, which could come from no one with greater title to respect and considerate attention than the hon. Baronet, still it was impossible to entertain it. The real principle involved was that all subjects of the Crown should be reimbursed out of the taxes for the trouble which they might be legitimately called upon to take in respect of the payment of taxes. No one could know the full extent to which such a principle, if once admitted, would necessarily lead. They could not levy any tax without imposing an additional tax in the shape of time and trouble. He admitted that they were bound to make this as light as possible; but he could not admit the principle that such trouble ought to be represented in money, and that repayment should be made out of the public purse. If there were abuse or an excessive use of power by public functionaries, it was a proper matter for the notice of the Government, or of the House when the Government failed to do their duty. The carelessness, the indiscreet and improper use of power, or the insolence of Government officials, was to be treated as a fault and an offence, and punished accordingly. A Return [No. 172] which had been recently laid upon the table with respect to a number of appeals in a district in Northamptonshire conveyed a most fallacious impression. It gave the House to understand that a Government officer had to deal with about 1,000 cases, and in 800 of them he was wrong. He was so startled by the Return that he at once called for an explanation. The business of assessing fell upon local officers; and when they did not do their duty, it was thrown upon the surveyor. In this particular district no less than 3,248 properties were entirely omitted by the parochial assessors, and the surveyor had to surcharge in 2,720 other cases. It was not possible for any man who, through the gross default of the local officers, was called upon to deal with nearly 6,000 assessments, instead of exercising a general supervision, to show minute circumspection in the circumstances of each case, and he thought the surveyor deserved praise for the manner in which he had encountered the difficulty, rather than censure. Of the 5,985 cases, 1,297 were disposed of by him upon his own responsibility; and out of those remaining there were only 979 appeals; of the 979 appeals 219 were confirmed, and 760 were either discharged or the assessment reduced. The result proved that in seven cases out of every eight the surveyor was absolutely right, and in only one case out of fifteen was he wrong in his judgment. The case was eminently illustrative of one thing—the extreme imperfection of the working of the system under local officers. It was right he should mention how appeals under the income tax arose; for the Motion of the hon. Baronet proceeded on the assumption, that wherever a party was called upon to appeal, presumptively there must have been some excess on the part of the Government officer in charging him. Now, that was not so. The officers were obliged to charge all property; and when once charged, there was no other mode of getting relieved than by appealing. It was neither the fault of the Government or of the parties—it arose absolutely out of the structure of the tax itself. They were quite inseparable from the nature of the tax. A large majority of those appeals were confirmed, but it would be absurd to compensate the parties by payments out of the public purse. He believed that so far from the charge on the public being insignificant, if the principle of the hon. Baronet were adopted, it would entail a very heavy charge. Then there were those who neglected to make a return of their incomes, and were assessed conjecturally, and a great many appealed against their own returns, and obtained their correction; but surely they were not entitled on that account to payment out of the public purse. This discussion would certainly tend to dissipate the unhappy delusion which prevailed in some quarters, that if a tax be only direct, its collection must be attended with no difficulty. If Government officers misconducted themselves, nothing was easier than to call them directly to account, through the Government or in that House. The case of collectors was different. They were not Government officers. The control over them was in the hands of the Commissioners. But he was bound to say, as the result of a very extensive experience as to the collection of income tax, that although these local officers were not under direct Parliamentary control, in general their duties were discharged not only with fidelity, but with considerable care and caution; but to say that compensation should be allowed for the default of local officers to taxpayers at the charge of the Exchequer, involved a principle which was full of danger. He therefore could not assent to the Motion of the hon. Baronet—he should object even to any approach to its principle.

THE CHAIRMAN interposed and said, that as the Motion of the hon. Baronet involved a grant of public money, in the absence of any recommendation of the Crown to that effect it could not be entertained by the Committee.

SIR JOHN TROLLOPE called attention to the extraordinary harshness and severity with which the law had been enforced in Northamptonshire, particularly in the district of Peterborough. The people had been scourged to the utmost; the surcharges which had been made were most irritating, and, according to the right hon. Gentleman's own admission, 1,200 appeals had been struck off as not sustainable.

THE CHANCELLOR OF THE EXCHEQUER begged to set the hon. Baronet right. There were 1,200 cases where parties were not brought forward, no trouble being given. They were exempted before, and the exemptions were continued.

SIR JOHN TROLLOPE understood there were 2,720 cases of surcharge, and of these a very small number were sustained. These proceedings had created quite a ferment in the county; and if the tax was to be collected on that principle, the Government would be compelled, as a far stronger Government was compelled in 1816, to abrogate the tax, whatever the necessities of the country might be.

MAJOR EDWARDS said, that the hon. Member for Northamptonshire (Mr. Hunt) was not in the House, because he was too unwell to attend. He had been taken suddenly ill while on a Committee of which he was a member, and had been ordered not to leave his house.

MR. P. W. MARTIN said, he could himself bear testimony to the frequency of surcharges in two districts with which he was well acquainted. Numbers of the small freeholders had besought his interference, under the mistaken impression that as a magistrate he could procure redress. In one instance a curate, whose whole income was only £100, was surcharged without any reason; and, as he was assessed in two different districts, he had to spend a couple of days in attendance at the public-houses where the appeals were heard. It was ultimately found that he had been certified by mistake.

MR. CHILDERS said, he could also bear testimony to the unnecessary harshness with which the income was in some cases assessed; and as it was not a popular tax in itself, care ought to be taken that it was not rendered still more disagreeable by the mode in which it was assessed and collected. But he rose to point out that by the Customs Consolidation Act it was provided that in inquiries by the Custom House authorities, very similar to those under consideration, the persons summoned were entitled, on the certificate of the magistrate, to reasonable expenses. The principle held good in the present instance.

SIR MINTO FARQUHAR said, that there seemed to be a general system of sending surcharges right and left throughout the country without consideration. The people generally strongly objected to the mode of appeal prescribed. The Chancellor of the Exchequer had acted in a very singular manner with regard to the income tax. He had squeezed five quarters into the year, and thus kept the applications for income tax perpetually before them. He believed that nothing would tend more to the extinction of this abominable tax than this petty mode of collecting it. He hoped the public would continue to state their grievances. With regard to the Return from North Northamptonshire, it was strikingly to the point, and set forth complaints which demanded immediate attention. The petitioners complained of the various methods resorted to for surcharging them, by which agricultural tenants were made to pay on a much higher sum than they actually paid for rent; and they had been vexed and harassed, and put to every conceivable expense and trouble.

THE CHANCELLOR OF THE EXCHEQUER said, it was an entire mistake to imagine that any undue pressure had been authorized in the collection of the income tax. The estimate of the tax for last year was £10,350,000, and the return was only £10,365,000. That did not look as if any stringent or novel means had been employed to extract money. A new assessment must always be attended with considerable difficulty and inconvenience.

MR. SEELY strongly urged the justice of repaying to a man who had been unjustly surcharged the money out of pocket by the appeal.

MR. BENTINCK said, that the proposal for renewing the income tax came with a bad grace from the Chancellor of the Exchequer, who was more than any other man pledged to its repeal. As we were saddled with the tax, however, it ought to be made as little burdensome in collection as possible. He did not, for a moment, impute to the Chancellor of the Exchequer participation in the abuses connected with its collection. There was another abuse which was somewhat general, though of course it would not be proper for him to mention names or places in connection with it. [The CHANCELLOR of the EXCHEQUER: Then how are we to find it out?] He did not ask for any remedy in the particular case, but to inquire whether the Government would deal with the practice as an offence in the event of its being brought to their notice. He had had a letter from a gentleman of great respectability, who stated that on their appeal day, the 6th October last, many parties attended to prove their exemption from the tax. The surveyor required a printed form to be filled up, and the surveyor's son filled up many of them, and was paid from 1*s.* to 2*s.* 6*d.* in each case for so doing. This was done in a room apart from the Commissioners; but, on a former occasion, the surveyor himself pursued the same course. He (Mr. Bentinck) wished to know whether the Chancellor of the Exchequer had ever heard of such a practice, for it was believed to be general in many parts of the country, and whether he would deal with it as an offence?

MR. FRANK CROSSLEY said, that what he most strongly objected to in the income tax was its inquisitorial character. No doubt surcharges were frequently made unjustly; but the grossest cases of fraud upon the revenue were perpetually occurring. Frequently, when very large profits were known to be made in trades, either no returns, or returns obviously false, were made; and surcharges were made sometimes to the extent of £15,000 and £20,000 a year, which were paid without a word. He hoped the services of the surveyors were duly appreciated by the Government. They were a class of men who endeavoured to do their duty fairly, and deserved support; and he hoped they would not be deterred from doing their duty by the charges that had been made against them that evening.

MR. WHALLEY confirmed the very great dissatisfaction that was felt at the surcharges in the neighbourhood of Peterborough. But with respect to the complaints that had been made, he found that he should not be justified in bringing them before the House, seeing that those surveyors had acted merely in discharge of their duties. But he asked the right hon. Gentleman whether this description did not confirm the view that it was quite impossible for him to sustain this particular portion of the income tax? Why should not the taxes in Schedule B be raised in the nature of a land tax?

SIR BALDWIN LEIGHTON drew attention to the complaints which had arisen in Shropshire in consequence of surcharges, and suggested that some instructions must have been given by Government to cause these surcharges.

THE CHANCELLOR OF THE EXCHEQUER complained that the hon. Baronet should have made this statement, when he had just told the Committee that there were no such instructions; and he challenged a further investigation into the matter. With regard to the statement of the hon. Member for West Norfolk, there was very little use in stating cases without names. If the names were given, he could make inquiry and ascertain the facts, but not otherwise. At present, he could only state that no person had ever complained to him of payments exacted by any officer of the Government for preparing or filling up forms or returns. Very recently he had heard that persons had employed some man in the room of the Commissioners, and paid him 6*d.* apiece for filling up their returns. He did not understand that he was a person in the employment of the Government. As far as he was able to judge, it would not be the duty of a Government officer to fill up returns; still less would it be compatible with his duty to accept payment for filling them up.

SIR BALDWIN LEIGHTON begged to explain that he was out of the House when the Chancellor of the Exchequer had made his observations, or he certainly should not have said what he had said.

MR. BRADY bore testimony to the faithfulness and fairness with which the surveyors of the income tax discharged their duties.

SIR MINTO FARQUHAR said, that no general charge had been made against the surveyors.

MR. HENLEY said, he could confirm what had been said by other hon. Members by what had come within his own experience last autumn, and which convinced him, that if assessments were made every year to the income tax, it would soon come to an end; for the necessary curse which attended a re-assessment would cause a blister of such a kind, that unless a little time were allowed for it to heal, there would be one universal kick against the tax from one end of the country to the other. He believed that every district throughout the country could make a similar return to Northampton, for there were numbers of people holding small cottages and other property who could not get off the tax except by some process they satisfied the Government officers that they had no other property of sufficient amount to render them liable to it. The first day of appeal this happened. They had a whole string of appeals. The parties came in one after the other, a few simple questions were put them, and then they were dismissed. The surveyor, when the proceedings were over, was asked if some means could not be devised by which this could be avoided, and he said the same thing would occur at every meeting. This was one of the curses incident to the tax. He had never seen any disposition whatever on the part of the surveyors to act with oppression, and he could not, as an honest man, refrain from standing up and saying so. The tax was a curse in itself. It was a most painful thing to examine humble people as to whether they made £98 in a year or £102. For his sins he had had to go through many such examinations, but he had never seen any attempt on the part of the officers to put an extra squeeze on. He thought they did their duty fairly between the Crown and the subject. The tax had gone on for twenty years, and it had claws in all directions, and those claws, from the very nature of the tax, were continually extending, and the curse would become greater the longer it lasted. He could not hope to live long enough to see it got rid of, but he felt that the longer it lasted the greater would be the desire to get rid of it.

SIR HENRY WILLOUGHBY said, the grievance he complained of was that a number of persons were summoned—poor cottagers and others—they were dragged from their homes several miles, and then their cases were not decided. Instructions should be given by the Inland Revenue Department that no more persons should be summoned than could have their grievances heard. He was sure, with regard to this tax, that the country would ultimately come to the position they were in in 1816, when Lord Brougham recommended that all income tax papers should be burnt by the least reputable person in the State.

THE CHANCELLOR OF THE EXCHEQUER explained, that the reason he had taken no notice of the hon. Baronet's complaint was that it did not depend upon him or upon any Government officer, who should be summoned, but it was done by the authority of the Commissioner. If the hon. Baronet could point out anything that the Government could do to remedy the evil, he should be happy to entertain the proposition; but he was afraid that it was incident to the nature of the tax, and he was convinced that the payment of compensation in such cases would only make matters worse. The hon. Baronet seemed astonished at the increase in the assessment last year as compared with former years. Last year was the first new assessment for five or six years, and of course in a district like that to which the hon. Baronet had referred, the value of property had risen considerably; and if no increase had taken place in the assessments, it would have been a proof that the officers of the Government were neglecting their duty.

MR. HENLEY observed, that the hon. Baronet was not correct in speaking of persons being summoned; they were amerced, and notice was given that upon a certain day they could appeal, and no possible skill could enable either the Commissioners or surveyors to know how many would avail themselves of the right.

MAJOR EDWARDS quite agreed as to the hardship of poor people being required to attend again and again at the court before their appeals were heard, and suggested that in these cases the principle adopted in the Revising Barristers' courts should be followed, and that costs should be allowed to persons where the opposition to their claim was frivolous or vexatious.

Clause *agreed to;* as were also the remaining Clauses and the Schedules.

House *resumed.*

Bill *reported;* to be *printed* as amended [Bill 109]; *recommitted* for *Thursday.*

SUPPLY—REPORT.

Resolution, £116,695, Science and Art Department, *reported.*

MR. BARROW took occasion to ask why the Highway Bill had been so frequently postponed. The evidence taken before the Select Committee had now been ordered to be printed, though it was understood, when the Committee was appointed, that no evidence was to be taken.

SIR GEORGE GREY said, that no evidence had been taken, and it was the proceedings of the Committee, not evidence, that had been ordered to be printed. The Bill stood for Thursday, but he did not think it could be brought on then; and, if so, Monday next would be the first opportunity for considering it, though other pressing business might prevent its discussion on that night.

Resolution *agreed to.*

House adjourned at half after Eleven o'clock.

HOUSE OF LORDS,

Tuesday, May 13, 1862.

QUALIFICATION FOR OFFICES ABOLITION BILL.

SECOND READING.

Order of the day for the Second Reading read. [Bill 22.]

LORD TAUNTON rose to move that the Bill be now read the second time, and said that he had undertaken to do so because he still retained the opinions he expressed last year, that the reasons in favour of the abolition of the tests predominated over the reasons which had been urged against it. Since the question had been so recently discussed by their Lordships, it was scarcely necessary for him to remind them what the present condition of the law was which this measure sought to amend. He was not prepared to say that the questions involved in the Bill were of very great or of very urgent political importance; nevertheless there were considerations which would make him exceedingly regret the rejection of the Bill. When the sacramental test was abolished in 1828, there was substituted for it the obligation of making a declaration tantamount to an oath, and this was made obligatory on all to whom the test formerly applied. But the parties who were affected by the new state of the law were divided into two classes, and were dealt with in a widely different manner. Thus those who accepted offices of trust under the Crown—the great political officers, and with some exceptions, officers in the army and the navy—were required to make the declaration within six months from the period of their entering upon such office and employment. The practical effect of this was in most cases that the declaration was not taken at all, a means having been devised for securing the parties against the penalties the law imposed by passing an annual Indemnity Act. Although he could not say there was any very great practical grievance in this, he thought it was not a very seemly thing that the officers of the State and the large and important body of office-holders should neglect the law, frequently, constantly, and habitually, though he was bound to admit not universally, and depend upon an annual Indemnity Bill to protect them from the consequences; neither could he believe, that if the law was altered so as to oblige all office-holders to make the declaration in question, the Church of England would derive the slightest additional security therefrom. But the portion of the existing law to which he more particularly desired to draw attention was by no means a dead letter—it had a direct and practical operation. For some reason or other, the enactments of the law were far more stringent with regard to persons holding municipal offices and members of corporations, as mayors, aldermen, common councilmen, town clerks, &c., and they were obliged to make the declaration when they took office, under heavy penalties in case of non-compliance. No six months' delay was allowed in these cases, consequently they were practically affected by the state of the law. This was the point to which he wished more especially to call their Lordships' attention. The petitions which he and other noble Lords had presented that evening almost all emanated from the corporate bodies of England, and they all prayed to be relieved from this obligation, which they felt to be an unnecessary strain upon their consciences. He had presented petitions from the important municipalities of Sheffield, Northampton, and Leicester, requesting their Lordships to agree with the House of Commons in relieving them from this necessity, and he would proceed to state the grounds upon which he joined with them in that appeal. He did not deny that these petitions came principally from Protestant Dissenters, but he could assure their Lordships that the Protestant Dissenters were not alone in their desire for the removal of this test. Many conscientious Churchmen who were Members of these corporations felt it to be a painful thing to be called upon to make a solemn declaration equivalent to an oath not to do that which they believed it impossible they could do even if they were so minded. The declaration bound them in their official capacities—for it did not apply to them as private individuals—not to use any of the powers they possessed as members of municipal corporations for the injury of the Church as by law established. They did not see—and he did not see—how it was possible for a mayor, alderman, or common councilman to do, exercise, or use the powers of their office to injure the Protestant Church as in this country established. They did not see in what way it was possible they could injure it, and therefore they regarded this declaration as falling within the category of unnecessary oaths. Some scrupulous men have declined to make the declaration, and consequently are unable to take the office to which their fellow-citizens have elected them; but generally speaking it was taken, and therefore became a practical grievance. He could well imagine a necessity for some such security when the declaration was framed, because there was then a mode by which it might be conceived the holder of any corporate office might use his power to the injury of the Church. At that time corporate bodies possessed very considerable ecclesiastical patronage; that, however, had been long since taken away, and they had now nothing whatever to do with the appointment of clergymen of the Church of England. But if any proof were wanted to show the utter uselessness of requiring this declaration, it would be found in the fact that no such declaration was required to be made by the members of Irish corporations. If the declaration was effective as a protection to the Church, why was it not required from the members of municipal corporations in Ireland? The Irish portion of the Church Establishment was certainly not the strongest part of the great national institution; yet the declaration which every member of the corporations of London, of Liverpool, of Leeds, and of Sheffield must make. the members of the corporations of Dublin, of Cork, and of Belfast were exempt from. The noble and learned Lord (Lord Chelmsford) said, in the debate last year, that this test was a bulwark of the Church of England. It might be so; but he (Lord Taunton) must think it strange that the bulwark should be erected where the defenders were many and the fortifications strong, instead of at the point where the defenders were few and the defences comparatively weak. But, in truth, it was no protection to the Church at all. He could assure the right rev. Bench that there was an increasing distaste on the part of the people to take unnecessary oaths, and they could not see in any way that this one was necessary, or that it could answer any useful purpose. When the Bill was before their Lordships last year, certain noble Lords who opposed it referred to the violent language sometimes used by Dissenters against the Church. But violent language had been before now used by members of the Church of England, and surely it was not worthy of the high character of this House to be influenced in their legislation by violent language used by one party or another. It was the duty of their Lordships to do justice, and to listen to reasonable complaints, whether made by Churchmen or Dissenters. He was equally sure that they would be ever ready to resist any attempt made to affect the security of the Church, come from what quarter it might, while at the same time they would do justice to any class of Her Majesty's subjects who desired to be relieved from what they considered a conscientious burden. The Bill had been passed by the House of Commons four several times. There could be no real, substantial danger to fear from the abolition of this qualification, while, on the other hand, their Lordships would gratify the feelings of many of the Dissenters if they would concur in the passing of the Bill. He could remember the time when Parliament repealed the Test and Corporation Acts, and the fears which were then expressed as to the result; but none of them had come to pass. The question now was, whether they could or could not safely give up this declaration without any danger to the Church of England, and he believed, and had endeavoured to show, that they could most undoubtedly do so. Those who had held high political office knew practically that the Act now on the statute-books was a dead letter; and with regard to that portion of the Act which had any vitality in it, namely, the oath required to be taken by the members of corporations, there were two objections—first, the oath was unintelligible, and secondly, it was unnecessary, No oath should be required to be taken except on special occasions, and their endeavours should be to clothe oaths with the sanctity and respect which was due to a solemn asseveration. He would repeat that solemn oaths were not to be administered lightly. The circumstances of the present time were, he thought, very favourable to the adoption of the step which he advocated. The Church was in our day very strong and deservedly very popular throughout the country. She was so, he might add, not because of those declarations which he asked the House to abolish, but on account of her own internal force, the zeal of her clergy, and the activity of her bishops. In what lay the use, then, so far as she was concerned, of safeguards so ambiguous, so obscure, and so valueless as those of which he was speaking? For his own part, he could not see in what it consisted, and their Lordships might depend upon it that in assenting to the second reading of the Bill before them they would be doing to the Church not an injury, but a service. The Church was well able to protect herself, and had no need, in order to do so, to impose unnecessary burdens on any class of the community. It was but very recently that in reading the Life of Mr. Pitt, published by the noble Earl opposite, he lighted upon a passage in the correspondence of the Minister with George III., in the course of which the latter stated he would have nothing to do with the repeal of the Test Act, inasmuch as it was the palladium of the Church of England. That statement it was at the present day—seeing that the Church had for many years been deprived of the palladium in question—impossible to read without a smile. Any apprehension as to the evil results which might flow from the passing of the prsent measure were, he could not help thinking, equally unfounded. He trusted, therefore, their Lordships would consider it in a candid and impartial spirit, for he felt that while in giving their assent to it they would be doing an act which could possibly have no injurious effect, they would, on the other hand, be taking a course which would be highly satisfactory to many worthy and conscientious men. The noble Lord concluded by moving the second reading of the Bill.

Moved, That the Bill be now read 2^a.

THE DUKE OF MARLBOROUGH said, it became his duty to intrude himself upon their Lordships' attention for a few moments in reference to this matter, with the view of inducing them not to concur in the proposition which had just been submitted to the House by his noble Friend opposite. His noble Friend had very justly and properly characterized the measure of which he had moved the second reading, as one of no very great importance so far as the security of the Church of England was concerned. He fully and entirely re-echoed and assented to that observation. His noble Friend argued that the Bill might be passed without any danger to the Established Church. He (the Duke of Marlborough) concurred with him in thinking that it could not in any way affect the real and substantial security of the Church of England. It was not upon any such grounds as those that he and the noble Lords with whom he acted felt it their duty to oppose the measure. The question of danger to the Established Church was not the question at issue raised by this Bill. The real question was, whether there was any practical necessity for this measure, or whether there was any real grievance to be remedied by the passing of the Bill. Now, the noble Lord in moving the second reading, as far as he understood, had not pretended that there was any real grievance to be remedied. His noble Friend stated that the Act was practically violated —that it was never enforced against certain functionaries; and that a Bill of Indemnity was passed annually by Parliament for the purpose of protecting some of their Lordships and other persons holding offices under the Crown from the penal consequences of neglecting to conform to the requirements of the Act. Now, if this indemnity could be so easily obtained, where, he asked, was the grievance of the declaration? But, while this was the case, he contended that it was a matter of considerable importance that Parliament should retain the power in its hands of passing or refusing to pass, as it might deem fit, the Act of Indemnity, and of thereby maintaining the law in efficiency. The only other objection urged against the present law was that this solemn declaration was disliked by Dissenters. The declaration which was passed in 1828, applied equally to Roman Catholics as to Dissenters. The Crown was then jealous of Dissenters, and Parliament of the Roman Catholics; and it was to meet the case of both classes that the Act in question was passed. If Dissenters had no evil designs against the Established Church, they could have no real objection to make the required declaration. He had it, however, in his power to quote to their Lordships the opinions of some of the

Dissenters of this country on the subject. A short time ago a Conference of a Society called "The Society for the Liberation of Religion from State Control" was held in London. The great object of that Society, as their Lordships were aware, was to effect the separation of the Church from the State. That Society was now assuming very large proportions, and was putting forward important but somewhat exaggerated claims. At the Conference to which he was referring this very measure was brought under consideration in such a way as to show that it was one of a series of measures which were supported by and had obtained the approval of the Society. The Conference passed a resolution of thanks both to Mr. Dillwyn and Mr. Hadfield for their exertions as Members of the House of Commons, "to abolish the offensive declaration imposed for the acknowledged purpose of securing the legal recognition of the supremacy of the Church of England." He (the Duke of Marlborough) contended that those were circumstances and facts which ought to be regarded with attention by their Lordships. The Liberation of Religion Society was a body of considerable dimensions and organization. At the Conference to which he was referring 350 delegates from 150 towns in England attended, which showed a large and powerful organization. Many of those delegates were Dissenting ministers of great power and influence. Mr. Whitehead, of Bradford, one of the speakers on the occasion, expressed the interest he took in the question as a member of the town council, but said he differed in opinion from the previous speakers in regard to the gravity or importance of the declaration sought to be repealed; for he had no hesitation in saying that, without making the declaration, he had no intention whatever of taking any step as a common councilman that could be considered detrimental to the interests of the Church of England. Well, then, if there were no objections felt by members of corporations to making this declaration, in which all classes were equally concerned, it seemed to him to be an indication of the existence of other motives lying behind the real and ostensible objections which were put forward against this measure. He believed that the advocates of this Bill looked upon it as one of a series of measures which would gradually tend to destroy the supremacy of the Church of England established by Act of Parliament, and fully recognised at the time the Test and Corporation Acts were repealed. It should be recollected that at the time these Acts were repealed, Dissenters occupied a very different position in the kingdom to what they did now. The noble Earl opposite (Earl Russell), who took so active a part in the passing of these measures, took considerable pains to show that the fears then entertained by a large class of persons, that the Acts would prove dangerous to the stability of the Church of England were groundless. The Dissenters of that day, the noble Earl contended, were a loyal and constitutional body, and deeply attached to the institutions of the country. He (the Duke of Marlborough) asked their Lordships whether those arguments could be use now with equal force, in the face of an organized system going on for the avowed object of causing a separation of the Church from the State. This question seemed to him to be a very important one, viewing it in that aspect; for it showed that the persons who were ventilating this question did not view it as a social, civil, or political question, but rather as a religious question. On the grounds of doing a service to God in this matter, they were endeavouring to overthrow that which was one of the great bulwarks of the liberties of this country. He thought it was incumbent upon their Lordships, if they were anxious to defend an institution to which they were all deeply attached, to prevent any attempt of this nature to undermine one of the outworks of the Establishment. It might, indeed, if it were now proposed to establish this declaration for the first time, be a question for their Lordships whether it was necessary; but it was a very different question when they were asked to abolish a declaration already existing. Viewing, then, this as one of a series of measures avowed and acknowledged to be intended to separate the Church from the State, and seeing that no practical grievance existed which this Bill could remedy, he called upon their Lordships to oppose a measure which was hailed by the Dissenters as one unfavourable to the Church of England, and hostile to the interests and supremacy of that Church as established by law. He would therefore move, that the Bill be read a second time that day six months.

Amendment moved, to leave out "now" for the purpose of inserting "this day six months."

LORD WODEHOUSE said, he thought

he latter part of the noble Duke's speech somewhat inconsistent with the previous portions. The noble Duke, in the first instance, argued that the Bill could not affect in any way the security and stability of the Established Church, but wound up his speech by urging their Lordships to reject the measure on the ground that it was one of a series of attempts to undermine that Church, and to separate it from all State control. Now, if he (Lord Wodehouse) thought the present measure to be one step in the direction of destroying what was called one of the outworks of the Established Church, he, as a sincere member of that Church, would be the last person to give it the slightest support; but he could not regard the Bill in such a light when he recollected the language of the declaration now proposed to be abolished. It was a declaration neither more nor less than this—that no persons would use their power, as mayor or common councilmen, to destroy the Established Church. To rely upon the security afforded by such a declaration appeared to him absolutely chimerical. The noble Duke said that there was no practical grievance in the matter. It was true, the grievance might not be a great one, but, as far as it went, it was a practical one. Again, when the noble Duke argued that the annual passing of the Indemnity Act did to some extent diminish the grievance, the noble Duke forgot to add that the Indemnity Act did not apply to municipal officers, and therefore did not relieve the persons whom this Bill was intended to benefit from the hardship of which they complained. Although, then, he thought it impossible to say that this was a matter of very great importance, it appeared to him very objectionable to retain solemn oaths — [The Duke of MARLBOROUGH: Solemn declarations.] Well, solemn declarations, which had the force of oaths, for purposes for which they were not required. He thought it clear that those who wished to retain this declaration looked upon it as a sort of pledge of the supremacy and predominance of the Established Church. But he was of opinion, that if, with all the power which the Established Church possessed, with the great revenues which it enjoyed, with its improved position in the hearts and consciences of a very large portion of the people of this country, it was thought necessary by a declaration of this kind to prove the predominance of the Established Church, that was nothing better than raising up an obstacle in the minds of Dissenters to union with the Church. He thought that the matter had been so frequently debated as to be perfectly familiar to their Lordships, and he should not, therefore, be justified in detaining them longer. He did hope that the House would not be led away by statements as to the designs of persons out of doors, but would look to the subject as it was actually before them; and that they would not think that by voting for this Bill they were voting against the supremacy of the Established Church, any more than that by voting against it they were adding one tittle to the security of the Church in this country.

On Question, That "now" stand part of the Motion, their Lordships *divided*:—Contents 55; Not-Contents 87: Majority 32. *Resolved in the Negative*; and Bill to be read 2^a on *this Day Six Months.*

THE MARQUESS OF CLANRICARDE rose to call their Lordships' attention to a point of order. It appeared that by mistake a right rev. Prelate had passed from the House with the "Contents," and his name was taken down by the clerks; but he had remained in the lobby. He (the Marquess of Clanricarde) had not seen any right rev. Prelate pass through that door (the door by which the "Contents," returned to the House). He apprehended it would not be right that the name of the right rev. Prelate should be printed in the Journals as among the "Contents," although his name had been so taken down by the clerks. The matter was of some importance, because he was not aware that there was any case of this kind, and it would form a precedent. His own opinion was that the right rev. Prelate's vote should be counted with the "Contents," or else that a Motion should be made that his name should not appear on the Journals among the "Contents." As the right rev. Prelate did not pass the Tellers, he was not, he believed, counted in the minority; but as the right rev. Prelate passed the clerks, his name would be in the list of "Contents."

THE BISHOP OF WINCHESTER: My Lords, it is quite true, as has been stated by the noble Marquess, that I inadvertently passed into the wrong lobby. I was not aware that those who differed from the "Contents" might not pass that way, and might not state that they were "Not Content" at that bar. I therefore stand in the position of having been in the lobby on the right when I ought to have been in the lobby on the left. I am now in the hands of the House. Your Lordships must decide whether, under the circumstances, my name may be erased from the "Contents" and transferred to the "Non-Contents," or whether I may not be named as not having voted at all.

LORD REDESDALE said, he was not aware that any precedent exactly similar to the present instance existed, or that anything would happen from the transaction, except that the right rev. Prelate would lose his vote. The numbers would be entered in the Journals from the numbers reported by the Tellers, and not from the names given in by the clerks. When a discrepancy occurred between the numbers ascertained by the Tellers, and the names written down by the clerks, it was usual for the latter to correct their list by expunging any name which had been incorrectly entered. The clerks were not, he thought, bound to return the name of a Peer who passed them, if they knew, as in the present case, that he did not pass the Tellers. Their Lordships might therefore, he thought, leave the matter as it stood, the only effect being that the right rev. Prelate would lose his vote.

EARL GRANVILLE said, he had not the slightest wish to claim the vote of the right rev. Prelate, which, moreover, could not exercise any practical effect on the division. It appeared to him, however, that there was some irregularity in the right rev. Prelate's being in the House at all at that moment. There was only one exit from the lobby; and if the right rev. Prelate had left it by that door, he would have been counted by the Tellers. The right rev. Prelate, he therefore suspected, must have escaped by some back door, or by some other irregular method.

THE MARQUESS OF CLANRICARDE said, that for the purposes of a division the lobby was a part of the House itself. The question therefore arose whether a Peer could remain in the House without voting. [Earl GREY: He can go behind the Woolsack near the throne, as the Bishop of Worcester did just now, and so escape voting.] No doubt that was so. He had himself done what others had done, and had gone to the steps of the Throne —which was not considered within the House—when he wished not to vote. But the present was not a parallel case, because the lobby was a part of the House during a division.

LORD STANLEY OF ALDERLEY said, that in the other House of Parliament, when a Member was in the House when the Question was put, and wished to shirk a division, it was the duty of the Tellers to seek him out, and bring him to the table, when he was asked by the Speaker how he intended to vote? The irregularity in the present case was, as had been stated by his noble Friend, that there was no exit from the lobby except by passing the Tellers. It appeared to him that the clerks ought not to have allowed the right rev. Prelate to re-pass them. It was the duty of the Tellers to have searched for the right rev. Prelate, and to have counted him among the "Contents." It would then have been for their Lordships to take such action upon the matter as they might see fit.

THE MARQUESS OF BATH said, that their Lordships had their own Rules and Orders, and were not bound by those of the other House of Parliament. If any new rules were required, the matter might be referred to their Lordships' own Standing Orders Committee. He could not agree with the noble Marquess that the lobbies were within the House, because to reach them it was necessary to pass the point at which by a fiction the "House" ceased. In the House of Commons all Members who were in the House were compelled to vote; but in their Lordships' House, if a Peer chose to step behind the Woolsack, he was held to be not within the House. Their Lordships would not wish to to debar a Peer from the privilege he now possessed of evading the necessity of voting by walking to the steps of the Throne.

EARL STANHOPE agreed that there was no precedent to guide their Lordships in the point at issue. He concurred with the noble Baron (Lord Stanley of Alderley) in thinking, that if a Peer by inadvertence went into the wrong lobby, that inadvertence could be repaired in the same manner as it was in the House of Commons— namely, by his being brought up by the Tellers and questioned by the Lord Chancellor. The question might be put to him on which side he intended to vote, and according to his answer his vote should be recorded.

LORD REDESDALE thought it would be very desirable that their Lordships should have an Order on this subject, and that the matter should be ruled very much in accordance with the practice which prevailed in the House of Commons. On the present occasion it would, perhaps, be better not to take any step, as it was very well known on which side the right rev. Prelate had intended to vote.

EARL GREY suggested that the more regular course to pursue was that referred to by the noble Marquess, and that the House should make an Order, that notice having been taken that the right rev. Prelate, though he had passed into the lobby, had not voted, the noble Lord on the Woolsack should ask on which side the right rev. Prelate intended to vote, and that his vote should be recorded according to his answer. He would submit a Motion to their Lordships embodying what he had stated.

LORD REDESDALE wished to point out, as a matter of order, that the numbers had been already taken up and the division declared to the House, and that therefore it was too late to make any alteration in it.

THE MARQUESS OF BATH hoped the noble Earl would not press his Motion. As there were many points of Order involved, it would be better to appoint a Select Committee to consider the matter. Technically, the noble Lord on the Woolsack had to come into the "House" before he took part in their proceedings, and therefore it was the preferable course that the right rev. Prelate should come to the table and declare himself, without being asked, which way he intended to vote.

THE LORD CHANCELLOR then put the Question that he should ask the right rev. Prelate, whether he intended to vote with the Contents or the Not-Contents, and that his Vote be recorded accordingly.

Motion *agreed to.*

THE LORD CHANCELLOR: My Lord Bishop, I am directed by the House to ask your Lordship, whether you heard the Question put from the Chair?

THE BISHOP OF WINCHESTER: Yes.

THE LORD CHANCELLOR: On which side was it your Lordship's intention to vote—with the Contents, or with the Not-Contents?

THE BISHOP OF WINCHESTER: It was my intention to vote with the Not-Contents.

THE LORD CHANCELLOR: On which side does your Lordship vote?

THE BISHOP OF WINCHESTER: With the Not-Contents.

Then it was Ordered, That the Vote be recorded with the Not-Contents.

Lord Redesdale

THE DUKE OF BUCCLEUCH: My Lords, since first I had the honour of a seat in your Lordships' House, I have never known so extraordinary a proceeding as that which has just taken place. The noble Earl (Earl Grey) moved that a particular question should be put by the noble and learned Lord on the Woolsack, on which the noble Lord put the right rev. Prelate through a course of examination and cross-examination. I object to any noble and learned Lord sitting on the Woolsack doing more on such occasions than what absolutely he has been directed by the House to do. If we allow any noble and learned Lord on the Woolsack, under the pretence of putting a simple question, to conduct an examination and a cross-examination, great irregularity and inconvenience may arise.

THE LORD CHANCELLOR: I ask your Lordships to accept my apology if, unwittingly, I have added one more to the numerous irregularities of this evening. Very possibly I took a licence or overstepped the limit of the directions given by your Lordships; but as I understood it to be your Lordships' intention to adopt the practice which in such cases prevails in the House of Commons, I thought it only regular to put the questions which are asked by the Speaker of the House of Commons. I know it to be the practice for the Speaker to ask the hon. Member whether he had heard the Question put before asking him on what side he intended to vote. I hope your Lordships will accept my apology, and my assurance that I had no other intention in putting the question which has drawn down upon me the dreadful censure of the noble Duke.

[The following is the entry on the MINUTES OF PROCEEDINGS:—

"The House having been informed that the Bishop of Winchester went into the Lobby to the right of the Throne by mistake, and that although his Name was taken down by the Clerks in the Lobby, he did not pass the Tellers for the Contents: It was *moved*, That the Lord Chancellor be directed to ask the Right Reverend Prelate whether he intended to vote with the Contents or Not-Contents, and that his Vote be recorded accordingly; *agreed to;* and the Lord Chancellor having put the Question to the Right Reverend Prelate, his Lordship declared that he intended to vote with the Not-Contents: Ordered, That the Vote be recorded with the Not-Contents."]

Contents 55
Not-Contents 87
Ordered, That the name of The Lord Bishop of Winchester be added to the List of Not-Contents. . . . } 1

Not-contents 88

CONTENTS.

Westbury, L. (*L. Chancellor.*)

Devonshire, D.
Newcastle, D.

Abingdon, E.
Airlie, E.
Camperdown, E.
Cawdor, E.
Cowper, E.
De Grey, E.
Ducie, E.
Effingham, E.
Essex, E.
Granville, E.
Grey, E.
Minto, E.
Russell, E.
Saint Germans, E.
Sommers, E.
Strafford, E.
Wicklow, E.

Falmouth, V.
Leinster, V. (*D. Leinster.*)
Stratford de Redcliffe, V.

Durham, Bp.

Belper, L.
Blantyre, L.
Boyle, L. (*E. Cork and Orrery.*)
Carew, L.
Chesham, L.
Congleton, L.
Cranworth, L.
Crewe, L.
Dacre, L.
Dartrey, L. (*L. Cremorne.*)
Ebury, L.
Foley, L. [*Teller.*]
Hamilton, L. (*L. Belhaven and Stenton.*)
Leigh, L.
Lismore, L. (*V. Lismore.*)
Llanover, L.
Lyveden, L.
Minster, L. (*M. Conyngham.*)
Overstone, L.
Ponsonby, L. (*E. Bessborough.*)
Portman, L.
Rosebery, L. (*E. Rosebery.*)
Sandys, L.
Saye and Sele, L.
Sefton, L. (*E. Sefton.*)
Somerhill, L. (*M. Clanricarde.*)
Stanley of Alderley, L.
Stratheden, L.
Taunton, L. [*Teller.*]
Wodehouse, L.
Worlingham, L. (*E. Gosford.*)

NOT-CONTENTS.

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Marlborough, D.
Richmond, D.
Rutland, D.

Bath, M. [*Teller.*]
Normanby, M.
Salisbury, M.

Amherst, E.
Bantry, E.
Beauchamp, E.
Carnarvon, E.
Cathcart, E.
Dartmouth, E.
De La Warr, E.
Derby, E.
Desart, E.
Doncaster, E. (*D. of Buccleuch and Queensberry.*)
Ellenborough, E.
Ellesmere, E.
Erne, E.
Graham, E. (*D. Montrose.*)
Harrington, E.
Home, E.
Lucan, E.
Manvers, E.
Morton, E.
Orkney, E.
Pomfret, E.
Powis, E.
Romney, E.
Rosslyn, E.
Stanhope, E.
Verulam, E.

Doneraile, V.
Dungannon, V.
Exmouth, V.
Hardinge, V.
Hood, V.

Bath and Wells, Bp.
Carlisle, Bp.
Exeter, Bp.
Kilmore, &c. Bp.
Lichfield, Bp.
Llandaff, Bp.
London, Bp.
Oxford, Bp.
Rochester, Bp.
St. Asaph, Bp.
Winchester, Bp.

Blayney, L.
Boston, L.
Broderick, L. (*V Midleton.*)
Castlemaine, L.
Chelmsford, L.
Churston, L.
Clarina, L.
Clifton, L. (*E. Darnley.*)
Colchester, L.
Colville of Culrosse, L. [*Teller.*]
Conyers, L.
Egerton, L.
Farnham, L.
Feversham, L.
Foxford, L. (*E. Limerick.*)
Grantley, L.
Grinstead, L. (*E. Enniskillen.*)
Heytesbury, L.
Kenyon, L.
Kingsdown, L.
Leconfield, L.
Lovel and Holland, L. (*E. Egmont.*)
Ravensworth, L.
Rayleigh, L.
Redesdale, L.
Sheffield, L. (*E. Sheffield.*)
Silcester, L. (*E. Longford.*)
Sondes, L.
Southampton, L.
Stewart of Stewart's Court, L. (*M. Londonderry.*)
Stewart of Garlies, L. (*E. Galloway.*)
Saint Leonards, L.
Strathspey, L. (*E. Seafield.*)
Templemore, L.
Tenterden, L.
Walsingham, L.
Willoughby de Broke, L
Wynford, L.

House adjourned at a quarter before Seven o'clock, till Thursday next half-past Ten o'clock

HOUSE OF COMMONS,

Tuesday, May 13, 1862.

MINUTES.]—PUBLIC BILLS.—1° Tramways.
3° Public Works and Harbours Act Amendment.

REMUNERATION OF POSTMASTERS QUESTION.

MR. WYKEHAM MARTIN said, he wished to ask the Secretary to the Treasury, Whether it is the intention of Her Majesty's Government to give any remuneration to the Postmasters in consequence of the additional labour imposed upon them by the institution of Post Office Savings Banks?

MR. PEEL in reply said, there could be no doubt that the establishment of Post Office Savings Banks imposed additional labour on Postmasters; and the question was under consideration whether they should, in consequence, receive any increase of remuneration.

LUNATIC ASYLUMS IN IRELAND. QUESTION.

MR. MACEVOY said, he wished to ask the Chief Secretary for Ireland, Whether any, and, if any, what changes have been recently made by the Irish Government in the rules and management of district Lunatic Asylums?

Sir ROBERT PEEL said, that considerable changes had recently been made by the Irish Government in the rules for the management of Irish Lunatic Asylums, and he was happy to say that the new system had given general satisfaction.

THE INDIAN CIVIL SERVICE.

QUESTION.

Mr. ADAM said, he would beg to ask the Secretary of State for India, Whether he has received any Memorial from Her Majesty's Covenanted Civil Servants in Bombay, praying for the redress of certain grievances; and when the Memorials from Civil Servants in Bengal and Madras will be in the hands of Members?

Mr. T. G. BARING said, that the Memorial from the Civil Servants in Bombay had been received by the last mail, and that the Memorial from the Civil Servants in Madras and Bengal had been presented and laid on the table on Friday last.

PAROCHIAL ASSESSMENT.—QUESTION.

Mr. HODGKINSON said, he wished to ask the President of the Poor Law Board, Whether he has any official knowledge that, in consequence of the Government having in the last and the present Session promoted a Bill to amend the Law respecting Parochial Assessments, the revision of the assessments in a large number of parishes is postponed; and whether there is a probability of the Bill now before the Select Committee of which he is Chairman being reported to the House so as to give sufficient time for its Consideration and being passed into Law during the present Session?

Mr. C. P. VILLIERS said, in reply, that he had no official knowledge that any such consequence as that to which the hon. Gentleman alluded had followed from the course taken by the Government in that matter; but he had heard that two or three places, including the town which the hon. Member represented, were anxious that the Bill in question should pass, in order that they might have a remission of their present assessment. In reply to the second question of the hon. Gentleman, he had to state that he had every reason to believe that the Bill would be shortly reported to the House, and that there would be ample time in the course of the present Session to pass it into Law.

DEPARTMENT OF PUBLIC WORKS.

QUESTION.

Lord ROBERT MONTAGU said, he would beg to ask the First Lord of the Treasury, If it is the intention of Her Majesty's Government to bring forward any measure during the present Session for the purpose of carrying into effect the recommendations contained in the Report of the Committee on Miscellaneous Expenditure, so far as they suggested a transfer of all public works (save those for Naval and Military purposes) to one Department, and the appointment of a permanent Commissioner of Works?

Mr. AUGUSTUS SMITH said, he wished to know whether, in case the Government determine on giving effect to the recommendation of the Committee, they will lay a measure upon the subject before the House.

Viscount PALMERSTON said, he did not then remember the whole of the recommendations of the Committee to which the noble Lord referred. But he believed that almost all the public buildings, except those of a Military or a Naval character, were at present under the supervision of the First Commissioner of Public Works. With regard, however, to the main drift of the question, whether it was the intention of Her Majesty's Government to appoint a permanent head of the Department of Works, he certainly was not prepared to say that the Government had any such intention. That would withdraw from responsibility in that House the chief direction of the works on public buildings, and he thought that would not be advisable. In the first place, it would deprive many hon. Members of the agreeable opportunity they at present possessed of criticising the conduct of the Chief Commissioner, and of having a regular battle with his proposals. It would also be unconstitutional, inasmuch as it would withdraw from that House the control over a considerable portion of the public expenditure.

PROPOSED NEW COURTS OF JUSTICE.

QUESTION.

Mr. COLLINS said, he wished to ask

the First Commissioner of Works, Whether it is his intention to proceed with the Courts of Justice (Money) Bill, the second reading of which was negatived on the 10th of April last?

Mr. COWPER said, the Bill to which the hon. Gentleman referred was closely connected with the Courts of Justice (Building) Bill, and it would be more convenient that the Government should state their intentions upon the subject when the Order of the Day for considering that latter measure should come on.

GRANT TO MR. GEORGE LINNÆUS BANKS.—QUESTION.

Mr. BENTINCK said, he wished to ask the Secretary to the Treasury, Whether it is true that Mr. George Linnæus Banks has been placed on the Civil List for a pension of £50 per annum?

Viscount PALMERSTON said, that no pension had been awarded to Mr. Banks. Representations had been made to him that Mr. Banks, being a man of considerable literary attainments, who had devoted much time to literature, and also to the extension and encouragement of mechanics' institutes, had therefore rendered great public service; but that, from peculiar circumstances, he had been reduced to such a condition that a small grant from the Royal bounty would be well bestowed. A grant of £50 from the Royal bounty had been accordingly made; but it was not an annual pension, and did not involve any further grant.

PRINCE NAPOLEON IN NAPLES.

QUESTION.

Mr. DARBY GRIFFITH said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the French Government have made any communication to the English Government in explanation of the object of Prince Jerome Napoleon's present visit to Naples?

Mr. LAYARD said, that Naples, as his hon. Friend was aware, was a place full of objects of great interest; and Her Majesty's Government did not consider it necessary to ask explanations with respect to a visit paid by any person to that city. But if there were any private motives in the case to which the hon. Member referred, he would probably find them in the *Moniteur*.

CAPTAIN COLES'S SHIELD.

QUESTION.

Lord ROBERT MONTAGU said, he rose to ask the noble Lord the Secretary to the Admiralty, Whether it is the fact, as he understood it had been stated on the previous evening, that Captain Coles had been consulted by the Admiralty with regard to the experiments about to be made on his shield or cupola; and that those experiments were to be under his direction; and if that be the case, can the noble Lord give any explanation of the letter from Captain Coles which appeared in *The Times* newspaper that morning, and which led to a different conclusion?

Admiral WALCOTT said, that he had on the previous day, with the permission of the House, asked a question of the noble Lord the Secretary to the Admiralty with a view to eliciting information as to whether Captain Coles had been consulted by the Admiralty with regard to the intended experiment at Shoeburyness on the cupola shield fitted on board the *Trusty* Floating Battery, by firing at it from a 150-pounder gun. The noble Lord had distinctly stated that Captain Coles had been consulted. He should therefore like to have some explanation in respect to the discrepancy between that statement and a statement made by Captain Coles in a letter dated the 12th inst., which that officer had addressed to the editor of *The Times* newspaper, clearly denying his having been so consulted.

Lord CLARENCE PAGET: Sir, I am greatly obliged to the noble Lord and to the hon. and gallant Member for Christchurch, for putting these questions. I have read in *The Times* newspaper this morning, with considerable regret, the letter from Captain Coles. For Captain Coles I have a great personal regard. His shield underwent a very severe trial some months ago, by firing at it with various guns, notably from 100-pounder Armstrong guns, and was considerably shaken. My noble Friend (the Duke of Somerset) thought it would be very interesting that a further trial of that shield should take place with a still heavier gun—namely, with the 150-pounder Armstrong gun, which has been lately tried, and my noble Friend therefore ordered the shield should be repaired and put in order with a view to its further trial. Captain Coles came to me to the Admiralty, and represented that unless he could go down and inspect the repairs of his shield, he thought it might not be sufficiently strengthened in order to afford a fair test of its irresistibility against 150-pounders. When this was told to the First Lord of the Admiralty, my noble Friend replied, "By all means let him go down and himself inspect the shield, and suggest to the Admiralty any further strengthening which he thinks it may require;" and a letter was written accordingly to Captain Coles. Captain Coles has, I think, very injudiciously, and without reflection, sent that letter to *The Times*, in which he makes complaint that the Admiralty are carrying on this trial with the shield without consultation with him. I am very sorry that he has done so, and let me take this opportunity of making this remark on another portion of his letter. Captain Coles says, that he is not responsible for the construction of the cupola shield ship now being built, nor for the *Royal Sovereign* three-decker now being cut down. Let me distinctly state, that Captain Coles is not responsible for any of those ships. He is simply responsible for his own shield. He made proposals to the Admiralty to construct ships, but he is not a shipbuilder, and his plans were not at all available for the public service. What was available for the public service was his shield, and the Admiralty had consequently adopted it. We have consulted Captain Coles with regard to their construction, and, in short, have given him every opportunity of turning out the best shield he could; but I do deprecate an officer of the Royal Navy who is on full pay, like Captain Coles, writing letters to newspapers at a time when he is employed under the orders of the Admiralty on a very important work; and I sincerely trust that my friend Captain Coles will not repeat that conduct.

TRAMWAYS BILL.—LEAVE.

FIRST READING.

Mr. AYRTON, in moving for leave to bring in a Bill to authorize the construction of tramways on turnpike roads and other roads in England, said, that power had already been given to the local authorities in Scotland and in Ireland for the construction of tramways there; but the measure he asked leave to introduce did not propose to confer such an extensive power as this. In London the tramways laid down had been found most inconvenient to vehicles using the same line of road; they were in fact railways sticking up in the middle of the roads; but the tramway which had been many years in use at the east end of London did not interfere with the ordinary traffic, and iron ways of a similar character might probably be devised. Such tramways would be of immense advantage both to agriculture and commerce, and would greatly reduce the draught of the carriages and their wear and tear. The Bill would enable the local authorities, where no objection existed, to consent to the tramways being laid down within their jurisdiction; and where any objection was raised on the part of any person occupying property in the parish, or using the road, the Court of Quarter Sessions would be empowered to examine into the objection, and if they disapproved of the project, it would not take effect. The power of the local authorities would be limited to a tramway which could not interfere with the ordinary traffic of the road; and every person would be at liberty to use it, on payment of a reasonable toll. No compulsory powers would be conferred by the Bill, which would be entirely of a voluntary character; nor should he ask the assent of the House to the measure until the details had been examined by a Select Committee; and if the House should consent to read the Bill a second time, he should move to refer it to such a Committee.

Sir JOHN SHELLEY said, his objection to the Motion was removed by the declaration of his hon. Friend that it was ultimately his intention to refer the Bill to a Select Committee. But he could promise him that, in consequence of the experience they had already had of the effects of laying down tramways in the crowded thoroughfares of the metropolis, unless the metropolis were exempted from the Bill, it would meet with great opposition.

Mr. DEEDES said, he should have liked to hear who were to be the promoters of these tramways—whether they were to be executed by a company or by persons locally resident in different parts of the country? On the other hand, a provision which gave such a power to the local authorities would be viewed with much jealousy. In some instances, surveyors of highways had assumed a right to authorize the erection of electric telegraph posts, or interference with the road for one purpose or another. But the right to the soil of the road remained in the proprietors on either side: though the local authorities might have power to prevent it from being broken up, they had no inherent right in the soil. He should not oppose the introduction of this Bill, but it would require to be watched with great care.

Sir LAWRENCE PALK said, he believed there were many parts of the country in which tramways would be found a great convenience by the inhabitants, while it would be an act of great humanity to provide the relief which they would afford to horses. He had no doubt that such tramways would be most beneficial to the whole country, and would in process of time prove valuable feeders to the various lines of railways. For these reasons he hoped that leave would be given to bring in the Bill.

Mr. AYRTON said, the Bill did not contemplate the formation of any company, as it would be open to any one to lay down a tramway. Nor did it confer any authority upon local surveyors. In reply to the remarks of his hon. Friend the Member for Westminster (Sir J. Shelley) he might observe that it was by no means necessary that tramways, if laid down within the metropolis, should be laid down in the same objectionable manner as those to which he had referred.

Leave given.

Bill to authorize the construction of Tramways on Turnpike Roads and other Roads in England, *ordered* to be brought in by Mr. Ayrton and Sir Lawrence Palk.

Bill *presented*, and read 1°; to be read 2° on *Wednesday* 21st May, and to be *printed* [Bill 118].

HULL CITADEL.

PAPERS MOVED FOR.

Mr. AUGUSTUS SMITH, in moving for papers connected with the transfer of Hull Citadel from the War Department to the Woods and Forests, said, that when the Citadel was no longer wanted for military purposes, it might have been supposed that the property would have been sold, and the proceeds applied to the construction of similar defences in other parts of the Kingdom. But no sooner had the War Department determined to give up the works as a fortress, than the Citadel was claimed by the Board of Woods and Forests as the property of the Crown. A case was drawn up and submitted to the law officers of the Crown; and on the opinion they gave the Board of Ordnance gave up the property to the Woods and Forests. Now, when public property was thus given up, the public had a right to know what were the legal grounds of the transfer. The value of the Property was not less than £100,000; it had been in possession of the Board of Ordnance for 300 years; and he wanted to know why it had been transferred to the Woods and Forests instead of being sold. If the principle acted on in this case was held good, it would be applied to all similar cases of public buildings when no longer required for their public purpose. They might also be handed over to the Woods and Forests as the property of the Crown, instead of being considered the property of the public. If at any time the seat of the Legislature should be changed, the Palace of Westminster itself might, on the same principle, be handed over to the Woods and Forests as Crown property. He would therefore move—

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of the Case prepared in the War Office, and settled in the Department of Woods and Forests, which was submitted to the Law Officers of the Crown, respecting Hull Citadel; and of their Opinion given thereon."

Mr. PEEL said, that the property to which the hon. Gentleman referred was for a long time in military occupation by the War Department. When it was no longer required for that purpose, a question arose whether the title to it was vested in the War Department or in the Crown as part of its hereditary revenue. That question had been submitted to the opinion of the law officers of two Governments, and their opinion was that it belonged to the Crown in respect of its territorial revenue. It was not usual to lay before the House the cases that had been prepared for the opinion of Her Majesty's law advisers, and there was nothing peculiar in this instance to call for a departure from the ordinary practice. The case in question was prepared jointly by the solicitors of the War Office and of the Woods and Forests. There was every reason, therefore, for presuming that the whole matter was fairly set forth as between those two departments. The War Office was reluctant to part with the property; but submitting to the opinion of the law officers, they gave it up to the Woods and Forests. The present Lord Chancellor and Mr. Justice Keating were the law advisers when an opinion was taken in the first instance, in 1857; subsequently an opinion was obtained from the law advisers of the late Government, and on both occasions the opinion was that the property was in the Crown; and consequently the Woods and Forests took possession of it as trustees for Her Majesty, her heirs and successors. The hon. Gentleman seemed to complain that the Office of Woods, when any property vested in them was required by the public, exacted occupation rent. He would remind the hon. Gentleman that this property was in the nature of an entailed property, of which the life interest was in the public, with the Crown as reversioner. The Office of Woods were the trustees, and were obliged to manage it in accordance with the Acts of Parliament, which directed that the income of the property should be first applied for its maintenance, and that any surplus income should be paid over to the Exchequer. Any rent, therefore, that might be charged to the public, went exclusively to the benefit of the public revenue.

Mr. AUGUSTUS SMITH said, that the property now in question never was the property of the Crown, except as a portion of the defences of the kingdom. Great complaints were on one occasion made, that the gates had been shut; and a representation having been made to Parliament, it was distinctly stated that the citadel of Hull was purchased by the public money. What he complained of was the large expense the country was put to in the shape of Crown revenues.

Mr. DILLWYN said, he should vote for the Motion if the hon. Member divided the House. It was a most important question, because, in point of fact, it involved the property in the foreshore of the whole coast of England, and the public were entitled to the fullest information. It might not be advisable as a general rule to give the opinions of the law officers, but this was an exception.

Question put.

The House *divided:*—Ayes 41; Noes 180: Majority 139.

INCOME TAX.—RESOLUTION.

Mr. HUBBARD then rose to move the Resolution of which he had given notice—

"That the incidence of an Income Tax should not fall upon Capital or Property; and that when applied to the annual products of invested property, it should fall only upon the net Income arising therefrom; and that the net Profits, Gains, or Salaries of persons in partnerships (not being public Companies) engaged in any trade, manufacture, profession, or salaried employment, should be subject previous to assessment to such an abatement as may equitably adjust the burden thrown upon intelligence and skill as compared with Property."

The hon. Member said, it had been his intention to move a series of Amendments upon the progress of the Income Tax Bill which would be introduced; but finding that such a course would be inconvenient to Her Majesty's Government, he had relinquished it for the one he was now following. By bringing the Motion forward at this time he avoided any interruption of the progress of Government measures which were necessary for the collection of the revenue, and he thus released Members on both sides from embarrassment, and enabled them to treat the subject on its intrinsic merits. He asked the indulgence of the House while he submitted the proposal which he had now to make—which was not a mere question whether such a tax should produce so much and no more; whether it should be levied at such a rate and no more; or whether or how far it obstructed the industry of the country; but it went to the point, "Does the Legislature, as concurring with the Government, accept the full responsibility of one of their most important functions and the most important application of it?"—for if it be the duty of a Government to ensure the safety of the people from external foes and internal violence by a wise expenditure of the public revenue, much more is it their duty to take care that that revenue is collected by means which do not injure their property or impair their morality. He proposed briefly to lay before the House what he considered to be the right principle of an income tax; in the next place to show how the income tax, at present in abeyance, violated those principles; and, in the next place, to show how easily the existing legislation on the subject might be amended by the application of the true principles which he conceived should regulate a just income tax. He might be told that last year the House granted a Committee of Inquiry into the subject, and he might be asked why he did not bring forward the Report of the Committee. He was quite ready to bring it forward. He would read the judgment of the Committee on the proposition that he made—

"Your Committee, however, after full consideration, have arrived at the conclusion that the plan proposed by their Chairman does not form the basis for a practical and equitable re-adjustment of the income tax, and they feel so strongly the dangers and ill consequences to be apprehended from an attempt to unsettle the present basis of the tax, without a further perception of the mode in which it is to be reconstructed, that they are not prepared to offer to your honourable House any suggestion for its amendment. This tax having now been the subject of investigation before two Committees, and no proposal for its amendment having being found satisfactory, your Committee have come to the conclusion that the objections which are urged against it are objections to the nature and essence rather than to the particular shape that has been given to it. Your Committee also feel that it would be unjust to make any alteration in the present incidence of the income tax, without at the same time taking into consideration the pressure of other taxation upon the various interests of the country, some of it imposed by recent legislation, and in one case especially, that of the succession duty, to some extent by way of compensation."

He confessed he was not satisfied with that Report, and he did not think the country was satisfied with it. From that Report he deliberately expressed his most unqualified dissent. He would now proceed to the statements which he felt it his duty to offer to the House. First, with reference to the principle of an income tax, he thought he might assume from the absolute disuse of the word "property" in all recent papers and speeches on the subject that what used to be called "the property and income tax" was really income tax, and was intended to be so. That admission established the first axiom he wished to submit, which was that an income tax should be strictly a tax on income. Then the question immediately arose—What is income in the view of taxation, in the view of the Chancellor of the Exchequer, looking not upon this individual or that, but looking upon the whole country? To illustrate his meaning, he would take the case of a man who had an income of £1,200 a year from the interest of money lent to an individual or to the Government. He had no expense of collection, but could place the whole of it to his credit at his banker's, and might, if he chose, expend the whole amount. Then take the case of another man, who had an income of £1,200 arising from the rent of land; but of that £1,200 £100 had to be spent in the repairs of farm buildings and fences, and £1,100 only could be paid in to his account at his banker's. Then take the case of another man, who had an income of £1,200 arising from houses: out of that he had, perhaps, to expend £200 for repairs and insurance; so that he had left only £1,000 out of his income of £1,200. Then take the case of a man who had an income of £1,200 from mineral property. In order to maintain the value of the investment, he must lay by £300 a year; so that he would find his spending income reduced to £900 a year. The question that he had to ask was—What was the amount of income in each of these cases with the view to taxation? Was it the £12,000, which if wholly spent, would ultimately ruin the land, the house, and the mine owner; or was it the amount of net income which in each case could be annually expended without impairing the owner's fortune? He might quote other cases of the same kind, but he had said enough to show that income, with the view to taxation, should be not the gross income, but the net income. In all these cases there was the common feature that the incomes were derived from property; the incomes were permanent in their nature, and they were all accruing spontaneously to the owner; therefore all these net sums were obviously open to an equal taxation, and they had this common character, that in every instance the tax-gatherer collected the tax from the hand, not of the owner, but of the tenant or borrower. But he had now to look at incomes arising from industrial pursuits, and in these also there was a common feature, that they were inevitably not the spontaneous growth of property, but inevitably and necessarily the results of a certain amount of labour, skill, and intelligence, applied to a greater or less amount of capital, so that the moment the labour ceased the income ceased also. These incomes depended on the life, the health, and the position of the individual, and were peculiarly precarious, and consequently were not available to the same extent for the expenditure of the owner, who ought in the exercise of prudence to lay by a much larger proportion of his earnings than was incumbent on the possessor of a permanent income. If they could by any contrivance determine the exact proportion of these industrial earnings which ought to be so laid by, they would at once have a sound basis on which to proceed in levying a just income tax. When they saw the immensity of the grievance attached to a remediable but unremedied evil, they must be content if they could approach with a certain amount of correctness the remedy of that evil. He would now state why he conceived that the present law was grossly at variance with true principles. The present law, in the first place, did not tax the rent of land as it ought. It taxed the whole of the tenant's rent, and without deducting the amount paid for repairs. The same observation applied with increased force to income derived from houses, for that portion of the rent applied to the maintenance of the property in repairs and insurance was taxed, though it was not available as income. Still greater injustice was inflicted upon the owners of mineral property, the whole produce of the mine being made subject to the tax. The tax was levied also on fines paid for the renewal of leases, although the full annual value of the property had been already taxed in the hands of the lessee or tenant; so that the tax was imposed twice over on same property. But the greatest injustice, perhaps of all, was that inflicted on the owners of terminable annuities. Here the capital given as the consideration for annuities terminable by lapse of years or lapse of life, was taxed in the annuity through which it was being repaid with interest; so that if a man expended £10,000 in existing terminable annuities, he would have to submit to a deduction of 9*d.* in the pound upon the whole sum invested. He wished the House to affirm a principle for the constitution of the income tax. He would refer briefly to the measure he laid in detail before the Committee last year, in order to show that he was not calling upon the House to make a mere abstract declaration, which could have no practical result, but one which could be carried out with perfect facility and with an unquestionably just result. He proposed that in the case of the owners of land a deduction should be made from the gross income of one-twelfth or 20*d.* in the pound; upon houses he proposed that the deduction should be one-sixth. He thought these proportions had been carefully fixed. With respect to house property, he might quote the evidence of Mr. Lee, a surveyor in a considerable way of business in London, who informed the Committee that in assessing houses for the poor rate he had been in the habit of deducting 15 per cent in order to compensate the owner for the outgoings for insurance and repairs; and also that that deduction had been sanctioned by the Court of Queen's Bench. He (Mr. Hubbard) would submit, that if such a rule was just as regarded the poor rate, it was equally so with regard to the income tax. The question of minerals was a much more difficult one; but after a careful consideration of all the evidence he could find on the subject, he had come to the conclusion that a deduction of one-tenth ought to be allowed on all earthly minerals, and one-fifth on all metallic. And here he must remark that the taxation of mineral property was the most crude and barbarous of any that he had become acquainted with in the course of the inquiry. So utterly without system was the present mode of assessment, that the tax-gatherer simply went to the pit mouth, counted the number of tons that were brought up, put upon it what estimated value he pleased, and then upon the gross result levied income tax, without considering what was due to the owner of the royalty, and what to the mining adventurer. Suppose, for example, a mine was taken for fifteen years, for the first year every farthing of the capital must be advanced for the purchase and working of the mine, and during the remainder of the term every portion of the adventurer's outlay must be repaid him before it could be said that he had derived any income from the speculation at all. But the income tax Commissioners and the Board of Inland Revenue, would not allow a single farthing to be deducted from the estimated gross value of the produce derived from the mine—they assessed it to the full amount. This was an instance in which he must say the natural inequality and absence of principle of the tax had been aggravated by the unnecessary mismanagement of those who were charged with the administration of the law. With regard to money lent, to be repaid in the form of a terminable annuity, the remedy for the existing unfairness was exceedingly easy of application. If £10,000 was lent to be repaid by annual instalments, they had only to take care that they charged income tax on what was interest, and that they left untaxed what was merely the repayment of capital. There were some who said it would be impossible to distinguish between what was capital and what was interest. In the course of the inquiry the Committee had before them a grave financial document, in which it was calmly asserted that monied Corporations lending money on security or selling annuities, were lending and borrowing, buying and selling, not capital, but interest. If such was the confusion of ideas which prevailed in financial quarters, one could not wonder that an impost like the present income tax had descended to the present day unreformed. But to come to the remedy of the grievance. That remedy, he was glad to say, he had found in an Act of the Legislature itself. In the year 1840 Parliament advanced a sum of £3,000,000 to the landowners of the country, to be repaid with interest in the course of twenty-two years. The loan thus took the shape of a terminable annuity or rent-charge, at the rate of £65 for every £1,000 lent. The 60th section of the 5 & 6 *Vict.* "empowered landlords to deduct and retain the income tax out of every rent-charge or annuity for which their land was liable,' but in 1853 the Legislature provided (16 & 17 *Vict.*, c. 34, s. 42)—

> "Certain advances of public money to promote the improvement of lands have been made by way of loan . . . . . and the repayment thereof has been secured by a rent-charge . . . . by which the principal sums advanced will eventually be repaid with interest thereon, and it is just that provision should be made for deducting and allowing the duty charged by this Act in proportion to such interest on the payment of such rent-charge; it shall be lawful for any person paying any such rent-charge from time to time to deduct and retain thereout in respect of the duty chargeable under this Act one-third part of the sum which the rate of such duty computed on such rent-charge will amount to, and no more."

This clause (the 34th) of the Income Tax Act of that year had been brought to his knowledge by pure accident; and he should imagine that few hon. Gentlemen in that House could be aware of its existence. By the Act of 1842 the landowner was allowed to deduct income tax on the whole of his instalment; but in this cluase Parliament interfered, and said "You shall deduct the income tax on that part of the instalment which is income, but that part of it which is capital shall come back to the Exchequer untouched." This was perfectly just. Deduct the income tax on the interest if they chose, but let the capital which was lent be returned without deduction. What he complained of was that the same principle had not been generally applied, and that the Government should make one law for their creditors and another for their debtors. Nothing could be more just than to apply the same rule to the public creditor who had to receive a terminable annuity. He would venture to say to the House, "Don't make one law for your creditors and another for your debtors; don't excite the feeling, the criticisim, the ill-will, the hatred, and the contempt of the people by such grossly unjust legislation as is here exposed." Those who valued the character of the Government of this country should gladly seize any opportunity of removing so gross and glaring an anomaly. Now he came to the last question, which he felt was by far the most important, and the most difficult;—it extended over a far larger sphere, and involved the interests of a far larger body of men. With regard to the other classes, the remedy he proposed was a matter of plain calculation; but this was not so much the case in the present instance—the assessment of industrial incomes. In his opinion, it was absolutely necessary that some attempt should be made to adjust the burden now thrown so unequally upon skill and intelligence as compared with property. The remedy he sought he would venture to explain by expressing a principle, and leaving the measure of its application to the House. He would say, make such a deduction upon industrial incomes as would justly represent the burdens which that class of incomes had to bear as compared with other classes. In the first place, he should probably be met by the question, "What do you mean by an industrial income? Do you put in the same category the acting and the sleeping partners of a firm, and the shareholders in a public company?" He ventured to reply that the necessary discrimination could be applied with perfect facility and perfect justice. The principle for which he contended was that they should not levy the same tax upon income which was the result of industry or skill, and upon income which was the mere result of capital. When they found a person carrying on a profession simply, there could be no question as to his case. A physician or a lawyer who earned his whole income by the exercise of his brain, was beyond doubt entitled to the whole of the remedy. The difficulty was when the income was earned partly by skill and partly by capital. In these cases he believed the difficulty was more fanciful than real. They could not attempt to discriminate between the two elements. In this country they could never arrive at what a man's capital really was, and they must therefore be satisfied to take the income earned as the combined result of skill and capital. When, however, they passed from individuals to companies they could easily make the desired discrimination. In those cases the labour and the skill were separately paid for; and they could, therefore, make the allowance to which those qualities were entitled, while the net result of the company's operations, the profit or dividends assumed simply the form of interest on capital. Then he might be asked how he would distinguish between companies and partnerships; or in what respect the case of a sleeping partner differed from that of a shareholder? His answer was, that the tax-gatherer knew nothing of sleeping partners at all. The firm was an industrial whole —they did not tax the individual members of the firm, but the firm itself. As to the distinction between partnerships and companies, the law had already settled that. The Companies' Act defined in clear terms what "companies" were and what "partnerships" were. So many persons formed a partnership—so many persons constituted a company. When a partnership reached that number, it assumed the quality of a company, and as a company it must be registered. Thus the matter would present to the tax-gatherer no difficulty at all. The net result of the operations constituted the interest of the capital to be fully taxed: the skill and industry producing those results would be subject to an abated assessment. He now wished to grapple with some of the objections which had been raised against what he admitted was a principal feature of his scheme. He might be told that his plan was not careful about individual cases—that it took whole classes of incomes and dealt with them in a mass—that it would, in fact, grant an unasked boon to some, while others it would leave still subject to an unfair burden. Of course, it was far easier to find a fault than to mend it. But would the House refuse to do justice in the mass because it could not deal with individual cases? No doubt some owners of house property might spend five per cent on repairs while others might spend twenty-five; no doubt some persons might save nothing out of an industrial income, while others might save nine-tenths; no doubt it might be called unjust to place all these in the same category; but he would rather do justice on the average than leave injustice on the average unrepaired, because he could not devise a remedy that would reach every particular case. He had the more confidence in the success of what he was proposing, because nearly the whole had already received legislative sanction. What he was asking for was nothing new, but was simply an extension of a system of legislation already inaugurated. Take, for example, the question of exempting savings from income tax. By a clause in the Act of the 16 *Vict.*, the taxpayer was entitled to deduct to the extent of one-sixth of his income, provided that he could show he had expended that portion of it in the purchase of a life policy for himself or his wife. Mr. Pressly, the Chairman of the Board of Inland Revenue, was asked by that Committee whether a man who had an income of £6,000 a year, and who spent £1,000 of it in premiums on a life policy, would be allowed to pay the tax on £5,000 only? Mr. Pressly said that of course he would. "On what principle," was the next question—"on what principle do you justify that?" "Because the £1,000 so expended is not considered part of his income," was the reply. In that sentence his (Mr. Hubbard's) whole case was proved. The Legislature had determined, that if a person invested a certain portion of his income in a life policy, it should be exempted from the tax, because the portion so invested was not income at all. That was his (Mr. Hubbard's) case. Withdraw the absurd and ridiculous limitation as to the mode of investment, and increase the proportion from one-sixth to one-third, and do not limit it to money invested in life assurance, and he was satisfied. The amount of income on which the tax was now levied was about £300,000,000; and the Act of Parliament allowed a sixth of that to be exempted; but was there ever anything so preposterous as to suppose that £50,000,000 could be invested every year in life assurances? If that were done, where were the funds to come from with which to extend trade and commerce; or indeed what would the insurance offices do with the money? The Legislature had made, with a very good intention, a most valuable admission of a great principle; but it had done it in a form so absurd and extravagant, that no wonder it had proved utterly worthless for the purpose for which it had been designed. He knew he should be charged with being the advocate of a particular class, and that he should be told his object was to relieve Schedule D at the expense of the rest. That, however, was by no means the case. By a clause in the original Act of 1842 (clause 133), it was provided that the assessment should be upon a triennial average of income derived from precarious sources; but it was added that in case that average triennial income was more than the actual income of the year in question, the difference should be returned. The object of that proviso was very plain. When the tax was imposed for a single year, it was felt to be harsh, whatever the antecedents of a man's income might have been, to require him to pay on a larger sum than he was actually receiving; but when they made the tax a perpetual one, the rule became perfectly absurd. He (Mr. Hubbard) had obtained some information of its working in the case of a firm in the City. The aggregate income for ten years of the house in question, reckoning each year's returns on a triennial average, was £78,640; but the aggregate sum on which the tax was actually paid was only £40,083, or very little more than one-half of the real amount. The result of this was to charge the full amount where an income was steady, but to excuse nearly half the tax where the amount of the income fluctuated from year to year. These circumstances could only arise in the cases of persons trading upon a very large scale—of large manufacturers losing in adverse times, and recovering themselves in more prosperous times; and it was therefore an act of special favour to those by whom the favour was least required, and was an abatement which was in no degree shared in by those who made small and regular profits as traders, by professional men with regular salaries, or by that large and meritorious class the salaried officers of the State and of private individuals. This was one feature in the tax which he should be glad to see disappear. He did not want to see, under Schedule D, one class enjoying so important a boon; while others, and perhaps in many respects those who ought to be more considered, were in no degree benefited. There was another evil attached to the operation of the tax, and especially with regard to smaller incomes, to which he wished to draw attention. A person whose income amounted to £99 19*s.* paid nothing to the income tax; but if he were assessed at one shilling more, he had to pay at the rate of 6*d.* in the pound, or £2 10*s.* upon his income. The operation of this sudden rise from no taxation to a payment of £2 10*s.* gave rise to enormous misrepresentation and fraud, and, no doubt, it offered a very great temptation to a man of small means to return his income at less than the actual amount, and thus an encouragement was held out to defraud the revenue, and great trouble was given to the officers who had charge of the assessment and collection of the tax. Again, in the case of incomes of £149 19*s.* the rate of 6*d.* was paid, while an income of £150 paid the full rate of 9*d.*; and this difference of rate had the same effect as the exemption of incomes under £100 in stimulating fraudulent returns. Both of these difficulties could be easily got rid of by the proposition he ventured to submit; and fixing £180 as the lowest amount to be entitled to an abatement of one-third, £60 would remain as the settled deduction from all incomes under that amount; so that a man having an income of £100 a year would be assessed, not upon £100, as now, but upon £40, and would pay 30*s.* instead of 50*s.*, at the 9*d.* rate, or 20*s.* at 6*d.* in the pound. He thought a tax of 20*s.* would not be very dangerous to the morality of those who had to pay, and he had no doubt, from all the evidence he had been able to obtain, that in this particular the change he proposed would not only largely conduce to more accurate returns from the taxpayers, but would largely diminish the labour and difficulties of those who had the administration of the tax. He was aware that the idea of making people honest by granting a boon had been not only ignored but ridiculed; but it was not simply to the amount of the abatement that he looked for that result. If the Government were to show themselves acquainted with the grievances complained of, and, without proposing to reach each individual case of injustice, were to endeavour as near as possible to meet the complaints, he believed that that declaration would arouse a feeling in the country which would operate in returns largely to the advantage of the Exchequer, and would probably make the people regard the tax with less displeasure. He believed, that if they wanted to make men rogues and liars, there was no readier way than to treat them as if they were so; and that if, on the other hand, they treated them with confidence and as honest men, and with that justice which should distinguish the legislation of England, the effect would go far to make them honest and truthful. He knew that there were persons who disbelieved in the feeling of responsive confidence, but he had a better opinion of the English people. It was true that Mr. Coleman, an official accountant in the City, who gave very valuable information to the Committee, said in his evidence that he did not think the returns would be very much more correct even if the measure of adjustment proposed by the Chairman (Mr. Hubbard) were adopted. He gave Mr. Coleman's view because he did not wish to leave any class of opinion unrepresented. But Mr. Coleman, from the nature of his occupation, had been specially concerned with persons not of the highest but of the lowest commercial standing, with insolvent and bankrupt firms; and they knew how very apt misfortunes and embarrassments were to make people less scrupulous in their dealings than they would otherwise be. He could not therefore allow that Mr. Coleman's contrary evidence carried any authority with reference to this not unimportant point. He conceived that infinitely above the mere fact of pecuniary compensation to those who were sufferers under the present clause was the immense gain of removing from them the temptation to fraud and dishonesty which arose from the conviction that they were unjustly treated by the State. This tax had been so long pressing inequitably upon the country that many persons who would he was sure under ordinary circumstances have shrunk from anything that was untruthful and dishonourable, had come to the belief that the case was settled between them and the State—that the State robbed them, and they were justified, therefore, in robbing the State; and by the action of this principle all idea of honesty with respect to the income tax had been obliterated. In his evidence before Mr. Hume's Committee in 1851, Mr. Warburton, the eminent political economist, expressed himself very much in favour of keeping things as they were, untouched; and when asked how he would treat professional and mercantile incomes, said—

> "I would treat professional and mercantile incomes in the light of short annuities, and levy upon them the same rate; and with regard to incomes of this description I should act very much as the State has acted, not making it very inquisitorial, because if you did, there would be a rebellion against the tax, and it would be no longer paid. I believe the tax has been levied with great moderation by the State; that was the practice when I was a merchant, from 1808 to the repeal of the 10 per cent tax. For years I made the same return annually, and was never surcharged.
>
> Supposing A, employed as a merchant, returns his £1,000 profit for the year, do you consider that he ought to be taxed three per cent upon that £1,000, or is there any modification by which you would alter the amount on which he should pay the tax?—I would treat that precisely like any other annuity. The merchant makes his own return. The greatest indulgence is in that respect shown him by the State. In the case of other properties the parties may possibly have reason to complain. A man who has an income derived from land or houses, gets no allowance for repairs, and various other heavy deductions which are made upon the nominal rent; but the mercantile and professional men make their own returns at their own discretion; and whatever the return may be, it is hardly possible by investigation to find out whether the return is true or not. As the returns are made by the parties themselves, without any possibility of really testing their accuracy, I should, generally speaking, say that those two descriptions of persons were more leniently treated than those who have the tax levied upon visible and tangible property, where it is levied not only to the last shilling, but considerably beyond it in the case of land and houses."

What was the whole meaning of this evidence? An eminent merchant and Member of that House acknowledged that for years he made the same return, and was never surcharged, and the leniency of the Administration in omitting to enforce its rightful claims is cited as a merit in the law. He (Mr. Hubbard) thought it most deplorable that a person of Mr. Warburton's position and standing should bring forward as an argument in favour of leaving the income tax unaltered, that as it was levied it was left entirely to the discretion of the taxpayer to return the amount upon which he ought to be assessed; that he made his own returns, and that the State never interfered to see whether they were right or wrong. He had been told that at such places as Manchester the misrepresentations with regard to assessments were notorious—that they were well known to the authorities, who were, however, powerless to correct them. With regard to the effect of the readjustment he proposed under Schedules D and E, without rating the amount too high, he felt confident that the disparity between the amount of the abatement, and that which would be ultimately realized, would be short of one-half of what would be the apparent concessions by the abatement of a third of the amounts liable to assessment. In considering the effect of the change which he proposed in Schedule D, it was necessary to consider also how the other schedules would fare upon a general readjustment of the tax, supposing that they were to realize the same amount as at present. The only fair way to test his proposal was to treat the tax as one that required readjustment. He might be told that he was raising class against class, that he was wanting to introduce a measure which was to favour Schedule D at the expense of other classes, and he had heard the language used that the landed gentleman would have to pay for relieving opulent traders in London and in the manufacturing districts. An appeal had been made to the landed aristocracy of England to oppose their own personal interest to the consideration of a measure which had for its object the removal of an injustice. But to what extent were the agricultural interests engaged in this matter? In his most comprehensive speech the other evening, to which he (Mr. Hubbard) had had the pleasure of listening, the right hon. Gentleman the Member for Buckinghamshire, speaking of the taxation of the country, and turning to the benches behind him, said to the country Members, "It is to your class I am now coming, when I speak of additional taxation. The landed interest of England is the milch cow visited when more money is wanted;" and the right hon. Gentleman added, "the landed interest must bear a vast portion of the additional taxation required for the expenditure of the country." He admired the simile of the right hon. Gentleman, if it referred to the fertile pastures of that portion of the country which he represented; but if the whole of the rest of the agricultural interest were taken into consideration, it would be found that the land of England and Wales was assessed in the aggregate at £1,863,000, while the total amount assessed under the income tax was £10,424,000; so that the land stood under those figures at less than one-fifth of the whole amount assessed. But if to the land they added farms, which might be fairly thrown into the same category, they would have £2,436,000 as the amount at which land was assessed in the person of the owner or occupier, as compared with £10,424,000, the amount upon which income tax was paid throughout the whole country:—showing that the landed gentry and their tenants did not bear one-fourth of the whole amount of direct taxation. But if it were taken that they ought to bear a larger proportion, and that in the readjustment of the tax they were subjected to additional burden, who was the person responsible for raising the idea of class interest upon such a subject? Surely it should not rest with one who endeavoured to remedy what was acknowledged to be an injustice; the charge more fairly lay at the doors of those who endeavoured by raising such a cry as this to prejudice the attempt at readjustment. And if even it were true that the landed inrest would be sufferers by the readjustment of an unjust and oppressive tax, he hoped the landed gentry would not oppose their personal and class interest to a measure which would benefit the community at large. He felt there was no necessity for addressing any admonitory words to the landed gentry, to whom such prejudicial appeals had been made. For who were the landed interest? The descendants of those knightly and honourable men who inherited their estates from ancestors who had well served their country—composed also of men who had risen by their own skill and intelligence, and who would scout the idea of allowing personal and party interests to influence their votes on a question like this. The people felt that under the income tax they were not truthfully treated—that the law as it stood was a falsehood, which said one thing and did another. Such ought not to be the characteristic of English legislation. Injury done to one class ought not to be balanced against injury done to another, and certainly that was not the mode by which this measure ought to be disposed of. He had read with much interest the report which had recently been published on the subject of the Turkish finances. From that report he found that a part of the revenue of Turkey consisted of tithes; but he did not find that the Government of the Sultan even took the cow when they tithed the calves, or the ewe when they tithed the lambs. That was what our income tax did. It took not only the results of property, but the property itself. He would like to know whether those interesting visitors who were here, the Japanese, had considered the subject of the financial system of England. If they had done so, and they should make a report on the subject, how would they describe the income tax? They would say—"We find in this country an income tax, but we also find that it not only takes the interest but the capital which produces that interest. Again, we find that this tax robs the public creditor. We find, indeed, that savings are exempted from taxation; but that boon is coupled with a condition so remarkable that it becomes totally illusory, and not one in ten thousand is benefited by it. Again, we find that it permits very powerful traders, merchants, and manufacturers to escape, by virtue of a special provision, which they say is clause 133 of an Act, one half the taxation, while the more modest trader, professional and salaried man, has to pay the whole income tax. We find these anomalies in the law provoke such an amount of dislike, contempt, and evasion that the Government themselves are incapable of enforcing the provisions of the Act. Such is the law by which is raised a large portion of the taxation of a country which is supposed to be not only one of the greatest, but one of the wisest in the world." Such might be the picture which our Japanese visitors might draw of the income tax when they returned to their own homes. In the course of the inquiries which he had been enabled to give to this subject one only principle had been enunciated to justify this tax, and that was that it was one of practical convenience. He ventured to disbelieve the practical convenience, of any system which openly violated justice and truth, and he asked the House to affirm that the tax, if re-enacted, should be based upon a principle of truth. Truth in it was all he wanted. If there must be an income tax, let it be levied as an income tax: that was the substance of his Resolution. The hon. Member concluded by moving—

> "That, in the opinion of this House, the incidence of an Income Tax should not fall upon Capital or Property; and that when applied to the annual products of invested property, it should fall only upon the net Income arising therefrom; and that the net Profits, Gains, or Salaries of persons and partnerships (not being public Companies) engaged in any trade, farm, manufacture, profession, or salaried employment should be subject, previous to assessment, to such an abatement as may equitably adjust the burthen thrown upon Intelligence and Skill as compared with Property."

MR. CRAWFORD begged to second the Motion of his hon. Friend, and in doing so joined in asking the House to affirm the principle for which he contended. It was because he saw little prospect of being able to dispense with the income tax altogether, although it had been first imposed for a purely temporary object, that he assumed the responsibility of taking part in this discussion; and he was perfectly satisfied that he echoed the sentiments of the important constituency he had the honour to represent, and of all the other large constituencies in the country. Ever since the first institution of the tax, and especially in the years 1848 and 1851, great dissatisfaction had been expressed at the working of the income tax, which had culminated in the appointment of Mr. Hume's Committee. He had hitherto always indulged in the hope that we should be able to part with the income tax; but he was no longer able to see that prospect before them. The country appeared to be of a different mind altogether, and in the present large expenditure of the country, a speedy termination of which could not be expected, he could indulge in the hope no longer. The petitions recently presented embodied a fair expression of the popular feeling on the subject of the income tax. He wished to draw the particular attention of the House to one which he had himself presented from the barristers and solicitors practising in the metropolis, in which they stated that the mode of charging the same amount of tax on income from trades and professions as on realized property was most unjust, and it had been only reluctantly submitted to under the idea that the tax was imposed for a temporary purpose. That purpose could no longer be considered temporary, and it was the duty of the House to see whether the tax could not be readjusted. He did not intend to pursue all the train of arguments his hon. Friend had placed so perspicuously before the House. He concurred with him to a great extent in the plan he proposed to the Committee on the subject, and he concurred with him entirely in what he had stated that evening. But he would recall to the recollection of the House some of the opinions expressed in both Houses of Parliament in former debates on this question. In the House of Lords on the 17th March, 1842, Lord Brougham moved the following Resolutions:—

> "5. That with the same view it is expedient to make a distinction between income arising from capital of every description, and income arising from labour merely, levying a smaller proportion of the latter income than the former.
>
> "6. That with the same view it is expedient to make a distinction between income possessed by persons who have only an interest in the same for their lives or for some lesser term, and income possessed by persons who have an interest in the capital from whence the income arises, levying a larger proportion of the latter income than of the former.—[3 *Hansard*, lxi. 508.]

These propositions were not disputed by the Government, who met the Resolutions by moving the Previous Question. On the 18th March, 1842, the right hon. Baronet the Member for Portsmouth (Sir F. Baring) commented in this House on the injustice of the tax in language which was in complete accord with the views now put forward by the hon. Member for Buckingham. He said—

> "The tax now proposed, however, was one to which he could not consent. Was it a just tax? Was it an equal tax? Those were questions for the country to determine. Was it fair for those who were in the permanent occupation of property — that those whose property descended from father to son, and who might dispose of it as they pleased—should pay in the same proportion as those who obtained their annual incomes by their own exertions; incomes which would be immediately cut off by some of those casual accidents to

which humanity was liable, leaving the families dependent on them wholly unprovided for. For his own part he could conceive nothing more unfair than such a mode of taxation.—[3 *Hansard*, lxi. 857.]

Lord Howick (now Earl Grey) on the same occasion denounced the tax in these words—

> "Again, we are told that taxation ought to be equal. Can anything be more monstrously unequal than the tax recommended to us?"—3 *Hansard*, lxi. 893.]

And the right hon. Gentleman the Member for Ashton-under-Lyme (Mr. Milner Gibson), on the 4th April in the same year, said—

> "The right hon. Baronet had professed that he wished to take from all persons according to their means; but he failed to realize his professions, because he exacted from persons in trade and from persons who lived by their learning and faculties as much as from individuals of real property. He appealed to every man, Conservative or Liberal, whether this was just; and, moreover, whether they would sanction injustice with their eyes open? Did not such flagrant injustice invite every species of evasion?"—[3 *Hansard*, lxi. 267.]

In the same year, in the House of Lords, the Marquess of Lansdowne said—

> "But let their Lordships go a step further; let them go to trades and professions. There again the inequality was more gross than ever. But he would not advert to this part of the subject further, because his noble and learned Friend (Lord Brougham) had, on a former occasion, most eloquently dwelt upon the peculiar circumstances of those who in a state of bad health and of declining age, and finding their professional earnings were escaping from their reach, were nevertheless by the rigid rule laid down—and he admitted necessarily laid down—obliged to pay the fullest amount on their earliest returns, without having the poor consolation of enabling them to explain their case, because that very explanation would be injurious to them, and deprive them of the benefit which their former reputation had obtained for them."—[3 *Hansard*, lxiv. 29.]

He (Mr. Crawford) could not understand how it was now possible for these noble Lords and right hon. Gentlemen to profess different opinions from what they professed then, inasmuch as the principles remained the same. If they now came down to a period ten years subsequent, they would find that on the 18th April, 1853, the right hon. Gentleman who was now Chancellor of the Exchequer making the following profession—

> "I am not one of those who make light of these charges [against the income tax]. In my own individual opinion it is perfectly plain, from the mode in which the income tax was put an end to at the end of the war, that it is not well adapted for a permanent portion of your ordinary financial system. Whether it is so or not, on which there is a great difference of opinion, yet I think this is on all hands agreed, that it is not a permanent portion of your fiscal system, unless you can by reconstruction remove its inequalities. . . . . . . Self-assessment leads to grievous frauds upon the revenue, and renders the real inequality of the tax far greater than any of those among its inequalities which immediately strike the eye and feelings. . . . . I do not at all deny that the case of professional men appeals to our sympathies. In my opinion, it is one of the reasons which indicate that the tax ought to be a temporary tax."—[3 *Hansard*, lxxv. 1364.]

And a few days subsequent, on the 12th May, the same right hon. Gentleman said—

> "I did state that the burden which the income tax casts upon property is unequal as compared with the burden which it puts upon intelligence and skill. I did not contest the opinion commonly entertained that intelligence and skill were too hardly pressed upon as compared with property." —[3 *Hansard*, lxxvii. 260.]

Lord Granville, in May, 1854, said—

> "Now, if there was at that time (1853) any feeling in or out of Parliament which was stronger than another, it was, that it was absolutely necessary that the Government should either abolish the income tax, or should modify it to meet certain inequalities and injustices, which were apparent in its operation."—3 *Hansard*, cxxxii. 1043.]

Again, on the 22nd June, 1852, the right hon. Gentleman the Member for North Wilts (Mr. Sotheron Estcourt) proposed a Resolution in the Select Committee, in which were these words—

> "It is repugnant to public feeling to impose the same rate of tax upon incomes derived from permanent realized property, enjoyed without exertion or risk, and incomes derived from trades, professions, and salaries, which are subject to both."

And in his evidence before the Committee Mr. John Stuart Mill, being asked to define the principles upon which he would recommend the construction of a tax of the nature of an income tax, answered—

> "I should say that the first rule is the general rule of taxation—namely, equality; that is to say, taxation in proportion to means. But this does not, I think, imply taxation in proportion to the whole of a man's receipts, because the whole of his receipts may greatly exceed what he can with propriety expend upon himself. It seems to me, therefore, that two kinds of allowances are necessary, an allowance for small incomes and for those that are of temporary duration or precarious. And I think that the present income tax fails of justice under both those heads, though I do not go nearly so far as many people in my estimate of the amount of that injustice. By the adoption of the principle of not taxing savings all the claims of justice towards individuals would be included and covered."

He might have multiplied these quotations by further search among the records of

Parliament; but he hoped he had called witnesses enough in support of the views expressed by his hon. Friend. But there was one other witness, whose opinion was eminently entitled to consideration by the House. It was an opinion of the late Mr. James Wilson, of *The Economist*, who, in a Minute dated "Treasury Chambers, March 12, 1853," which had since been republished in the form of a pamphlet, commenced with these words—

> "It will be admitted that the time has arrived when a reconsideration of the income tax, with a view to some discrimination between the various sources from which income is derived, is imperatively forced upon the Government. Notwithstanding the ability with which a uniform rate of charge was sustained, it is impossible not to admit that the conviction on the part of the public of its injustice has assumed a more substantive and practical shape than at any former time, and that a very large majority in Parliament is prepared to act according to that conviction."

It was because the tax had become a permanent source of revenue that the House ought no longer to delay expressing its opinion upon it. It was not creditable to go on year after year raising a large portion of the revenue on a principle that excited throughout the country a feeling of universal dissatisfaction. He seconded the Resolution.

Motion made, and Question proposed.

THE CHANCELLOR OF THE EXCHEQUER: My hon. Friend who seconded this Motion has combined together in his speech a reference to two matters which are in themselves perfectly distinct, though I admit they are associated in his mind. I mean the question whether the income tax should be reconstructed, or rather, whether the subject of its reconstruction should be agitated; and the question whether the income tax is to be a permanent part of our financial resources. With regard to the permanence of the income tax, with regard to its security or insecurity, its desirableness or otherwise, as a permanent portion of our finance, I have nothing to say on this occasion; because it was my duty, now nine years ago, to explain myself fully, on the part of the Government to which I then belonged, with regard to that subject; and I believe I might say that to every word of what I then uttered I now deliberately adhere. I did not then think that an income tax of 7*d.* in the pound was a satisfactory portion of our permanent finance; still less do I now think that an income tax of 9*d.* in the pound can be so considered. I am not surprised, therefore, to hear my hon. Friend, who looks at this question as a practical man, and whom I understand to say that he is not so much governed by abstract considerations as by the pressure of the tax itself upon his constituents, together with his own view of the likelihood of its becoming permanent, that upon this account he now appears to second the Motion of his hon. Friend the hon. Member for Buckingham. Though I can express no sympathy with Motions of this kind, and though I do not concur in the grounds upon which it is introduced, yet I believe the feelings from which the Motion springs do extensively prevail. And though I do not think those feelings are founded in strict reason, yet, being founded on views and opinions which we must expect to see arise from time to time—though I for one cannot concur in them—I am willing to regard them with every indulgence, deference, and even respect. But while showing deference and respect to those feelings, I am bound to say on the part of the Government that we must, in the most decided manner, ask the House not to consider superficial appearances in a case of this kind—not to be led away either by apparent authorities or by powerful appeals, but to regard the substantial interests that are involved—the interests, in the first place, not of the State or of the Treasury, but the interests of justice as between the respective classes of the community, and the interests of that social harmony which I am convinced the adoption of such a Motion as this would fatally disturb. With regard to the notice that appears upon the books given by my hon. Friend the Member for Stamford (Sir S. Northcote), I wish to say on the part of the Government that we oppose that Motion of my hon. Friend. My hon. Friend the Member for Stamford has given that notice not in any manner in concert with us. It appeared upon the paper without our knowledge. We have not even the means of knowing—I am not in possession of any knowledge upon the subject—whether it is the absolute intention of my hon. Friend to persevere with the Motion, though I presume it is. But I wish to state to the House that, in the execution of our duty, we shall be prepared, if my hon. Friend should not make that Motion, to give a negative to the Resolution that has been moved by the hon. Member for Buckingham; although, if my hon. Friend of his own will and authority thinks proper to make that Motion, we shall vote with him, as the only natural mode which would be open to us of meeting and setting aside the proposal of the hon. Member for Buckingham. I must say that I congratulate my hon. Friend the Member for Buckingham upon the possession of the great courage and inflexible will which he has displayed in dealing with this question. Last year my hon. Friend moved for a Committee of Inquiry on this subject. He admitted the difficulties of the case; but he said that before a Committee those difficulties would be investigated, and that the results would lead to the pouring of great light upon the subject. We thought —I am now speaking of my colleagues and myself—that there were more dangers than advantages in such a Committee, and therefore we took the sense of the House upon the Motion. But my hon. Friend obtained a Committee by a majority, and thus he succeeded in the appointment of a tribunal to which he determined to refer his case. That Committee was fairly constituted. I believe, that if that Committee had had only, upon the first day of its meeting, to vote upon the Resolution that is now proposed, or upon some similar Resolution involving the principle of reconstruction, it is quite as likely as not that the majority of the Committee, as then informed, would have voted for the principle of reconstruction. I believe it was a fairly-constituted Committee, and that the reasons of my hon. Friend in favour of reconstruction were represented by a moiety, if not more, of the Committee. The Committee did not fail in patience or diligence. It applied itself with great assiduity and care to the investigation of the subject. And what was the result? Why, at the close of the Committee, the proposal of my hon. Friend was put aside by a majority of seven to two. The Motion by which that was effected was upon the adoption of this paragraph in the draft report—

> "Guided by these considerations, your Commitee have arrived at the conclusion that the plan proposed by their Chairman (the plan now before the House in the form of this Resolution) does not afford the basis of a practicable and equitable readjustment of the income tax; and they feel so keenly the dangers and ill consequences to be apprehended from an attempt to unsettle the present basis of the tax, without a clear perception of the mode in which it is to be reconstructed, that they are not prepared to offer to your honourable House any suggestions for its amendment.

This was the Resolution at which the Committee, after full investigation, arrived. I am not telling any secrets when I mention that in the majority which voted that Resolution were contained the names of some Gentlemen, Members of this House—aye, experienced and distinguished Members—who had entered that Committee with minds as favourable to a reconstruction of the income tax as my hon. Friend himself. But those Gentlemen, the choice and selection of my hon. Friend himself, heard his case, he did his best before them, he exhibited all his ingenuity before the Committee, he opened and unfolded his case, it was amply tested and criticised in a manner that it would be absurd to attempt in any speeches in this House, and the result was that his plan was rejected by seven to two. That is not an unimportant fact, as bearing upon the present Motion. Presumption and authority are matters of some consequence in matters of this kind; and we cannot run blindfold into the adoption of an abstract Resolution such as this, without some attention to these matters. When I stopped my hon. Friend the Member for London (Mr. Crawford) by asking what was the date of the opinion he was quoting from the mouth of the President of the Board of Trade, it was because I had heard, long ago, from my right hon. Friend the present President of the Board of Trade, that having begun, as many honest and benevolent men have begun, with strong convictions in favour of reconstructing the tax, he had abandoned them, and come to the conclusion that any such attempt would be not only impracticable but highly dangerous. My hon. Friend the Member for Buckingham, having induced the House to appoint the tribunal which he requested; having had the fullest opportunity of producing his case before that tribunal; having found the members of that tribunal—not exactly those who were opposed to him at the outset, but, on the contrary, some of those who were favourable to him and sharing his views at the outset—having found them determining by a large majority, in the terms I have read, that his proposal was one that could not be recommended—my hon. Friend now, leading a forlorn hope, as I may call it, brings forward the proposition which his own Committee rejected, and asks the House, upon the slight examination that the case may possibly, and only possibly, undergo in the course of two or three hours' discussion, to affirm the principle which his own chosen Committee, after full investigation, determined to be inadmissible. My hon. Friend must, whatever confidence he may have in the force of what he considers to be truth and justice, but which I consider to be the opposite to truth and justice, permit me to say that he is taking rather a sanguine view under these circumstances if he thinks he can persuade the House to adopt his proposition.

I wish now to look to the financial effect of the proposition. I will not discuss some of the points which my hon. Friend has introduced into his statement for reasons that are obvious. My hon. Friend dwells upon the moral effects of a reconstruction of the income tax, and thinks that many sinners will be converted from fraud to integrity, and from mischief to honesty, by the simple proposal which he would embody in an act of Parliament. We have discussed this matter before. I doubt whether my hon. Friend is likely to come over to our opinion, but we do not think that any marvellous moral change is likely to arise from my hon. Friend's proposal. Changes and revolutions in matters of this kind are no trifles to accomplish. It is not easy to change the minds and habits of men, especially in matters in which the purse is concerned; and it is wholly visionary to speak of the conversion of large masses of fraudulent persons in consequence of the adoption of a plan which will shift the burdens of one man to the shoulders of another. Neither is it at all necessary to discuss the question which my hon. Friend has embodied in his plan, whether the tax should apply to incomes under £180, or £150, or any limit you will. But I will make this admission to my hon. Friend. I think that the case of the lowest incomes now assessed to the tax is a case requiring the earliest consideration of the House. Those incomes were dealt with in the first instance by Sir Robert Peel, when he had a *bonâ fide* expectation of the early cessation of the tax, and therefore he took simplicity for his rule. In the same manner in 1853, when these incomes were dealt with again, they were again dealt with under the expectation that the tax would, at the then rate of expenditure, be extinguished at an early date; and then a plan somewhat less simple was adopted. I agree therefore with my hon. Friend, that if we were in a condition financially to do it, it would be a very proper subject to take into consideration some adjustment or modification with regard to the lowest class of incomes, although keeping within the safe rule of ancient precedent as to the amount to which indulgence should be extended. I will not, however, at this moment further discuss this point. The proposal of my hon. Friend would have the practical effect of taking away one-fourth of the revenue at present derived from the income tax, which now amounts to £10,000,000. I must take the liberty of saying that I proceed in this discussion upon the vulgar calculations that proceed from the Board of Inland Revenue, and that I do not proceed upon imaginary calculations of the magical results that are to follow from the improved morality of a considerable portion of the people. We must really look to facts, to the old methods of computation, and I must say to my hon. Friend that upon his showing he gives us a loss upon Schedule A—assuming he makes a remission of one penny in the pound—of £520,000. On Schedules B, D, and E, he makes a loss of £1,450,000, and by the concessions to the smaller incomes a loss of between £600,000 and £700,000; so that the total loss would be £2,600,000. This is the defalcation which my hon. Friend proposes to make. And observe that my hon. Friend makes this proposal at a period when it is not only an abstract but a practical question. This House has not yet finally disposed of the income tax for the year. The Bill has certainly passed through Committee, but there still remains the stages of the Report and the third reading, and it has then to be sent to the upper House. If, therefore, the House considers it necessary to adopt the proposition of my hon. Friend, it follows that that Bill must be reconsidered, and provision made in some way or other for filling up the void of £2,600,000. My hon. Friend is rather taciturn and reticent on this portion of the subject — namely, the filling-up of that void. If there were no other defect in his speech but that one, this remains; and that particular gap I must endeavour to supply. The gap of £2,600,000 in the income tax, caused by the reduction of one-third upon three of the Schedules, would require the imposition of 2½*d.* or 3*d.* in the pound additional to the current rate. So that the proposal of my hon. Friend is this, in point of fact, that instead of passing a 9*d.* income tax for the year, as you have already passed it through several stages, you should raise the rate, for the service of the year one-fourth, that is to 1*s.* in the pound, and with that combine a reduction to 8*d.* in the cases of Schedules D and E. That is the proposal which my hon. Friend appeals to the landed interest to support. Now, I am well known to be an enemy to the landed interest—I have been told so often; I certainly have never made any proposition affecting that interest which can compare with that of my hon. Friend; but being so reputed, I shall not be suspected if in what I have to say I show an independent bias in their favour. I must say, then, that the proposition of my hon. Friend is clearly and grossly unjust; and I shall state the grounds upon which I hold that opinion. The first effect of the plan would be this. It is all very pretty indeed; my hon. Friend has boons for everything, and he scatters them right and left. He begins by reducing Schedule A from 9*d.* to 8*d.*, and Schedule B he would reduce to 6*d.* As to Schedule C, I am sorry to say it has always been held, by Mr. Pitt, by Sir Robert Peel, and by every great authority who has spoken upon the subject, that it would amount to nothing less than a positive breach of the national faith to lay any special tax upon the funds. This opinion has not been delivered by these authorities merely as an abstract opinion; it has always been delivered by those authorities in conjunction with the questions of the income tax, and as an argument against the reconstruction that my hon. Friend recommends. We must therefore look these facts in the face, and in the reconstruction which he recommends upon the ground of justice, we must lay a special tax upon Schedule C—that is, a higher tax than would be paid by any other class of the community. My hon. Friend may think this untrue, but there are those who think it true. Even if he thinks it untrue, what does he think of the weight that is due to a doctrine of that kind after it has been promulgated from such sources and by such authorities, by men responsible for the conduct of the State, and after it has governed the policy of England during the greater part of the period in which the national debt has been created? Then my hon. Friend comes to Schedules D, C, and E, and they are the special objects of his favour. They are to be reduced from 9*d.* to 6*d.* This produces a defalcation of more than £2,500,000. Now comes the question of filling up the gap. How does my hon. Friend propose to supply these two millions and a half? One penny in the pound of income tax now produces £1,100,000, but after reducing one-third by the reductions on the three Schedules, it would only produce £900,000. It would therefore require 3*d.* in the pound to fill up this gap; and the plan would then go forth to the country that Schedules B, D, and E, should pay 1*s.* Thus, only one class of the community would enjoy the high honour and distinction, under the paternal government of my hon. Friend, of paying the demands of the Chancellor of the Exchequer in full, and that class would be the public creditor. Whatever less anybody else had to pay, he at least would pay 1*s.* The landowner would be eased by little more than 1*d.* *Primâ facie,* he would pay nearly 11*d.* in the pound; while the tenants' profits, the banker, the merchant, the brewer, and traders of all descriptions, professional men, and salaried officers, would pay 8*d.* The proposal of my hon. Friend, as it is now before us, would greatly raise the income tax upon certain classes of the community in order to give a great relief to others. My hon. Friend disclaims the idea of dealing with individuals. He says that the shareholders in joint stock companies have nothing to do with the labour and skill expended in the management, and he would therefore tax these companies to their full income. But my hon. Friend has surely heard of sleeping partners in great private firms, who are surely much more secure and comfortable than the shareholders in joint stock companies, and yet he does not propose to treat them in the same way. The hon. Gentleman says he would deal only with classes. Now, the fact is, that one interest is so involved with another—so blended—that they can scarcely be distinguished even by the finest financial microscope. If, indeed, we were dealing with Indian finance, we might tax the Brahmin in one way, the Rajpoot in another, and the Pariah in a third. I do not say that such a mode of taxation would be either expedient or equitable; but, at all events, in that case we should be dealing with distinct and sharply-separated classes. No such distinctions exist in this country, and it is therefore impossible to legislate in the manner proposed by my hon. Friend. The banker, for instance, has a business which is worked under fixed rules, by well-selected officers:—he is allowed to deduct the salaries of all his clerks and servants before he pays income tax; and he enjoys a business, with respect to which it is well known, that although it is not so solid, permanent, and substantial as a landed estate, yet it is the next in these respects to it. I have spoken of the banker; but if the hon. Member is not satisfied with the instance of a banker, I can give fifty other instances. I will take some of the first mercantile and commercial firms. There is no difficulty in the selection of instances to suit the most fastidious taste. My hon. Friend is so horrified at the doctrine that the high mercantile class of this country should pay the same rate as the landed interest, that he would propose to introduce a severance between the two, and say to one, "You shall pay 11*d*.," and to the other, "You shall pay 8*d*." My hon. Friend sees an enormous difference between the wealthy London banker and the landed proprietor; but now let us look at some one else in Schedule D. I will take the case of a lawyer, making a large professional income, every shilling of which depends upon his health. The business of a banker may be worth five-and-twenty years' purchase, but the lawyer's business is not worth one shilling. He cannot hand down his business to his son, nor can he make it the medium of placing his younger children in good positions. He runs the race of sheer competition, and every farthing he gets is through his own merits and exertions, and depends upon the continuance of his health. Here, therefore, are professional men as a body who have their income without one shilling of prospective value, and yet my hon. Friend, in his plan of re-construction —with the determination to have justice and equality—deals with those two persons precisely alike, although the difference between them is ten times as great as the difference between the high-class merchant or banker and the proprietor of land. I want to point out another thing to my hon. Friend before I sit down. If my hon. Friend should prevail on the House to adopt his plan, in my opinion it will be very materially improved upon in future years. When once you begin to raise a cry of class against class, and give to that cry the countenance of authority, it does not depend on my hon. Friend to come down, and, with his plan discredited and rejected by a Committee, to say: "I have considered the matter—I have let out the tide, it is quite true; but now I have shut the floodgates, and I say, Thus far shalt thou go, and no further." But I have no doubt it would be greatly improved upon. I believe the certain tendency of the plan of my hon. Friend would be to lay more and more burden upon property, more and more to exempt income, and more and more to favour a large part of those who are both the wealthiest persons in the country and the persons most rapidly increasing in their wealth. With regard to the case of the owners of houses and land, under schedule A, the fact is not as it appears in the figures of my hon. Friend. It appears that 8*d*. would be paid by the favoured class on whose behalf he appears, and nearly 11*d*. would be paid by the taxpayer under Schedule A. The real payment, however, under Schedule A would be much greater. I must be guilty of the vanity of egotism in referring to rather a minute computation which it was my duty to submit to the House in 1853, of the real amount of income tax paid by the owners of lands and houses under Schedule A as compared with the nominal amount. From the computation then made it appeared that in consequence of the various outgoings on that description of property, and of a large part of it being burdened by mortgages and settlements, the whole of which were paid net without any deduction whatever, the tax of 7*d*. really amounted to 9*d*. on the residue. Upon the same rule landed and household property taxed at 9*d*. will really pay more than 11½*d*., and that taxed at 12*d*. will pay 15½*d*. The result, therefore, of the proposition of my hon. Friend, if adopted, would be, that those paying the tax under Schedule A would be elevated to the honour of paying about 13½*d*. in the pound, while the tax on the class of wealthy bankers and merchants would be reduced to 8*d*. There would be a difference of something like 70 per cent against the owners of lands and houses, compared with the wealthy, mercantile, and manufacturing class of this country. Would that be a fair state of things, or is that a proposition which ought to be recommended to us to-night, in the name of justice, and with a solemn invocation to the landed interest of this country to take care what they are about, and to consider that honesty is the best policy? I think honesty is the best policy, and I can assure my hon. Friend, that if he comes to lecture Gentlemen in this House upon that subject, it is a game at which two people can play, and I am ready to throw back upon him the doctrine that "honesty is the best policy" in condemnation of the plan which he proposes. There is an impression abroad that all persons with fixed salaries are wallowing in wealth and luxury. For instance, all single ladies brought up in luxury—perhaps at the head of their fathers' establishments, but at all events who have enjoyed all its comforts and embellishments up to the death of their fathers, and then passed the remainder of their life upon some fixed income of £200 or £300, or at the outside £400 or £500 a year. These are the persons for whom my hon. Friend has no bowels of compassion whatever. Bowels of compassion! on the contrary, he has bowels of anything but compassion. These are the people who are to share with the landlord the honour of having their tax raised for the service of the present year from 9*d.* to 12*d.*, in order that the wealthy merchant, banker, and manufacturer may have his tax reduced to 8*d.* I hope it will not be supposed that because I argue against the speech and the Motion of my hon. Friend with something of the same zeal he has shown himself, it indicates the slightest change in my views with regard to the proper course of legislation in this House; but I must tell him that I believe he is treading upon far more dangerous ground than he is aware of—he is coming near to questions that cut deep into the foundations of social order, and the result of the adoption of the Motion would be far indeed from what he himself dreams of or desires. There is no greater folly than to suppose that persons with fixed incomes are wallowing in luxury and wealth, and there is nothing more plausible than the whole argument in favour of graduated taxation. I can easily imagine that many a benevolent, clever, and honest man, whose business it has not been to consider practically the subject of taxation, might say, "Let the rich pay; let those who can bear the burdens of society bear them." And why has legislation taken another course? Because there has been wisdom enough in legislative bodies to detect mere plausibility, and to perceive that the true interest of society lies in securing to every man the fruit of his accumulations, and consequently doing the fullest justice to the possessors of property and fixed incomes, though the Legislature may know perfectly well that they are thereby subjecting themselves to a good deal of distrust and misconception. It would be the greatest folly to suppose that all holders of fixed incomes stand in the same position. Take the case of a man holding a large estate under a settlement, with an income little adequate to his station, and with no son, but a number of daughters. Supposing he succeeded to the property when sixty or seventy years old; he can only enjoy it a very few years, and at his death it may pass away to some one he neither knows nor cares about. He has to provide for his daughters out of the income he has to receive from that estate for a very limited number of years; and under these circumstances my hon. Friend comes down upon him and says, "So strong is my sense of justice and of the gross inequalities existing under the present income tax, that in order to repair them I must reduce the tax on the wealthy sleeping partner in a banking or brewery firm to 8*d.*, and to do that I must raise your tax to 1*s.* or something more." I know the feelings which prevail in the country on this subject, and I am inclined to treat them with respect; but having been often called upon, in the exercise of official duty, to consider this question, and look at it round and round and on every side, with the strongest political interest in arriving at the same conclusion as my hon. Friend, I have never been able to arrive at any other conclusion except that this was a plan full of mischief and danger. I do not say it is utterly impossible to make an improvement in the structure of the present income tax. I am very sensible of its inequalities, and I do not at all wonder that these inequalities should be sharply felt. I do not complain of those who describe them in strong terms. But I do say it is our positive and bounden duty to take care that no practical measure is passed which tends to weaken the foundation of that tax, so long as the tax itself is a necessary arm of our finance, and so long as we cannot really see our way to a plan which will in the main get rid of these inequalities. I trust that when plans like that of my hon. Friend are introduced—arbitrary, capricious, and inapplicable in principle, and without any practical recommendation, merely upsetting the principles of taxation as they now exist, and getting rid of one set of anomalies and evils which at all events are more tolerable by being more known and traditional, in order to bring in novel inequalities and novel abuses, and with them that source of all evils, discord between class and class—I trust that whenever a proposition of that kind is made, the House of Commons will have virtue and manliness enough to reject it.

Mr. HUBBARD in reply said, that he was surprised that only one Member of the House should have risen to speak to his Motion, the more so as a notice of Amendment by the hon. Member for Stamford (Sir S. Northcote) had been on the paper for a considerable time. The Chancellor of the Exchequer had, however, made a formidable attack upon the proposition he had ventured to submit to the House, and he wished to say a few words in reply to some of his observations. In the first place, the right hon. Gentleman had complimented him on his strength of will in reproducing in the House the proposition which had been rejected by the Committee. Now, so far as the rejection of his draft Report by the Committee went, it was only rejected by a majority of one, after which he took no further part in the proceedings of the Committee. It was not thought advisable to ask the concurrence of the House in regard to the Report, it being then so near the end of the Session; and for that reason the simple course was proposed of reporting the evidence alone. He denied altogether that a Committee of the House, or even the House itself, constituted an infallible guide, and he would beg to remind them that the House once voted that a £1 note was worth 20*s.*, when it would only fetch 16*s.* in the market. Notwithstanding, however, the attack the right hon. Gentleman had made upon his proposition, he (Mr. Hubbard) did not yet despair of having his assistance in reconstructing the income tax. The right hon. Gentleman had once been a zealous Protectionist, and was now a zealous Freetrader, and he did not doubt that the time would come when the House would find him arguing against those defects of the income tax which he now upheld. He did not think injustice was altered by the mere rate of the tax, for injustice in point of principle was the same whether the rate was high or low. Having been taunted by the Chancellor of the Exchequer with having omitted to state how the gap in the revenue which the adoption of his proposal would create could be filled up, he would now supply the omission; but he would use his own figures, which he believed to be strictly accurate, not those of the right hon. Gentleman, whether he obtained them from Somerset House or elsewhere. The amount which was now levied in the shape of income tax was £10,424,000; the abatements he proposed to make would amount to £1,469,000; but he assumed that one-half of the abatements in Schedule D would be recovered. If so, there would be required an additional tax, not of 2*d.* or 3*d.* in the pound, but of 1½*d.* in the pound over the whole surface of the tax; so that a tax of 10½*d.* would then produce the same amount as was now produced by one of 9*d.* Land, including landlords' and tenants' payments, now paid £2,438,000; under the new system there would be a difference of only £100,000, and this small loss of the landlord would be the gain of the tenant. He did not think that that was a result calculated to alarm the landed aristocracy of England, or to induce them to think that his proposition was of so dangerous a tendency that it must entail other measures of a revolutionary and destructive character. The right hon. Gentleman said that the proposed plan would infringe on the faith due to the fundholder, but how did the right hon. Gentleman reconcile his present earnest appeal in favour of the fundholder with his own defence of the robbery so clearly inflicted upon him by the present law? If a man had £100,000 in the funds, the law taxed the income of £3,000; but if the fundholder should lend his £100,000 to the Goverment on terminable annuities, then the right hon. Gentleman took the tax on the whole of the £100,000. The right hon. Gentleman was a man of great earnestness and command of language, and it was not surprising to find that he managed, in answer to a calm business-like statement, to throw the House into a fever of excitement; but the right hon. Gentleman's statement had nothing to do with the real merits of the question. The right hon. Gentleman had referred to the case of sleeping partners in banks and breweries; but while the sleeping partner in a bank would derive no sensible advantage under his plan, the sleeping partner in a brewery got all the benefit which he could obtain under the 133rd section of the existing Act. The principle which he (Mr. Hubbard) had chiefly in view throughout was to redress the injustice perpetrated under Schedule D, which related to the men who constituted the intellect, and the skill, and the active labour of the country, by whose efforts the country had gained her present eminence, and by whom, if it continued at all, it would be retained. As to setting class against class, that question was not one of his raising; but if, in doing justice, the incidence of the tax was altered, all that was proved would be that the incidence was unjust before; and he contended against the argument that because an act of injustice was in existence it was therefore to be stereotyped, and hallowed, and sanctioned. To the assertion that Sir Robert Peel could not mend the income tax, he replied that Sir Robert Peel never tried to do it. He had not time. Had that statesman died a few months earlier, he might have been quoted as the advocate of Protection. Although he was aware, that as he had never given a party vote, he had not entitled himself to assistance from either side of the House, yet he had hundreds of thousands of supporters out of doors, and he could promise that as long as he had health and strength the readjustment of this tax should never want an advocate.

MR. KNIGHTLEY said, he had the misfortune of being accidentally absent during the speech of the Chancellor of the Exchequer; but he agreed generally with what he had heard the right hon. Gentleman say on the subject on previous occasions. The hon. Gentleman, in proposing his Motion, seemed to have proceeded on what was known in America as the "log-rolling" principle; and seemed to have altogether forgotten that the landlord paid land tax, poor rate, highway rate, police rate, and county rate. And independently of all this, and independently of the succession duties, it was now proposed to saddle him by an addition to his income tax. Sir Robert Walpole said, that the agriculturists might be sheared as easily as their own sheep, but that it was a very difficult thing to squeeze money out of the commercial classes. He contended that, owing to wet seasons and bad harvests, the income from landed property was fluctuating and uncertain, as well as that from commercial pursuits. The simplicity of the present system, at all events, was a recommendation; for a man paid upon his income as long as he received one; and if he received no income, he paid no tax. They could not diminish the Estimates to any considerable extent without imperilling the safety of the country; and if a portion of the revenue was to be cut off, how was the deficiency to be met? There was only one answer to that—by laying excessive, exclusive, and exceptional burdens on annuitants, mortgagees, and fundholders, and so far as the latter were concerned, to do so would be a breach of faith. With respect to the proposition of the hon. Gentleman (Mr. Hubbard) for drawing a distinction between different kinds of income, he begged to remind him that Mr. Pitt, in introducing his Income Tax Bill, distinctly laid down that no distinction ought to be made as to the source from which incomes arose, and he (Mr. Knightley) was inclined to pay great deference to such an authority.

Motion made, and Question put,

"That, in the opinion of this House, the incidence of an Income Tax should not fall upon Capital or Property; and that when applied to the annual products of invested property, it should fall only upon the net Income arising therefrom; and that the net Profits, Gains, or Salaries of persons and partnerships (not being public Companies) engaged in any trade, farm, manufacture, profession, or salaried employment, should be subject, previous to assessment, to such an abatement as may equitably adjust the burthen thrown upon Intelligence and Skill as compared with Property."

The House *divided*:—Ayes 62; Noes 99: Majority 37.

SAILORS' HOMES—RESOLUTION.

SIR HENRY STRACEY rose to move,

"That in the distribution of the Parliamentary Grant to Sailors' Homes, it is desirable that the Admiralty should be empowered to give assistance to such Sailors' Homes as in its judgment it may deem most deserving of support, whether situated in the neighbourhood of dockyards or not."

As the subject had been well ventilated since he had introduced it to the House last year, it would be unnecessary for him to occupy their time at any great length. His object was to increase the discretionary power of the Admiralty in regard to the granting of assistance to Sailors' Homes. At present the Admiralty was authorized to afford encouragement to Sailors' Homes and other institutions in the neighbourhood of dockyards. What he wanted was, that its power of giving assistance to Sailors' Homes should be extended to others than those situated in the immediate vicinity of dockyards. He hoped he would be able to show that those Sailors' Homes to which he alluded were as deserving of assistance as those to which the public money was at present limited. He would remind the House that those Homes were institutions mainly intended to afford a refuge or asylum to the sailor immediately upon his landing from his ship. That was the great moment of peril and temptation to the sailor from the allurements of his deadly foe the crimp, who too often succeeded in getitng possession of his clothes and money, and led him into scenes of drunkenness and debauchery, to the destruction of both his morals and health. He could refer to various cases to show the dreadful results that had followed from this system, but he would mention only one, which would be in the recollection of all Members of the House:—he alluded to the case of the young sailor Devereux, which occurred some months ago. It was reported in most of the papers, and particularly well reported in the leading journal. That lad, who was only nineteen years of age, was charged with stabbing a crimp; and when called on, in the usual form, to say why sentence of death should not be pronounced, he told his story in so artless a manner as deeply to affect every one in court. According to the report in *The Times*, Baron Martin, the Judge who tried the case, was obliged, on several occasions, to pause while passing sentence of death on the prisoner, being quite overcome by his feelings; while many of those present were sobbing audibly. The crimp had induced that young sailor to go from the ship to his house, and to deliver over to his custody the money and clothes of which he was possessed. He never saw one shilling of his money, and on asking for his clothes they were refused to him. Enraged at this refusal, and maddened by drink, he stabbed the crimp. He could adduce many other instances of the pernicious consequences of the crimp system, but he was unwilling to trespass too long upon the patience of the House. He knew that in the Mercantile Marine Act there was a clause to prevent crimps coming on board vessels until a certain time after their arrival. But that provision in many instances was not observed, and captains very often allowed those parties on board, where they exercised their vile calling, unfortunately too often successfully, in inducing young sailors to enter their dens of infamy, to the loss of their property as well as their reputation. Now, he contended, if they gave greater encouragement to the Sailors' Homes, they would save the sailor from those pernicious influences, and by so doing they would secure a much better and more able-bodied class of men for the service. That opinion was shared by every naval officer to whom he had spoken on the subject. His anxiety was to save the sailor from those dreadful influences by which he was often surrounded at present. It was occasionally urged that Government aid had a tendency to weaken voluntary efforts. He was totally of an opposite opinion. He remembered the case of the Sailors' Home in Devonport a short time ago. In consequence of the Government aid having been for a time diminished, a panic ensued amongst the subscribers, who believed that the Government were about to withdraw their support altogether from the place. The result was the reduction of the subscriptions to such an amount that the managers of the Home were obliged to dismiss the superintendent, who was an old lieutenant, with a large family. Exactly the contrary occurred in the case of the Sailors' Home at Queenstown. There an intimation that the Government aid would be withdrawn from that establishment if the voluntary aid was not increased had the effect of doubling the latter within a year. He could enumerate many other examples of the necessity of Government aid, to quicken the voluntary exertions of the public generally. It was well known that sailors, when they once enjoyed the comforts and protection of the Homes, invariably returned to them when they had the opportunity. One of the strongest passions of our nature was self-interest. Savings Banks at those Homes excited that passion; and if excited to a greater degree by the encouragement of Government to them, they would be sure to have a greater number of sailors stopping there. He hoped he might for a moment allude to the great loss Sailors' Homes had sustained during the past year in the death of that good and most benevolent man the late Prince Consort, who was the founder of several Sailors' Homes and a subscriber to many more. Not alone the Royal Navy, but the whole seafaring class had reason to lament his decease. He was glad to see the noble Lord at the head of the Government in his place. He thought that the noble Viscount would retire to rest every night with feelings of satisfaction when he reflected on the benefits which he had conferred upon shipwrecked sailors by becoming President of the Home at Southampton. The country ought to feel grateful to him for taking the lead in such a movement. What would those 500 or 600 sailors that came annually to that Home have done if they had not had such a place provided for them? The usefulness of these institutions being admitted, he only asked the House by his Motion to declare that their advantages should not be contingent on their being in the vicinity of a dockyard. A shipwrecked sailor never thought for an instant whether a Home was near a dockyard or not; he went where he knew his exhausted energies would be recruited. At this moment he could point to one Sailors' Home, remote from any of the Government establishments, in which one-fifth of the inmates were sailors belonging to the Royal Navy. Similar institutions were now being founded for soldiers; the right hon. Baronet the Secretary for War had taken a Vote to provide for their encouragement and support; and the same leading journal to which he before referred had written strongly in favour of Sodiers' Homes. He hoped that paper would adopt the same view with regard to the undertakings in which he was more particularly interested. He believed that a very small portion of the £1,600 voted actually reached Sailors' Homes, and it was surely desirable that the Admiralty should have power to save from annihilation any failing institution deserving of aid. At Dublin, quite recently, one of these institutions had all but perished for want of a sum of £25, but that amount was kindly advanced by another charitable institution, and the existence of the Home was preserved. He had consulted, he believed, every naval officer in the House; he had certainly spoken to every naval Member of distinction, and they all unanimously approved the object of his Motion, which would do much to further the good understanding between the naval and merchant services, which the late regulations had done much to promote. To utter any panegyric on the sailor was unnecessary. They all knew the obligations under which society laboured to him, the hardships and risks which he underwent to minister to their comforts, and even to their luxuries, and how often he was actually the pioneer of civilization. Under those circumstances he trusted the House and the country would encourage those institutions which had been founded for the benefit of sailors when they most needed their assistance.

Motion made, and Question proposed,

"That in the distribution of the Parliamentary Grant to Sailors' Homes, it is desirable that the Admiralty should be empowered to give assistance to such Sailors' Homes as in its judgment it may deem most deserving of support, whether situated in the neighbourhood of dockyards or not."

LORD CLARENCE PAGET begged to join most heartily in every word which the hon. Baronet had uttered in praise of Sailors' Homes. Those institutions throughout the country had been of inestimable service to the seamen, and he trusted they would receive the protection and assistance of all connected with the seafaring business of the country. The only point in which he differed from the hon. Baronet was in thinking that the public ought not to pay for every one of these establishments, but that they ought rather to be supported by the large mercantile interests whose sailors occupied the Homes, and for whose direct interest it therefore was that the Homes should be provided. This was one of many questions the real effect of which, if assented to, would be to draw upon the public purse. Although the hon. Baronet had placed before the House a most pathetic appeal, which had been listened to with great interest and attention, it would be his (Lord C. Paget's) duty to show that there were no real grounds for calling on the public for assistance to these institutions. He had not exactly gathered from the hon. Baronet whether he thought the Admiralty ought to propose a much larger Vote for this particular object; but he entertained no doubt that such was his intention. If they were to increase the area of assistance, that area must be extended to the whole United Kingdom; and if the hon. Baronet's proposition was confined to the sum already at the disposal of the Admiralty, it could be of very little avail if it were divided among a great number of such establishments. As the hon. Baronet must be aware, the grant now at the disposal of the Admiralty for Sailors' Homes and other charitable institutions was very small. It amounted to but £1,621 per annum, of which only £500 found its way to Sailors' Homes, all of which were either in the immediate neighbourhood of the dockyards, or situated so near to them that when the seamen of the navy were on shore on liberty they could make use of them. It was therefore only equitable, that as the sailors of the Queen's service frequented those institutions, the country should make some contribution towards their cost. He was not aware of any bargain ever having been made by the Admiralty that they should not give any such contribution unless the private subscriptions raised amounted to a certain sum. The single consideration with the Admiralty was that the seamen of the fleet made use of these Homes, and therefore it was only due to their managers that the Government should bear a share of the expense. The hon. Baronet had referred to the case of a poor sailor who was sentenced to death for murdering or attempting to murder a "crimp." If that sailor did not succeed in his attempt, he might say, for himself, that he almost regretted it, for those miscreants are the ruin of thousands of gallant sailors. At all events he trusted that he had received a pardon. The hon. Baronet had cited the support given to Soldiers' Institutes as an argument for increased encouragement to Sailors' Homes; but it should be remembered that the former class of institutions were entirely designed for men in Her Majesty's service; and that as far as the latter were available for the seamen of the Royal Navy they were already assisted by the State. Again, if Parliament were to make further grants for this purpose, the funds ought to be administered by some Department which had the requisite machinery at all the ports for superintending the management of these establishments, and ascertaining that the money was properly expended. The Admiralty had no such machinery, and therefore he must protest against this being treated as part of their legitimate duty. The hon. Baronet had alluded to the countenance given to these Homes by the lamented Prince Consort, who had on various occasions attended the opening of these institutions; and certainly one of the most beautiful traits in the character of that great and good man was the warm interest he took in the sailors of this country. At the same time, if the House were to agree to the present proposition, it would open the door to a very large demand upon the public Exchequer, because it was of no use to say that they would assist this or that Sailors' Home—they must be prepared to give a very large grant if they meant it to be of any real service. But one other strong reason why he opposed the Motion was, that if the Government undertook to support Sailors' Homes generally, the practical result would be to dry up those sources of private benevolence on which they now depended, to weaken the motives for their economical management, and thus seriously to injure the excellent institutions which they wished to benefit.

Mr. LINDSAY said, that while admiring the spirit which actuated the hon. Baronet in bringing this question forward, he could not acquiesce in his Motion as it stood. He concurred in much that had fallen from the noble Lord the Secretary to the Admiralty, particularly in thinking that Government assistance would be the reverse of beneficial to these institutions, because it would lessen their hold upon public sympathy—indeed, he thought it even questionable whether the aid given by the Government to Sailors' Homes in the immediate neighbourhood of the dockyards could be justified by sound principle. The seamen of the navy using those institutions paid the same rate for their board and lodging as merchant seamen. No doubt those homes had done a great amount of good, although, owing to the influence of that worthless class the "crimps," sailors unfortunately did not frequent them in such numbers as had been expected or was to be desired. He thought, however, that, though the Government would do well not to undertake the support of Sailors' Homes, it would be a proper thing to make grants to them on account of the shipwrecked and destitute sailors to whom they gave shelter.

Mr. BUXTON concurred in the opinion that serious inconvenience would arise from adopting the Motion in its present form. There would be no end to the demands made upon the House for contributions towards private charities if they were once to yield to appeals like this; and it therefore behoved them to pause before setting a mischievous precedent. If the House attempted to supersede private charity by public grants, the result would be to dry up the sources of private contributions, and matters would be worse than at present. Even the suggestion of the hon. Member for Sunderland was unnecessary. The shipwrecked Mariners' Society had organized machinery in every port of the kingdom to preserve shipwrecked sailors from starvation, and to forward them to their homes.

Sir HENRY STRACEY said, that he intended his Motion to apply only to the amount at the disposal of the Admiralty, and he did not think that Sailors' Homes received a fair proportion of that sum. He believed, that although Government aid should be given to these institutions, the public aid would be continued to them. He trusted that the Government would feel that this was such a small matter that they would at once grant it, and not force him to a division.

Mr. THOMSON HANKEY said, he hoped that the hon. Baronet would not press this subject to a division, for these institutions were well supported, and he was sure there was spirit enough in the British shipowners to induce them to do all that they could for the British sailor. He was connected with the Shipwrecked Mariners' Institution, and constantly he was called upon to receive legacies on its behalf, nor was there at any time any want of sympathy, especially when severe casualties occurred. There was no want of sympathy for the British sailor, and nothing was more undesirable than that they should endeavour to induce these institutions to believe that they would receive any large aid from Government. These institutions, if well managed, ought o be self-supporting.

Lord LOVAINE thought there was some misunderstanding on the matter. The funds distributed by the Admiralty were distributed by them as proprietors, and in that light only; they were not to be regarded as a Government grant in any way. He hoped the hon. Baronet would not press the matter to a division.

Motion, by leave, *withdrawn.*

SYDNEY BRANCH MINT.

SELECT COMMITTEE MOVED FOR.

Mr. Alderman SALOMONS rose, pursuant to notice, to call attention to the establishment of a branch of the Royal Mint at Sydney, New South Wales, and to move for a Select Committee to consider and report on the expediency of legalizing the circulation in the United Kingdom of the sovereigns coined at the Branch of the Royal Mint at Sydney. He might say, at first, that he understood the Government did not intend to oppose the Motion, and therefore he should not go into the subject at any length. It was known that since the discovery of the gold-fields of Australia—that was, within the last ten years—gold to the amount of upwards of £100,000,000 sterling had been received in this country from that colony, the receipts averaging about ten millions per annum. In the year 1853, after considerable negotiation, and on the representation of parties here, as well as in the Australian colonies, her Majesty's Government agreed that a branch mint should be established in New South Wales. A Treasury Minute was issued for that purpose, wherein it was stipulated that all the officers should be appointed here, that the branch mint should be entirely under the control of the authorities at home, and that the colony should have no power over it except such as would secure that it should be no charge to the mother country. The mint was established at Sydney in 1855, for the coinage of sovereigns and half-sovereigns, and their currency was at first limited to Australia. The gold since coined at Sydney was found to be not only equal but somewhat superior in quality to the Imperial sovereign. In the year 1857 the coinage was, by Royal Proclamation, made current in Ceylon, the Mauritius, and Hong-Kong. Several ineffectual representations have also been made to have the circulation of the Australian sovereign authorized as current by law in the United Kingdom, and the Australian Association had requested him (Alderman Salomons) to bring the matter before the House, as a fit subject for inquiry, and to state that very great inconvenience arose from the present state of things. They had heard much of late as to its being desirable for the commercial nations of the world to have one universal system of coinage, measures, and weights, and it seemed extraordinary that in the British dominions an artificial distinction should be made between gold coins of the realm which were by weight and quality of equal value. Seeing the importance of the Australian Colonies to this country, and the justice of the claim for the Sydney sovereign put forward by the Australians, he thought it would be but an act of grace to extend to them the boon they requested. The hon. Member then moved—

"That a Select Committee be appointed to consider and report on the expediency of legalizing the circulation in the United Kingdom of the Sovereigns coined at the Branch of the Royal Mint at Sydney."

Mr. MARSH, in seconding the Motion, reminded the House that the pillar dollar of Spain, which came from the Colonies of that country, obtained an immense circulation, and was found very convenient in commercial transactions. He did not see why coin struck at the Royal Mint of a colony should not be allowed to circulate in this country. The Australian sovereign was gradually creeping into circulation here, and being fully equal in value to the English sovereign, there could be no reason why they should not be a legal tender. The coins were, moreover, received in France and other countries without difficulty—indeed, however much the acts of other Governments might be objected to, their coins never were. The Colonies had drifted into a state of democracy, which must be looked on with alarm by the most liberal Members of the House ; nevertheless, they had shown the greatest loyalty to this country, and the extension of this act of grace could not fail to strengthen the bonds of union between Great Britain and her Colonies.

Mr. THOMSON HANKEY was sorry to have to oppose the appointment of the Committee, but this was an Imperial and not a local question. When the Sydney Mint was established, it was made a condition that the sovereigns coined there should not be made a legal tender here ; and nothing had since occurred which could change the views of the Government. The coinage of this country had always been produced in the country, and there were good reasons why it should be so ; for it was necessary to guard against any possibility that its integrity would ever be tampered with. All our trading relations were regulated by it, and British merchants should always be able to feel that British coin would pass all over the world at a certain rate of exchange. Since 1851 £100,000,000 of gold had been produced in Australia; and if sovereigns coined there had been a legal tender in England, this amount would have come to us in the shape of coin. But it was not wanted here in that shape, somewhere about £60,000,000 only having been coined here during the last eleven years. The Bank of England had no exclusive privilege in coining. It was merely used as the medium through which coin was obtained for the convenience of the country. It had no interest except that of preserving the integrity of the coin. But if Australian sovereigns should be made a legal tender here, they would become an essential part of the coin of this country ; and if any tampering should take place with the colonial coin, Imperial interests would be affected. This was not a question for a Committee,.and he felt very much inclined to take the sense of the House against the proposition of his hon. Friend.

Mr. CHILDERS said, that if this was an Imperial question, there was the more reason for its being considered by the Imperial Parliament. He believed the value of the coin was as little likely to be tampered with in Australia as in England. The East was inundated with money coming from Sydney, where it circulated with the English sovereign, and great confusion would arise unless either the Sydney coins were made a legal tender or the Mint at Sydney abolished, which he thought would be a very foolish thing.

The CHANCELLOR of the EXCHEQUER said, that he hoped his hon. Friend the Member for Peterborough (Mr. Hankey) would not oppose the Motion. He quite agreed with his hon. Friend that this was not to be treated as a mere matter of form, that it should be regarded as an Imperial question, for the subject was one on which every step should be taken with the utmost circumspection and deliberation. The question had, in fact, been brought forward on Imperial grounds. It was no doubt desirable that the country should not be flooded with quantities of this coin ; but he had no apprehension of such a result. It might be true that we had not perfect identity in the composition of all the sovereigns in circulation in Australia, but neither had we perfect identity in the composition of all the sovereigns now circulating in this country, for some of them were alloyed in one way and some in another. But had we absolute security for the sufficiency of value of an Australian sovereign ? The answer to that question did not admit of the smallest doubt. The Mint in Australia had been established by due authority, and had been properly described as a Branch of the Royal Mint in England. His hon. Friend (Mr. Hankey), in saying that an Australian sovereign was at present of greater value than a British sovereign, appeared to raise an inference that some day it might be of less value than a British sovereign. But that could not be, for the Mint regulations would prevent any such thing. At any rate, that was a matter on which it would be the duty of the Committee clearly to satisfy itself. There were two reasons which appeared to him to justify the appointment of this Committee. In the first place, he thought the proposition of the hon. Member for Greenwich (Alderman Salomons) would be advantageous to the colonies. He did not in the smallest degree apprehend that British sovereigns would be supplanted by colonial sovereigns of less value. Neither the Chancellor of the Exchequer nor the House ought to grudge the colonies the privilege of supplying this country with gold coined at their own expense. The proposed Committee ought not to meet with a foregone conclusion. The Committee would consider the evidence of persons connected with trade and with the

Bank of England, as well as with the Government; and it would be their duty to inquire whether there were any inconveniences in our way, and what was to be done with Australian sovereigns, when, by wear and tear, they were reduced below the standard at which they were formerly a legal circulation. He did not believe that Australian sovereigns were more liable to be filed than other sovereigns. He tendered his acknowledgments to his hon. Friend for charging himself with the responsibility of this matter, and would render him every assistance.

Motion *agreed to.*

Select Committee *appointed,*

"To consider and report on the expediency of legalizing the circulation in the United Kingdom of the sovereigns coined at the Branch of the Royal Mint at Sydney."

And on May 26 Committee *nominated*—

"Mr. Alderman SALOMONS, Mr. CHANCELLOR of the EXCHEQUER, Mr. HENLEY, Mr. HANKEY, Mr. HUBBARD, Mr. CHICHESTER FORTESCUE, Mr. FITZGERALD, Mr. CHILDERS, Mr. ARTHUR MILLS, Mr. MARSH, Mr. THOMAS BARING, Lord ALFRED CHURCHILL, Sir FREDERICK HEYGATE, Mr. LOCKE KING, and Mr. JOHN HARDY:—Power to send for persons, papers, and records; Five to the quorum.

GRAND JURY SECRETARIES (IRELAND) BILL. [No. 94.]

SECOND READING.

Order for Second Reading read.

MR. HENNESSY, in moving the second reading of this Bill, said, the grand jury secretaries were appointed under an Act of George IV., and the salaries were then fixed. Their duties had been greatly increased, and the price of provisions had become considerably higher, and the object of the Bill was to enable the grand juries to increase the salaries. The grand juries were in favour of the Bill, and a clause was inserted enabling the ratepayers to review the decision by which the salary of any secretary was raised. It ought to be a Government measure; and if the Government would undertake it, he would withdraw this Bill.

GENERAL UPTON seconded the Motion.

Motion made and Question proposed, "That the Bill be now read the second time."

MR. BLAKE was favourable to the principle of the Bill, but he rather objected to give the grand juries as they were now constituted any additional powers whatever. He understood that the right hon. Baronet (Sir R. Peel) had promised to bring in a Bill to reform the grand jury laws. [Sir ROBERT PEEL: No, no.] He hoped that such a measure would be introduced. If the constitution of the grand juries in Ireland was altered, he should have no objection to intrust them with these additional powers.

SIR ROBERT PEEL disclaimed having foreshadowed any measure of the kind suggested by the hon. Member for Waterford. What he said was, that he should be glad during the recess to give a careful consideration to the whole of the grand jury laws. He was sure, that if he had introduced such a proposition as this on behalf of the Government, he should have been opposed by nearly all the Irish Members. On the part of the Government he was bound to give a decided opposition to the Bill proposed by the hon. Member for the King's County. There was no necessity for increasing the salaries of the secretaries of grand juries, as he could show that they were remarkably well paid and their duties very light. Every addition to their salaries would be an addition to the county cess, and they ought to deal cautiously with the amount of money paid to the county officers. So far from these gentlemen requiring an increase of pay, whenever there was a secretary's place vacant there were numerous applications for the office; and not only that, many were ready to give a handsome gratuity for it. This did not look like a state of things calling for such a Bill. It had been said that the secretaries had their time so much occupied that they could not engage in any other business. He had made inquiries on this point, and he found some of these gentlemen employed as treasurers to public bodies, connected with insurance offices, acting as agents; and one secretary styled himself a "perpetual commissioner for the transfer of property by married women." They were not only paid a salary, but received large emoluments from fees. He would take four counties to show what was the condition of these ill-paid officers. The secretary of the county of Donegal received a salary of £203; but he also received in fees on the applications for payment to contractors £223, making his total receipts £426. Yet this secretary asserted he was out of pocket by his office £150; he could not understand how this could be the case, when there were twenty gentlemen quite ready, not only to succeed him, but to pay for succeeding him. The secretary for the county of Down received as salary £203; but the total amount of his remuneration was £548. Would it be just to raise these salaries by another £100 a year? The secretary for Fermanagh received £244; the secretary for Kerry, £185 as salary; but, with the fees, altogether £345. Nothing could be more vicious than the manner of raising these fees; and if any Bill on the subject was required, it was a Bill to do away with them. The secretary for Donegal, it appeared, charged on each contractor's application for payment the sum of 6*d.*; the secretary for Down charged 1*s.* on the same document; the secretary for Fermanagh, 1*s.* 6*d.*; and the secretary for Kerry, 2*s.* So that in these four counties there were four different scales of fees charged for the same work. What necessity was there for a Bill materially increasing these emoluments? The hon. Member was, no doubt, anxious to do his duty towards those he considered an ill-paid class of officers; but, on the part of the Government, he must declare he thought them most amply remunerated. It would be unfair to other public officers to increase these salaries at the expense of the county cess. He could not assent to the second reading of the Bill, and he hoped the House would support him in rejecting it.

SIR HUGH CAIRNS thought the right hon. Baronet had made out a good case not only against the present Bill, but for the introduction of another, regulating the whole matter, which was in a most unsatisfactory state. The Secretaries received these fees without any control over the amounts charged. He hoped the right hon. Baronet would, at some future time, propose a Bill, not abolishing the fees, but regulating their amount and carrying them to the county fund.

COLONEL FRENCH thought the right hon. Baronet had proved the inexpediency of the Bill. He was not prepared to give his assent to it.

MR. VINCENT SCULLY said the landowners of Ireland were already over-taxed. They might be truly described as a body of encumbered proprietors charged with the support of a horde of paupers, placemen, and policemen. He admitted, however. that some grand jury secretaries were under-paid; but the present Bill, if read a second time, would require to be carefully considered in Committee.

MR. BRADY said, the Irish grand jury laws generally were in an unsatisfactory state, and required immediate revision.

MR. O'BRIEN said, the fees to secretaries to grand juries were not legally recoverable. They were perfectly gratuitous.

MR. HENNESSY asked leave to withdraw the Bill seeing that the hon. Member for Waterford had announced his intention to introduce a general measure next Session.

Motion, by leave, *withdrawn.*

Bill *withdrawn.*

PUBLIC HOUSES (SCOTLAND) BILL.

[BILL NO. 73.] COMMITTEE.

Order for Committee read.

House in Committee.

Clause 34 (Sentences and Judgments not subject to Review except as provided by this Act).

SIR EDWARD COLEBROOKE said, he thought the parties ought to have the same right of appeal that they had at present. He saw no reason why the right of appeal should be taken from them. He would take the sense of the Committee on the clause unless the appeal was allowed to remain.

THE LORD ADVOCATE suggested that the hon. Member should bring forward any Amendment upon the subject on the Report.

MR. CRAUFURD thought the point ought to be settled before they went out of Committee.

Question put, "That the Clause stand part of the Bill."

The Committee *divided*:—Ayes 97; Noes 22: Majority 75.

Clause *agreed to*; as were also Clauses 35 and 36.

Clause 37 (Interpretation of certain Terms in this Act).

MR. BLACKBURN said, cases had arisen in which magistrates in Scotland had been called on to decide what the words "*bonâ fide* traveller" meant; but as he thought that the Bill itself should contain a definition of them, he proposed to add at the end of the clause the following words, which would exclude from the definition mere excursionists:—"The word 'traveller' shall mean any person changing his abode from that in which he passed the previous night, and on his way to another in some other place."

MR. E. P. BOUVERIE opposed the definition, which would have shut him out from shelter and refreshment any day last week. The definition was not wide enough.

Amendment *withdrawn.*

Clause *agreed to.*

Remaining Clauses and the Schedules *agreed to.*

Mr. FINLAY moved the addition of a clause—Licence not to be granted if objected to by two-thirds of the assessable proprietors and occupiers of houses, situated within 100 yards of the premises for which such licence is sought to be granted.

Clause (Licence not to be granted, if objected to by two-thirds of Proprietors and Occupiers) *brought up,* and read 1°.

Major HAMILTON thought, that the clause should be extended so as to embrace the lower as well as the higher classes.

Mr. BLACKBURN expressed his dissent from the proposal.

Mr. E. P. BOUVERIE also opposed the Motion. If the sale of liquors were a nuisance, as the clause would imply, then the proper course to take would be to prohibit it altogether. If this proposal were assented to, he did not see how they could fairly object to the introduction of the Maine Liquor Law. The effect of such a provision would be that there would be a canvass on the part of the owners of existing public-houses to prevent the opening of new ones, and thus secure to themselves a monopoly.

Major CUMMING BRUCE said, he did not think the clause ought to be adopted.

Mr. DUNLOP thought it only fair that the inhabitants of the district should have a voice as to whether a licence should be granted.

Mr. MURE confessed he was favourable to the principle of the clause; but he thought that the clause went further than the hon. Member who framed it intended.

The LORD ADVOCATE said, he would not give the clause any active opposition, but neither would he pledge himself on a future occasion to support its principle.

Sir DAVID DUNDAS said, that upon a clause of so much importance the Committee had a right to expect that the Law Officer of the Government would have made up his mind upon it. For himself, as he had a decided opinion on the subject, he should oppose the clause. If the justices were competent to the discharge of their duties, they ought not to be overruled by persons living within either 100 or 200 yards. If he stood alone, he should divide against the clause.

Mr. FINLAY was willing to limit the clause to new licences, so that it should only apply to houses that had not been licensed before.

Question put, "That the Clause be read a second time."

The Committee *divided:* — Ayes 19; Noes 37: Majority 18.

House *resumed.*

Bill *reported;* as amended, to be considered on *Friday,* and to be *printed* [Bill 117].

House adjourned at half
after One o'Clock.

HOUSE OF COMMONS,

Wednesday, May 14, 1862.

Minutes.]—Public Bill.—3° Moveable Property (Scotland).

CHURCH RATE ABOLITION BILL—[Sir John Trelawny.]

SECOND READING. [BILL NO. 10.]

Order for Second Reading read.

Sir JOHN TRELAWNY said, he must once again ask for the patience of the House while he brought under its notice the Bill which he asked the House to read a second time that day. When he considered that this measure had in former times received a large amount of support, had had large majorities in its favour, and that gradually it lost its supporters, until on a division it was actually defeated, he might possibly feel discouraged on the present occasion, were it not that he derived great comfort and consolation from this consideration—that their defeat was in fact their own act; for it must not be forgotten that on the back of the Bill which was introduced last year, with a view to a compromise of this question, stood the names of several Liberal Members, and that considerable division existed on that (the Liberal) side of the House. His hon. Friends seemed to have been led away by the vain hope of effecting some satisfactory compromise, which they must now see had become wholly impracticable. He had considered the grounds upon which his right hon. Friend the Member for North Wilts (Mr. Sotheron Estcourt) could logically oppose him. He could not logically oppose him on the ground that no legislation was necessary, because he himself a few years ago introduced a measure which was intended to compromise this question; and they had the opinion of almost every person, lay and clerical, in favour of some alteration in the law of church rates. There was but one solitary exception in Archdeacon Denison, who had given great attention to the subject, and had put forward a pamphlet, in which he expressed the opinion that the true course to adopt in respect of church rates was to do nothing at all. He, no doubt, was an authority, but he (Sir J. Trelawny) did not think that his opinion ought to be placed in opposition to the deliberate opinion that had, on various occasions, been expressed by Parliament. The question he had to consider was, what would be the nature of the opposition with which he would be met that day? The right hon. Gentleman opposite (Mr. Sotheron Estcourt) thought that some other measure than that which he proposed ought to be adopted. He did not meet the second reading of the Bill with a direct negative, but by an Amendment, declaring that this impost ought not to be abolished until some other provision should have been made in lieu of it. In the form of this Resolution he saw hopeful signs, for it seemed to him (Sir J. Trelawny) to throw overboard altogether the sacredness of church rates, because it implied that it was possible that church rates might be abolished; and therefore it would save him a great deal of trouble, inasmuch as it would not be necessary for him to advert to the arguments of the sacredness of the character of church rates, and their being a trust for the benefit of the poorer classes. Moreover, the Resolution was open to the old objection, that it would in all probability throw a new charge upon the Consolidated Fund, and was likely, therefore, to be anything but acceptable to the Members for Ireland and Scotland. The right hon. Gentleman had fallen somewhat into an error with respect to the nature of the law on this subject, in stating in his Amendment that the churchwardens were liable for the parish. He (Sir J. Trelawny) had put a question to a learned Judge, whether the churchwardens in calling a meeting and proposing a rate did all that was required of them; and the answer was to the effect that they could do no more—they were neither compellable nor able to enforce its imposition. Hon. Gentlemen opposite were very confident in their power to effect a compromise, and it had been said that his Bill was the only obstruction to the settlement of this question, and that it was only necessary to get rid of the measure in order to effect this object. But what did he find? Why, that almost every hon. Gentleman opposite had a plan of his own, none of whom he believed had a follower. When he considered the multitude and contrariety of the schemes suggested by hon. Gentlemen opposite, and then had regard to the unity of counsel which prevailed on his side of the House, he was reminded of the saying attributed to an ancient philosopher, that "truth is one and error is infinite." Theirs was the simple and straight course, but on the opposite side of the House there was an infinite diversity from the straight line. The various attempts at compromise had failed, because they had attempted to apply one rule to varying interests. No two parishes were alike in respect of church rates, and yet some hon. Gentlemen would introduce a law to exempt Dissenters from church rates, and apply it to Liverpool, Manchester, or Birmingham, allowing church rates to be resuscitated supposing the parishes wished to have church rates. The result of that would be that young gentleman fresh from their collegiate studies would come and say, "Why should we not have church rates? We have lost them, it is true; but we may restore them, and let us do so." Several of the compromises that had been suggested offered exemption from this impost to Dissenters individually, if they would make a formal claim for that privilege. Dissenters, however, objected to that expedient, because they did not like a line of demarcation to be drawn between them and members of the Church of England. Surely, if a skilful surgeon had to treat a diseased limb—for in that light some seemed to regard dissent—he would consider whether it was possible to heal it, and bring it again into useful action, instead of at once adopting the summary process of amputation. It had been asked why the descendants of the English Puritans, who would suffer anything for their faith, should object to be "ticketed" before the world as Nonconformists. Now, he did not wish to say anything offensive, but these were not days in which our toleration was as great as we boasted that it was. A question was asked the other night of our Foreign Minister respecting the treatment of Protestants in Spain. Had it been in order, he was ready to ask the hon. Member what he meant, and whether he did not think the Spaniards might not be disposed to ask questions about the treatment of certain persons in England; and had he been a Spanish Minister, he would have written an insolent despatch, reminding us that we were by no means so tolerant as we pretended to be. We were by no means tolerant in certain instances of extreme belief in this country. If the evidence of certain persons were necessary even to defend the reputation of the Archbishop of Canterbury, it would not be accepted unless each witness commenced by stating a blasphemous lie. He would be asked what his opinions were. If he stated the truth, he would be incredible: he must therefore commence by telling a lie in order to be credible. That was neither right nor just. What were the gradations between that and other cases? Some persons might object to a Unitarian, who might be punished in a similar way. Therefore Dissenters were right in holding fast their own in this respect, and would not be right in allowing themselves to be ticketed.

He would, however, now refer the Church party to the condition of some of their churches, which had been repaired by means of the ordinary machinery. When hon. Members had come there and supported church rates, they thought they had done their duty. But let them enter some of their churches—they would find marble pillars carefully whitewashed, modern windows where there should be antique, galleries extending far into the chancel, ventilation controlled by an asthmatic churchwarden who opened the door when he pleased, a damp pavement, and altogether a dismal chill, which produced upon the worshipper a sense of discomfort only in keeping with the lugubrious tones in which some clergymen were in the habit of proclaiming the glad tidings of the Gospel. Why should this be? Let them trust to the voluntary principle. Church rates were the dry-rot of the Church. The time had come when the Church, which had learned to swim on dry land, should strike out boldly, and swim in deep water. Why not have more confidence in the voluntary principle? Were there not evidences of its being capable of any work? If the impost were done away with tomorrow, he believed that before the year ended a machinery would be set up in every parish to supply the deficiency. There were among the clergy men of untiring and unconquerable zeal. In Smiles's *Lives of Engineers*, a stranger, writing under the title of "The Bristol Churchgoer,' thus describes the value of Mr. Ellacombe's labours—

> "The vicar of Bitton is one of those men, who, if you placed him in the deserts of Arabia, would, I believe, have half-a-dozen churches up about him in little more than that number of years. I am afraid to say how many he has built in the parish of Bitton, which was once as bad as Arabia; but I think I am correct in stating that he found it with one, and that he has managed to add four or five others, and by the time he is gathered to his fathers as many more will, I expect, stand as monuments of his untiring, his unconquerable zeal. Where he gets or got the money for them all, Heaven knows, I do not; but I should say he must have been a most intrepid beggar and indefatigable man to do what he has done. He restored the mother church, he rebuilt Oldland, perched a pretty new chapel on Jeffries' Hill, and planted another among the coalpits of Kingswood. He rubs on, enlarging the borders of the Church while others are squabbling about her; erecting altars, while others are fighting about turning their faces toward or from them."

The *Saturday Review* recently contained a notice of what had been done with Stone Church, in Essex—one of our best specimens of the early pointed style. It was a good illustration of the mischief which was done to the most beautiful ecclesiastical edifices when subjected to the neglect or the eccentric taste of the churchwardens, as well as of what could be done when the work of restoration was carried out by the voluntary principle and a first-rate architect. How many men in England were to be trusted with the restoration of an old church? Half-a-dozen at the utmost. Incongruous elements were sure to be introduced if the restoration of a church were intrusted to churchwardens, many of whom were often Dissenters. The abolition of church rates would be quite consistent with the improvement of the churches, and that was proved by experience in all cases where the voluntary principle had been acted upon. The person most interested in a parish in keeping the church in repair was the landlord, because if the church were out of repair, he would have less chance of letting his tenements. Therefore a year would not elapse before machinery would be established to supply a substitute for what was lost by the abolition of church rates. The following was a description of Stone Church to which he had referred:—

> "Of all the monographs of churches which have fallen under our notice, we have not seen one of greater artistic interest than Mr. Street's description of Stone Church in Kent—a building which has been fortunate in falling into such good hands, both for its written history and its material restoration. This Kentish village church is well known to antiquarians and architects for its

> extremely beautiful design and detail. It has been described and illustrated more than once; but proper justice has only now been done to it. Indeed, in its late mutilated condition, it was impossible to discern its full merits. There was enough left to show that the building had once been a perfect gem of Gothic architecture, but it required a thorough examination and removal of the modern accretions and debasements before many important but lost features of the original design could be recovered. For if few villages can boast of a finer relic of the earliest pointed style than Stone Church, the successive parsons and churchwardens of the parish for many generations have excelled all their contemporaries in the destructive treatment of the beautiful specimen of art intrusted to their care. A recent change of incumbent, however, has been followed by a zealous endeavour to 'restore' the church. The new authorities seem to have had the good sense not to put the building into the hands of the nearest builder dubbing himself an architect; nor, on the other hand, to call in the professional aid of any artist, however eminent, who was not able to devote himself to the personal study of the work. Mr. Street, an architect almost as distinguished in the literature as in the practice of his profession, undertook the task, and he has fulfilled it most admirably. The present sumptuously printed and illustrated paper records the discoveries which he made during the progress of the works, and his interesting hypothesis as to the original designer of the church. It is sold, we may add, for the benefit of the restoration fund."

In an article on "Cornish churches," in *The Gentleman's Magazine* for this month, it was stated that the church of St. Paul, Mousehole, near Penzance, had been "sadly disfigured," and the following description was given of the building:—

> "The arches appear to have been clumsily repaired, for they incline a little to the north and south of the nave, and to prevent them from falling they are connected by unseemly iron braces, bolted through the spandrels. The windows and aisles are of churchwarden insertion, ugly and round-headed, and each window is a perfect caricature. All have wooden frames, with large panes of glass. A monument there is of Stephen Hutchens—'He hath given £100 towards the repairing and beautifying this church.'"

What would Stephen Hutchens say now, if he could see what had been done to this church? And yet gentlemen calling themselves the friends of the Church insist in the year 1862 upon leaving the preservation of the buildings in the hands of the churchwardens.

It was frequently asserted that he and those who acted with him were not the friends of the Church; but there were persons professing to be friends of the Church who really showed by some of their acts that they were not so. There were many estimable persons in the Church—original thinkers—brilliant writers—highly cultivated men—thorough scholars—who were told that, however opposed to their wishes, in the Church they must stay. He, and those who agreed with him, were better friends of the Church than those who would keep such men as he had described under canonical subjection. There were many excellent young men who might now wish to enter the Church, but would not do so lest the day might come when they might change their opinions and yet be unable to leave it. The gentlemen who maintained such a system were greater enemies of the Church than the Liberation Society. Those were the true enemies of the Church who would keep her servile, timid, ignorant, or stupid. They should not make the words of subscription so difficult as to render it impossible for a person to keep them and still be an honest man. The hon. Gentlemen opposite were inconsistent in saying that the Liberation Society have ulterior views, because, according to their own account, it was only a portion, or rather a noisy portion, of the Dissenters that were favourable to the separation of Church and State. They alleged that the Wesleyans were favourable to church rates—and he admitted that there were moderate men amongst them who would retain church rates—but hon. Gentlemen who said so would not give him the benefit of the argument that should be drawn from it. Both sides of the case should be heard; and on hearing the statements respecting the Wesleyans, the argument about the ulterior views of the Liberation Society must fall to the ground. He considered the church rates as altogether unsuited to the age, and an anachronism since the passing of the Toleration Act. They admitted the status of the Dissenters—they gave them a certain degree of power—but a majority was allowed to override a minority, and they compelled the Dissenters to pay the rate. What would be said hereafter, when it was told, that having given the Dissenters the power possessed by them, they still levied this tax upon them? He could fancy the impression that would be produced on the minds of the Japanese Ambassadors on receiving an explanation of the way in which the church rates were imposed and the payment of them enforced. The time would come when the existence of this impost would be regarded as a political monstrosity, and the sooner it was got rid of the better it would be for the happiness of many communities and the benefit of the nation. He might fairly ask hon. Gentlemen from the Sister Isle to assist him on this occasion, because he had risked his seat by the vote he had given in respect to the Maynooth Grant. He hoped the opponents of the Bill would not rely upon idle declamation. He perceived that a right hon. Gentleman (Mr. Whiteside) had just come in who he supposed was going to do again what he had done on a former occasion in reference to this question. He would remind hon. Gentlemen opposite, that notwithstanding their high-flown declarations that, without committing sacrilege, church rates could not be touched, they had belonged to a Government who consented to exempt Dissenters from church rates: therefore let them not rely upon declamation, which was a dangerous weapon, and might be turned against the person who endeavoured to use it. There would be no clear or sharp line of division between the Conservatives and the Liberals till this matter was put at rest. They might upset a Government, but they could not govern till they had got rid of the question of church rates. In conclusion, he expressed a hope that hon. Gentlemen, having found that all their attempts to effect a compromise had failed in spite of every opportunity which he and his friends had offered them, would see the necessity of withdrawing their opposition. He confidently asked the House to support the second reading of the Bill.

MR. BUXTON said, he rose to second the Motion, although his views differed to a very great extent from those of the hon. Baronet. In doing so he did not hesitate to say that he was not so much influenced by either the expectation or the hope of their succeeding in abolishing church rates as by the desire, if possible, to wring from hon. Gentlemen opposite a fair compromise upon this subject before it was too late. No doubt, what had occurred last year was somewhat discouraging. There appeared at that time to be a very strong feeling on both sides of the House in favour of some arrangement being come to; and yet, after a great deal of negotiation, and after a most reasonable proposal had been made from the opposite side of the House, all proved to be of no avail, and nothing could be determined upon. But notwithstanding this, and although there were considerable difficulties in the way, he believed that every year, both on the Conservative side and on the Liberal side, there had been an increasing feeling that this was one of these questions which ought to be settled, not by violent action, but by a fair arrangement between both sides. On the one hand, the evils of the present system had become more generally acknowledged than was formerly the case. It was perceived by many sound Churchmen that it was not really for the interests of the Church of England to set herself against public feeling, and to seem to be extorting money by force from the pockets of the people. There could be no doubt at all that the bitterness that in many parishes had arisen from church rate disputes was most unfavourable to the Church of England herself, and most annoying and humiliating for her ministers. Upon this ground it was that so many sincere Churchmen were willing to give up their opposition to a reform if not to a surrender of the present system. This feeling had certainly been growing of late years. On the other hand, they on that side of the House had to bear in mind that they were not quite in so desirable a position as formerly—that they were much less supported by public opinion in proposing the total abolition of church rates than they formerly were. Their majorities had dwindled away; they had actually been defeated upon this question, and that by no contemptible majority; and it therefore behoved them to listen with more patience than they had formerly done to proposals for a treaty of peace. At the same time, he thought the hostility to the Established Church among Dissenters had become far less violent of late years. The tendency, therefore, in the public mind was to a compromise; but the difficulty was, among the various compromises that had been offered, to select one on which there could be a general agreement; but he thought they might see that by degrees, through a process of exhaustion, they might reach that which, as he believed, was by far the most desirable of all the compromises that had been suggested. For many years the proposal had been urged that Dissenters should be exempted from the payment of the rate. That was formerly a rather popular scheme, and was suggested on that (the Government) side of the House. He need not say a word upon that proposal, because now nobody, except a few clergymen in their studies, dreamt that it could possibly be carried out. Much more satisfactory was the proposal made last year by Mr. Cross, to the effect that any one might exempt himself from the payment of church rates without specifying any reason. That proposition, however, fell to the ground, although it obtained a wide general approval, because it could not be worked out in detail without serious difficulties. Passing over one or two other schemes, the one that appeared to him to deserve most serious consideration was the proposal that the whole existing machinery should be maintained, but that no penalty should any longer attach to a refusal of payment. The objection to that proposal on the part of Churchmen no doubt would be that in surrendering so much they would surrender all; but practically that would not be the case. The truth was, that in making that concession the Church would not give up any real tangible advantage, though she would give up that seeming power of compulsion which at present created great dissatisfaction and ill-will. It was notorious that even now not one church rate in a thousand could be legally enforced. There was almost always some illegality that would prevent their enforcement in a court of law, and practically the attempt to enforce them was scarcely ever heard of. It might be true that the ratepayers in many parishes were not as yet aware of their power, but it would be absurd to suppose that such ignorance could be lasting. The Church, therefore, would lose little by surrendering the penalties attached to the non-payment of church rates, but only a semblance of power which gave rise to much bitterness; while, on the other hand, her relation to the State, her position in the country, would not be damaged, and, moreover, there would be preserved one of the most ancient and interesting forms of local self-government that exist in this country. He had always felt that it would be a serious evil to deprive the parishioners in each parish of the machinery by which they at present met together to provide for the maintenance of the fabric of their parish church, and defraying the expenses connected with Divine worship. It seemed to him, therefore, that they might fairly expect that proposal to receive a considerable amount of support from the moderate part of the Conservative party. On the other hand, it might well commend itself to the Liberal Members, because the grievance of which they had so long been complaining would be brought entirely to an end. No practical annoyance to any one would any longer remain; the bitter feeling that had been stirred up in many parishes would be allayed; and although, no doubt, the theory of Church and State would remain undisturbed, and thus the minds of many Dissenters and of some Churchmen would not be fully satisfied, still an agitation could not be fed upon a purely theoretical ground when no practical grievance was felt by any one. His object in rising was mainly to urge the Government to bring forward a measure founded on such a principle. Meanwhile, there was no alternative for those who disapproved the existing state of things but to give their thorough support to this Bill, and he trusted that they would that day gain for it a majority so large as to compel hon. Gentlemen opposite to listen with due candour to the idea of a compromise.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. SOTHERON ESTCOURT said, he thought the hon. Gentleman had risen to second the Motion of the hon. Baronet for the second reading of the Bill; but he would put it to the House whether the logical conclusion of that speech ought not to have been that he would vote in favour of the Resolution which he (Mr. Estcourt) had placed upon the paper. In making that observation he intended no disrespect towards his hon. Friend—on the contrary, he was glad to find that his hon. Friend's opinion was so much in accordance with his own. The hon. Baronet, who had been his consistent, but courteous, opponent upon this question, had fairly interpreted his intention in not, as in former years, meeting the Motion with a direct negative. He desired to keep open the opportunity of settlement which in the course of last Session presented itself, and they had now come to a point of the discussion when the matter was likely to be treated in a more business-like way than had hitherto been adopted. He observed that his hon. Friend seemed to draw a distinction between the clergy and the Church. This he could not understand—they might as well try to separate the officers from the army. For instance, the hon. Baronet spoke of the enforcement of the payment of church rates being an exercise of tyrannical power on the part of the clergy, as though it was for their own benefit, whereas, in fact, the rate was the result of a vote of a majority of the parishioners in order to carry out an object in which they conceived they had a common interest. The hon. Baronet had also created a confusion between the restoration of a church and the ordinary repairs, and had expressed his belief, that if the Bill passed, a machinery would be created in every parish that would provide for the restoration of the parish church by voluntary subscription, and he cited the cases of a church in Essex, and another in Cornwall. But the question of ecclesiastical architecture had nothing to do with this question. The church rate was a small annual payment for the purpose of maintaining the parish church in a sufficient state of repair and for the performance of the ordinary Church services, and for nothing more. But no one supposed it possible to undertake large restorations by means of a rate—such operations were undertaken by voluntary subscriptions. There was no doubt that the law did not sanction a rate for any other purpose than for keeping the church in ordinary repair. There was only one argument advanced by his hon. Friend to which it was desirable to devote any special notice, and that was the argument that there was no prospect of relief in this case, except by means of such a measure as that then under the consideration of the House. The hon. Baronet justly claimed the credit of having exercised considerable forbearance in this matter, and of having afforded his opponents every possible opportunity of bringing in a Bill of their own. But why was it that after the remarkable division of last year, and with four Bills upon that subject on the table of the House, nothing had yet been done for a settlement of the question? They had got far beyond any attempt at reserve in the case, and, for his part, he should declare his opinions at that moment as freely as if he were engaged in a private conversation with the hon. Baronet. The reason why no proposition for an arrangement was made from either side was, that they were not agreed upon the principle of such a settlement. But was that any reason why they should vote for the second reading of this Bill—unless, indeed, they acted upon the arguments of the hon. Member for Maidstone? It was worth while to see what had been their course of proceeding in reference to this matter. He found that since the year 1834, when the question was first mooted, there had been laid upon the table of the House twenty-three different Bills for an alteration of the law of church rates, and that upon more than a hundred occasions the subject had been more or less under discussion. He admitted that they had made some progress in the consideration of the question, but they were still very far from any agreement; and progress was not a settlement. It might be that they should come hereafter to a settlement. He hoped that might be so; but surely it was a discredit to the British Legislature that in the whole of that time they had not dealt with the church rate question in the same business-like and practical mode in which they would have dealt with any other subject. Every one had insisted that any Bill relating to this subject must contain the particular scheme of some individual Member, or of the Government of the day. Some of the Bills that had been brought forward might be put down as simple crotchets; some were mere repetitions, in other words, of the Bill now under consideration; but the majority were the schemes of individual Members, and, besides that, there had been many propositions ventilated in the speeches of their propounders. He believed, that if they were dealing with any other question, they would first endeavour to ascertain the facts of the case; that they would next try to determine what were the duties to be discharged; that they would, in the third place, attempt to provide for the fulfilment of these duties; and, fourthly, that they would resolve to get rid of as much of the tax as was not absolutely necessary. But they had not proceeded in the case of church rates in any such business-like manner. The first proposal that was made was that the amount of the church rate should be paid out of the general taxation of the country. But there were manifest objections to such a scheme—the amount might be too much or too little—and in his opinion it was a vital point that they should not in such a case substitute a tax for a rate. Then there was the scheme of voluntary commutation, including a system of self-exemption, which was proposed by the late Government. He had supported that scheme; but, after the consideration he had since given to the subject, he was led to the conclusion, which he felt it his duty frankly to state to the House, that it would be impossible to establish the principle of self-exemption without doing that which he for one could never consent to do—namely, dividing the inhabitants of each parish into Churchmen and Dissenters. The parishioners ought to be regarded as a body of men with common rights, and that character would be destroyed if any such distinction were made. Putting aside those two schemes, he next came to the plan which was proposed by the right hon. Baronet, the present Home Secretary, two years ago—that was to say, a system of pew rents, which had since been very strongly and cleverly urged upon public attention in a pamphlet that had been widely circulated. There was, no doubt, a good deal to be said in favour of that scheme; but it seemed to him that it was open to this great objection, that it would establish an absolute right for the time in a portion of the church. [Sir GEORGE LEWIS intimated dissent.] The right hon. Gentleman appeared not to concur in that view; but he (Mr. S. Estcourt) thought, that if they granted to any persons a positive right, in return for their contributions, to appropriate certain seats, they would *pro tanto* give them for a time the right to keep others out; and such an arrangement would, in his opinion, be at variance with all the principles of a national establishment. The right hon. Baronet at present at the head of the War Department (Sir George Lewis) had, in the course of their last discussion of this question, given a slight glance at a scheme of which he (Mr. S. Estcourt) would be glad to hear something more. It appeared to him that the plan in question would palliate, and not get rid of the difficulty. The right hon Gentleman himself said he thought it was not a sufficient scheme; and if it were not a sufficient one, it would surely be better not to attempt it. [Sir GEORGE LEWIS said, he had not stated that it would not be sufficient.] He could not discuss the scheme as only a glimpse of it had been afforded to the House; but that was the statement of the right hon. Gentleman, as he understood it; but he should like to hear more about the scheme before he expressed any decided opinion upon its merits. For his part, he believed, that if they were to deal with the matter at all, they ought so to deal with it that their settlement should be of a permanent character. He would not enter into a consideration of the proposal which had been made by the hon. Gentleman the Member for Birmingham (Mr. Bright), or the numerous other plans that had been presented to the House for a settlement of the question; he would only express his opinion that all of them were liable to objections of a vital nature, and that not one perhaps of their proposers had met with a single unqualified supporter. The hon. Baronet had stated as the reason why all those plans had failed, that truth was one and error was infinite; and the inference he meant to draw from that statement was that he represented the truth, and all his predecessors represented error. It might be so; but that did not meet the difficulty. He (Mr. S. Estcourt) had his own solution, and that was that all those schemes had failed because they had not been founded upon any distinct and constitutional principle. They were mere expedients devised by persons who took up the subject with a view to get rid of that particular difficulty which was most apparent at the moment, but who did not stand upon any plain, distinct, and constitutional principle, and who did not, therefore, find any support in that House. He had himself offered a scheme to the hon. Baronet in a kind of private negotiation; but his scheme was rejected by the hon. Baronet, and he (Mr. S. Estcourt) could not regret that fact, because the plan in question would not have effected a settlement of the subject. He had brought forward the present Resolution with the view of suggesting to the House the propriety of dealing with the question upon principle; and the principle which they should first of all recognise was, as it seemed to him, that they had a right to call on the inhabitants of a parish, whatever might be their religious differences, to contribute to the support of that which was their common property, and in which they had a common interest. It might be said, "What interest has a Dissenter in the services of the Church?" He was persuaded that they must look back to the history of remote times if they wished to deal wisely with that question. The agitation against church rates was of recent date. Down to the period of the Reformation no one thought of the possibility of disputing the liability of every inhabitant of a parish to the payment of the church rate, because no one would have dared to avow a dissent from the established religion of the country. Then followed a period of about 150 years during which all ecclesiastical matters might be said to have been in a state of transition. At the expiration of that period they came to the turning point in our ecclesiastical history—the commencement of the reign of William and Mary, when the right of every man to worship God according to his own conviction, or even his fancy, was established by Act of Parliament. Now, what were the charges which in the first year of William and Mary were habitually defrayed out of church rates? The Nonconformist had just as great an interest as the Churchman in these items of expenditure. The obligation to repair the parish church was of most ancient date, and the duty thus cast upon the parishioners had so often been asserted upon the highest legal authority that it was in vain to dispute it. In the first place, there was the Report of the Royal Commission of 1832, which was signed by Lord Tenterden, and by constitutional lawyers of great authority, who declared that it was the duty of the churchwardens to take care that the body of the church was repaired, and that the law imposed on the parishioners the burden of raising by a church rate the funds necessary for that purpose. Chief Justice Tindal, in a decision which he pronounced in 1845, recording the unanimous opinion of himself and seven other Judges, said that the repair of the church was a duty which the parishioners were compelled to perform; that it was not a voluntary act, which they might decline or not at their discretion, and that the only question to be decided by them was not whether they would repair the fabric, but how and in what manner the common law obligation should be fulfilled. [Sir GEORGE LEWIS: That decision was afterwards overruled.] The right hon. Gentleman said that that decision was overruled. He was no lawyer, and he could not undertake to say whether that was so or not. But Lord Denman, Lord Truro, and Lord Campbell had stated the law of the case in similar terms; and only a few weeks ago, on an appeal from the parish of Sydenham, he understood that the legal obligation to pay church rates was affirmed in the strongest manner. The hon. Baronet, however, desired to abolish church rates. But if the hon. Baronet wished to proceed in a practical manner, his first business ought to be to contrive some means by which the expenditure incurred in the maintenance of churches might be met; and if he could succeed in that object, he need not trouble himself any further about the Bill. If you provided for the expenditure, you need not take any precaution respecting the rate, which was the consequence, and not the antecedent, in this question. He contended that you could not go against the old common law, or ask Parliament to blot out that common law obligation; and, this being so, it was hardly business-like to pass a Bill which would leave that obligation staring you in the face. In his opinion, the first thing to be done was for the House to assent to his Amendment. That would, of course, get rid of the Bill, but it would at the same time put upon their Minutes a principle on which action might be afterwards taken. He assured the House that he had proposed this Amendment, not with any intention of using it to achieve a result which might have been accomplished by a direct negative, but with a view to pass a substantive Resolution upon which action might be based. That action, it seemed to him, ought to originate with the Government, because it was the Government alone which possessed sufficient influence in the House to enable them to guarantee that a Bill should go through Committee substantially in the same shape in which it passed the second reading. Therefore the Bill upon this subject ought to be brought forward either by the Government or by some Member who would receive their direct support. If, however, the Government declined the responsibility of introducing a Bill, and the matter thus fell into the hands of private Members, he, for one, would not place another Bill on the table of the House. There were four upon the table already, though not one had the smallest chance of passing. These Bills appeared to him only to darken, and not to clear, the atmosphere. Something, however, ought to be done, and he thought that the House should begin by endeavouring to ascertain some distinct principle upon which their legislation should proceed. A Resolution should be submitted with a view to test the opinion of the House; and, although exceedingly unwilling to give any pledge upon a question of this kind, he was resolved that if, by the fortune of war, his Amendment should be carried, he would follow it up with some proposal in the form of a substantive Resolution. The Amendment which he now submitted appeared to him to be such that it was not open to dispute. He proposed—

> "That it is unjust and inexpedient to abolish the ancient customary right, exercised from time immemorial by the ratepayers of every parish in England, to raise by rate among themselves the sums required for the repair of their Church, until some other provision shall have been made by Parliament for the discharge of those obligations to which, by custom or statute, the churchwardens, on the part of the parish, are liable."

It had been suggested that he meant that this provision should come out of the public taxes; but nothing could be further from his intention. He regarded the burden as entirely a local one, and to be defrayed from local resources, and he would far rather abolish the rate altogether than commute it into a tax. According to his view of the case the parishioners were the owners of the property belonging to the parish, and had the power of making a rate for objects which they considered to be of common use and benefit. According to the usual habit of Englishmen, this question was to be determined by the majority. Now, if it could be shown that the minority had thrust upon them, under the disguise of a rate for a common object, any expenditure which was really applied to no such object, he was quite ready to get rid of it. He would put on the most voluntary footing—whether by offertory, collection, subscription, or whatever else you chose to call it—every item of expenditure, now sometimes defrayed by a church rate, in which it could be shown that all the parishioners had not a common interest. But the common interest of a Dissenter in his parish church depended in no degree upon the religious dogmas which he held. That Church was a religious standard erected before the eyes of all the people. It was an edifice erected for common use, into which every man had a right to enter, from which no one could be thrust out, and in which Sunday after Sunday the Bible was read and moral doctrines at least were taught to the people. Now, if you abolished the obligation of the whole parish to contribute to the support of the church, it followed that the church, now common property, would become the property of those who agreed with the doctrines taught there and who did in fact support it. Was the House prepared thus to disinherit all Nonconformists? Were they to be thrust out from participation in that which was the birthright of every Englishman? For his part he was not willing to deprive the Dissenters of this right. He would meet any reasonable, conscientious scruples on their part, but he thought he should be doing them injury instead of good by saying, "Stand aside. You have nothing to do with this place. We will repair it, and you have no right here." On the other hand, he would venture to say that those within the Church, whether ministers or laymen, who obstructed the entrance to her communion, who encumbered it with petty obstacles, whether by too exclusive an interpretation of its doctrines, or by too great a superfluity in its ornaments, did not understand the trust which was confided to them. The true spirit and the true interest of the Church of England was comprehension, not exclusion; and no man, he believed, could act in a manner more unpatriotic than those who threw impediments in the way of entering that place of worship which was open to every inhabitant of the parish. If his views were sound, he might almost hope for his Resolution the support of the whole House, including even the hon. Baronet. The first step towards the abolition of church rates was to ascertain what the charges upon them were, and to provide for them. The hon. Baronet would, perhaps, reply—"I provide for them by voluntary contributions." In this statement he did not agree; but still, in order to put the question in a business-like form, the hon. Baronet ought to vote for the Amendment. He thought that he might also claim the support of those who, being unquestionable friends of the Church, desired with equal sincerity that no change should take place. In this opinion he did not agree, but those Gentlemen ought to support the Amendment, because, as it was to be no idle Resolution, they would hereafter have the oportunity of making out their case. The great majority of this House desired to have this matter settled, and he had so strong an opinion in favour of the Amendment, that his difficulty lay in not seeing what could be said against it. Surely, unless you could get rid of judgments and statutes, and of the existing common law right, the second reading of this Abolition Bill could not be assented to. If, however, the House adopted his Amendment, they would have an opportunity of fairly investigating the merit or demerit of the different charges upon church rates, and of afterwards making whatever provision appeared desirable. The present position of this question was very remarkable. The last debate upon it ended by a division in which the numbers were equal, the Speaker's casting vote being given in favour of what might be called an armistice. And he might be permitted to say, speaking only his own opinion, that the right hon. Gentleman, in the course which he had taken upon that occasion, had acted not only with suitable dignity, but with a strict adherence to constitutional propriety and usage. From that remarkable division two conclusions might be drawn—one, that the House of Commons was not satisfied to leave the law of church rates as it stood, and the other that the House was not prepared to accept the total abolition of church rates. Of such a state of things it seemed to him that his Amendment was the logical and natural consequence. It was the first step towards dealing with this subject in a business-like way, and it was not intended as a mere Amendment for indirectly securing the defeat of the Bill, but indicated a policy to which he desired the House to give effect. He himself would take care that it should be followed by some substantive action, and therefore he now, with some confidence, asked the House to give their assent to it.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "it is unjust and inexpedient to abolish the ancient customary right, exercised from time immemorial by the ratepayers of every parish in England, to raise by rate among themselves the sums required for the repair of their Church, until some other provision shall have been made by Parliament for the discharge of those obligations to which, by custom or statute, the churchwardens, on the part of the parish, are liable,"

—instead thereof.

SIR GEORGE LEWIS: Sir, in the necessary absence of my right hon. Friend (Sir G. Grey), I came down this morning to listen to this debate, and with no intention of taking part in it; but, after the remarks which have fallen from the right hon. Gentleman, I cannot well avoid offering a few observations upon the second reading of this Bill. I think it will be felt that there is nothing very tempting to any person to take part in the discussion of the church rate question. As we have been reminded, twenty-three Bills respecting it have been successively submitted to this House; and when we remember the number of fruitless debates to which they and other Motions have given rise, and, following them, the balanced vote of last Session, any person must be very sanguine who hopes to-day to lead the House to any practical conclusion in the matter. It must be admitted, I think, that the existing operation of the law is not satisfactory. We know that in a large number of parishes the rate is absolutely refused by a majority of the vestry, and that in other parishes, where it is not refused, an even worse state of things exists—namely, that the minority in the vestry vehemently, but unsuccessfully, resist the imposition of the rate. To meet this unsatisfactory state of things two proposals are made—one being the repeal of the existing law, and reliance upon the voluntary principle; the other, a less sweeping change in the existing law. As I understand, the Amendment may be included in the latter class; and, if it passes, the right hon. Gentleman is prepared to submit to the House a substantive proposal for a change in the existing law. He is therefore not one of those who think that the present state of things should be continued.

MR. SOTHERON ESTCOURT said, that what he stated was, that he was disposed to recommend proceeding with the subject by a Bill, if the measure were to come from the Government; but that a private Member could best deal with it by way of Resolution, and that he should himself be prepared to propose a substantive Resolution, if no other Member undertook that duty.

SIR GEORGE LEWIS: That agrees very much with what I stated; for a plan may be brought forward by Resolution as well as by Bill, and I presume that such a Resolution would not be confided to mere negations, but would include some definitive plan. The right hon. Gentleman, then, is one of those who are not satisfied with the existing law, and who think that it admits of a remedy. The question is, what amendment of the law can we adopt? Now, looking at the history of the twenty-three Bills, and at the course of the discussions in this House, I confess that I despair of any such amendment being made while the present law continues; and therefore I am prepared without any hesitation to take the alternative of the voluntary system, and to vote now, as I have voted on former occasions, for the second reading of the Bill of the hon. Member for Tavistock. Supposing that the Bill passes—which does not appear to be a very proximate event—and that we have to deal with a purely voluntary system, it is not at all unlikely that plans would be proposed for establishing a voluntary system of assessment to supply the place of the present church rate. Last Session I had, perhaps, the rashness, to mention a plan which I thought would be acceptable, and, as it has just been alluded to by the right hon. Gentleman the Member for North Wilts (Mr. S. Estcourt), I will restate it to the House. My hon. Friend the Member for Tavistock (Sir J. Trelawny) has brought forward what may now be called the Japanese argument. It is said that when the Japanese ambassadors go back to their own country they will describe a monstrous and barbarous institution existing in one of the most civilized countries in Europe—namely, church rates. Now, I confess that I should question altogether the justice of that supposed opinion of the Japanese ambassadors. It does not appear to me that church rates are either a monstrous or an unintelligible institution. When church rates were established, there was but one religion in every parish in England. The whole community belonged to the Roman Catholic Church. As it was necessary that the fabrics should be sustained, it does not appear very unreasonable or unnatural that the parishioners, there being then no dissidents, and all professing one religion, should levy a rate for the sustentation of those fabrics. If, therefore, any Japanese embassy had visited England before the Reformation, they could hardly have carried back the opinion to which my hon. Friend adverts. But he seems to think that that which was reasonable then has become barbarous and outrageous at the present time. Whether these strong epithets are deserved I will not undertake to decide, but there certainly is great authority for the principle that at the present day, when the people do not all profess the same religion, those persons whose religious faith differs from that of the Established Church should not be compelled to pay church rates. If I am not greatly mistaken, the Archbishop of Canterbury laid upon the table of the House of Lords a Bill embodying the principle—abolishing church rates as a compulsory tax, and substituting a voluntary rate imposed by a vestry constituted in a particular manner. Again, there was an important Committee of the other House, of which Lord Derby was a member, and in the Report of which he concurred, and this Committee recommended that every person who alleged that he differed from the doctrines of the Established Church should be allowed, without even declaring that he was a Dissenter, to remove his name from the list of those liable to church rates. These propositions, sanctioned by high authorities even within the precincts of the Church, go to establish the principle that church rates should be limited to members of the Establishment, or, at all events, to those who do not object to pay. I believe that several measures have been introduced into this House embodying that principle, but first authorizing a rate to which all occupiers within the parish should be liable, and throwing upon Dissenters the *onus* of removing their names. An objection has been raised to these propositions, that they could only be carried out by—what has now become a familiar term—"ticketing" the Dissenters. My proposal was made with a view of obviating this objection, and I suggested that, instead of assuming that every parishioner was a member of the Establishment, a list of persons attending the parish church should be drawn up, and that those only should be called on to pay the rate. This was, in fact, the same principle as the one adopted by the Archbishop of Canterbury and by the Committee of the House of Lords, only it was applied in a different manner. You may say that a church rate founded upon attendance at church is, in fact, nothing more than a system of pew rents; but I really cannot understand on what the objection to pew rents is founded. In the first place, they are specially authorized by many acts of Parliament creating district churches, which are maintained by pew rents under that obnoxious name. The Anglo-Catholic portion of our Church seem to object to pews because they are an innovation, and because, when they go to the Continent, they see none in the Catholic churches. But I believe that in the Catholic churches seats are commonly let out for small payments; and anybody who has been on the Continent during Lent will have seen that in large churches, where sermons are preached, seats are provided for the congregation. The Protestant is generally longer than the Catholic worship, and for that reason it is necessary to make a more convenient arrangement for the accommodation of those who attend it. I cannot see any rational grounds why payment for sittings in church should be objected to. The right hon. Gentleman who moves the Resolution says, if payment according to the sittings in church were established, it would confer some proprietory right on those who occupy the church. That would depend on the obligation involved by the payment. It would be easy to frame a clause in an Act of Parliament preventing any proprietory right being given. But I ask whether it is the fact that persons paying pew rents in London churches acquire any proprietory right in them? I do not believe that at present any person who simply pays a pew rent acquires by it any right of ownership of the seat. The right hon. Gentleman says his Resolution is so clear, it enunciates not only truths, but almost truisms. I differ from him on that point. The Resolution appears to me inconsistent, partly with fact, partly with the law. In the first place it says—

> "It is unjust and inexpedient to abolish the ancient customary right, exercised from time immemorial by the ratepayers of every parish in England, to raise by rate among themselves the sum required for the repair of their Church."

If "exercised from time immemorial" means the uninterrupted exercise, then nothing can be more contrary to the fact. In a large number of parishes the majority of the parishioners have refused to make a rate. The law in those parishes, therefore, is virtually repealed; and this is one of the great difficulties of the existing law. The right hon. Gentleman says it is the duty of the parish to make a rate. He read some passages with regard to the law from the reports, but he did not advert to the most material part of the case. The House of Lords, in the Braintree case, decided that no valid church rate can be made without the assent of the majority of the vestry. There is no power to compel the churchwardens to make a rate; then how can it be said they have any legal obligation to make a rate? The duty is merely ideal. The question is, have they such a duty as the law gives them the means of discharging, and may, possibly, compel them to perform? I say that the law does not enable any person to compel the churchwardens to make a rate where the majority of the vestry refuses to do it. Therefore the terms of the Resolution really amount to nothing. All it affirms is that the churchwardens are bound by law to perform a certain duty that the law gives them no means of performing. Under these circumstances, the Resolution is perfectly nugatory and unmeaning, and those who intend to vote for it may save themselves the trouble of going into the lobby. I have stated to the House the course that appears to afford the best hope of a practical solution of this question. If the rate is once repealed, and any difficulty is found in raising the necessary funds, there may be a chance of coming to some agreement between both sides of the House, on the principle I have indicated; I believe this means would be effectual as far as regards the maintenance of the fabric of the church, without giving any possible offence to those who differ from it.

MR. MACDONOGH said, he had listened to the extraordinary speech of the Secretary for War with considerable surprise. The right hon. Gentleman had assigned some very strange reasons why the Government should abdicate their functions and refuse to bring in a Bill on this subject to tranquillize the public mind; but this abdication of their duties was the general characteristic of the course pursued by the Government throughout this Session. Last night the House was engaged up to a late hour in discussing an important measure—a Scotch Police Bill—introduced, not by the Government, but by a private Member; and with regard to Ireland, an important question affecting marriages was also left to be dealt with by an independent Member. These were subjects which were within the peculiar province of the Government; but if there were any question on which it was the duty of the Government of the country to initiate legislation, it was a question so nearly affecting the Church of England, of which our Gracious Sovereign was the head. The reasoning of the right hon. Gentleman the Secretary for War he would meet with a direct negative. The right hon. Gentleman denied "that it is unjust and inexpedient to abolish the ancient customary right exercised from time immemorial, by the ratepayers of every parish in England to raise by rate amongst themselves the sums required for the repair of the church," and he based that denial on the allegation that no such ancient customary right existed. But there was not one among the numerous eminent lawyers who possessed a seat in that House who would venture to endorse the statement of the right hon. Gentleman. For his own part he (Mr. Macdonogh) gave it the flattest contradiction. As a lawyer, he contended that it was the ancient custom of the realm to raise the sums required for the repair of the church by rate. It was true that there were great difficulties in enforcing this ancient and customary right, and the rate had not been collected in many places; but this did not show that the right did not exist. The hon. Baronet (Sir J. Trelawney) who introduced the Bill, and did so in a very temperate speech, appealed to the Irish Members for support, requesting them to argue the case with calmness, and hoping by anticipation to have their undivided support. His reply to the request of the hon. Baronet was, that he should have his (Mr. Macdonogh's) decided opposition. The hon. Baronet spoke of proceeding illogically; but a more illogical composition than the Bill itself had never been presented to the House. What was the reason it assigned for this proposed total abolition of church rates? The preamble of the Bill recited that in particular districts the rate had not been enforced, and then the Bill proceeded to enact that from and after the passing of that Act no rate should be levied anywhere. This was a direct breach of one of the simplest rules of logic, because it was an argument from particulars to universals. It affirmed that it was expedient that church rates should be abolished—and why? Because of the 12,000 parishes in England and Wales a large proportion were adverse to the church rate? No—because in certain parishes there was an objection to make a rate, no other parishes were allowed to make a rate. The argument was, because the rate had ceased in some parishes, it was to be abolished in all. He opposed the Bill because it offered no concession or compromise; because it destroyed the whole system by which the fabric of the church was maintained, without proposing any substitute; and because it was at variance with the principle of moderation which was the true line of political wisdom. The Bill proposed to abolish the ancient law. What was the law the Bill assumed to deal with? The law was essentially English—that he thought was no reason for its abolition. It had prevailed in England from time immemorial. Its origin was lost in the obscurity of antiquity; but if they examined the records of the courts of law, they would find it pleaded in the time of Edward IV. as even then an immemorial custom; and there was evidence that it was in existence as far back as the reign of Canute—and yet the right hon. Gentleman the Secretary for War told them that it was not a legal right. The House of Lords in the Braintree case declared it to be the duty of the parishioners to maintain the fabric of the church; but that in order to make a valid rate, it must be imposed by the majority of the parishioners. What hardship was there in that? They were a nation governed by majorities, and after such a decision no section in the country had a right to complain if the majority resolved to enforce the rate. But this question was not raised by a religious majority. It was raised by agitators who were now in the minority, and were seeking to tyrannize over the majority. The hon. Baronet who introduced the Bill had referred to Ireland. He (Mr. Macdonogh) was in a position to give some information in reference to the law in that country, which he thought would strongly sustain the principle affirmed by the Resolution of his right hon. Friend the Member for Wilts (Mr. S. Estcourt). He had often heard it said, "You have abolished church rates in Ireland; why do you not apply the same principle in England?" But was any such measure ever introduced into Ireland as the total, unconditional, absolute abolition of church rates, without providing a substitute? Certainly not. What really occurred was this:—From the time of Henry VIII. the Crown had been entitled to what was called "first fruits," which took away the first year's salary of a newly-appointed clergyman. This was, no doubt, a hard exaction upon the clergy generally, and the Church Temporalities (Ireland) Act passed in 1833 abolished the payment of first fruits altogether, and imposed upon every benefice a small annual tax, commencing at 2½ per cent, instead. The income of the Bishops was assessed at a higher rate. In England the opinion was that they required more bishops than they possessed. In Ireland, on the contrary, it was found, from the state of the country, that certain bishoprics might be dispensed with; and these sees having been suppressed, the incomes so saved, together with the sum received in lieu of first fruits, were consolidated into a fund, which was appropriated to maintaining the fabric of the church and defraying the expenses of Divine service. Therefore in Ireland a revenue that had been the property of the Crown in the time of Henry VIII. was applied to the purposes to which the church rates had formerly been applied and were still applied in this country. The churches were well maintained in Ireland on this public property. Would any one wish the churches in England to be in an inferior condition? In Ireland the State had provided not only for the maintenance of the fabric of the church, but for all that was necessary for Divine service, and the surplus of the fund that remained went to the augmentation of small livings, which was the destination given to that fund by the piety of Queen Anne and the wisdom of her advisers. That measure had been most beneficial to the Church in Ireland. He believed that that arrangement was in the true spirit of legislation; and was altogether different from a proposition to abolish church rates totally without providing a substitute, or to adopt the recommendation of the Secretary for War, and first pull down the building in the hope that assistance would subsequently be given towards raising it again. He was greatly astonished to find such a proposition made by the members of a Government who were bound to assist Her Majesty in protecting the interests of the Church. He contended that the "customary right" existed in every parish still, the difference being that between a right existing and a right not exercised. The Secretary for War said the right did not exist, because practically it had been discontinued in certain places.

SIR GEORGE LEWIS: What I said was this :—That it is not a legal right, inasmuch as it cannot be enforced by any process of law.

MR. MACDONOGH : Whichever way the proposition was phrased, it was not sustainable. Suppose the income tax were resisted in any locality for seven years, would it be said that the parties acquired an immunity by wrong, and could they then be told by a Minister of the Crown that the tax must be abolished, because it could not be levied in particular cases ? Yet this was a precisely similar case. The right hon. Gentleman said a legal right does not exist because it cannot be enforced ; or, rather, not that it cannot be, but is not, enforced. But there cannot be the slightest doubt, that if a majority agree to a rate, it may be recovered by law. The statute law in Ireland was clear on this point. By the 7 *Geo.* IV. it was provided, that if the parishioners did not make a rate, a monition was issued to the churchwardens, compelling them to make it ; and that rate was by the Act as enforceable as if all the parish had made it. The Act gave every power that might be supplied in England. The argument, that because the rate had been refused in some 400 or 500 parishes out of 12,000, and had not been enforced in others, that therefore the common law right was gone, was absurd. He thought the proposition of his right hon. Friend the Member for Wilts (Mr. S. Estcourt) was fair, reasonable, and just. His right hon. Friend said he could not assent to the principle of the total abolition of church rates until some other provision shall have been made by Parliament for the discharge of those obligations to which, by custom or statute, the churchwardens, on the part of the parish, are liable. The single proposition upon which his hon. Friend relied could not be disturbed—namely, that the right to make a rate was the ancient customary right subsisting by force of the common law of England, and that it could not be abolished until a substitute had been plainly indicated. He urged that it was the duty of the Government to come forward with a proposition which would have the effect of terminating this angry discussion ; and in the mean time he trusted that the House would reject the present Bill by an overwhelming majority, and so compel the Government to do its duty.

MR. REMINGTON MILLS wished to remind the hon. and learned Gentleman who had just spoken, that when the agitation against church rates first commenced, Lord Monteagle, then Mr. Spring Rice, brought in a Bill charging the amount of the church rates on ecclesiastical property. That measure was rejected only by a majority of three ; and the Conservative power in the House at that time prevented its renewal. If hon. Gentleman opposite would recur to the principle of that measure, he believed they would not encounter much opposition. Since then it had been declared to be the common law of the land that a church rate could not be levied except by the will of the majority of the parishioners. But the fact was, that the population had outgrown the common law as to church rates. At the end of the 16th century there were 9,284 parishes in England, no doubt with as many churches. The population was 5,500,000 ; and he calculated, making a reduction of 58 per cent on the gross number of the population for those who could not attend public worship, that there was one church to every 320 persons. Taking the census of 1851, it appeared that there were 14,000 churches in England ; the popluation was 18,000,000 ; and making the same reduction on that number, there were now 1,270 persons demanding admittance to every church. The accommodation the Church afforded had diminished three-fourths since the end of the 16th century in relation to the increased population. There were 10,000,000 persons for whom church accommodation ought to be provided ; but the Church could only give that accommodation for 5,300,000. Consequently, there were nearly 5,000,000 persons for whom there was no accommodation whatever. The Church said it could not provide it ; it could do nothing ; it had no room. It was all very well to talk of common right, but common right meant common use ; and if a man could not use his common right, his right was to little purpose. With regard to Churchmen themselves, they were required to pay for churches which they never entered. Though churches had increased to the number of 14,000, only four-fifths of them were entitled to rates as parish churches, while the persons who attended the other one-fifth were compelled, not only to find church accommodation for themselves, but to pay for the maintenance of fabrics in which they could find no room. The erection of the district churches had not done away, in many cases, with the obligation of the people who frequented them to pay for the expenses of the parish churches, and they are among the most strenuous opponents of church rates for their parish church. The question before the House was one that could not be settled by simple composition. The right hon. Gentleman (Mr. S. Estcourt) thought that by putting a truism on the paper he was advancing the settlement of the question; but the only way to do that was to submit to the House a practical proposition. There was another reason why the Bill of the hon. Baronet deserved support—namely, that the question of church rates was now the only one in which the jurisdiction of the Ecclesiastical Courts extended over the laity of this country. If any reasonable compromise could be effected, the House would do well to adopt it; but to abolish church rates altogether appeared to him the only safe constitutional course. The only way of doing justice to the Roman Catholics and Nonconformists was to relieve them from this impost.

Colonel BARTTELOT said, that the proposition of the right hon. Gentleman the Member for North Wilts showed that they on that (the Opposition) side of the House were open to compromise, and he thought that some proposition ought to come from the Government bench. They stood in a very different position now with regard to the question from that which they occupied some years ago. The opinion out of doors formerly was widely different from what it was now. Circumstances had occurred and language had been used which had had the effect of shaking the strong opinion held by certain classes who were in favour of total abolition, and now the general desire was that some compromise should be effected. The large and populous towns—such as Birmingham, Manchester, and Leeds, which were as distinct as possible from the agricultural districts—had so far settled the question that they had abolished church rates as far as they were themselves concerned. These places, therefore, had no grievance to complain of. Then, taking the case of towns of from 5,000 to 10,000 inhabitants, in which, if any grievance existed, it was there to be found, any hon. Member who took the trouble to look into the matter would see that in those towns the opposition had decreased, and the rates were carried by large and increasing majorities. In the country districts, farmers knew that they were rated according to the land they held; they therefore understood the principle of the rate, and were satisfied with it. Dissenters as well as Churchmen were willing to contribute, for they knew that they had not only been married in the parish church, but that they would be buried in the churchyard. Even for the sake of their poorer neighbours and their farm servants they were anxious that the fabrics should be maintained, because, no matter how they might differ on certain points of doctrine, they felt that the money was given for the honour and glory of God. In 1854, Lord Russell, speaking on this question, said—

> "We have a national Church—we have an hereditary aristocracy—we have an hereditary monarchy; and all these things stand together. My opinion is, too, that they would decay and fall together. I see no reason why we should prefer to these institutions those of the United States of America; and I must therefore oppose this Bill, as, in my opinion, tending to subvert one of the great institutions of the State."—[3 *Hansard*, cxxxiv., 475.]

He did not know whether Earl Russell still maintained these views, but there was certainly not much to be said in favour of the example of America just now. That noble Lord might, however, have changed his opinions, as other noble Lords had done; but no one who had uttered such sentiments would stand in the way of a compromise which should have for its object the final settlement of this question, not upon the peace-at-any-price principle. but upon an arrangement based upon a due consideration of the rights of all whose interests might be affected.

Mr. BRIGHT: Sir, it is at least interesting to the House, if not convincing, that the hon. Gentleman who has just spoken should have read an extract from the speech of a late Member of this House, now a Member of the other House, and adopted him as a great authority upon this question. I presume the hon. Gentleman would not take Lord Russell's opinion upon a great many subjects; and I presume that he will admit it is not unlikely that the opinion which Lord Russell holds in the year 1862 may at least be as wise as that which he held in 1854, inasmuch as rational opinions on a question of this nature must be assisted to a considerable extent by the experience which a man gains as he advances in life. I do not despair in the least of finding the hon. Gentleman opposite, like other Gentlemen opposite on other questions, eight years hence admitting that he was wrong to-day, and that the abolition of church rates, when it shall have taken place, was a very wise measure. We have heard an hon. Gentleman and a very learned Gentleman from Ireland speak this afternoon—and it is very odd, that on this question the English Church has had frequent occasion to rely upon the advocacy of legal luminaries from Ireland. But what did the hon. and learned Gentleman tell us? He told us that a measure which abolished no end of bishoprics in Ireland, abolished church cess, and something else which I do not now recollect. [Mr. MACDONOGH: Tithes.] And tithes—the hon. Gentleman told us that this was a healing measure. I have no doubt it was a healing measure, and I will undertake to say, that if it had been carried much further, it would have been a measure still more healing. But having that opinion of a measure which was passed some five-and-twenty years ago with regard to Ireland, surely the hon. and learned Gentleman need not have drawn such a picture of the ruin that would happen to the Established Church in England if the same principle were applied here. I do not believe that hon. Gentlemen opposite believe it. I believe you are acting not as religious Churchmen in this matter, but as political Churchmen. Unfortunately, this has become in some way a party question. ["No, no!"] You feel that there is something of a question of political supremacy as regards your Church involved in it—["No, no!"]—and therefore you fight it here. ["No!"] Well, then, if you are not of that opinion, I can only say that you have very little faith in the principles of your Church, and you have gained very little from the experience of the last half century with regard to the wonderful things that your Church can do if it be allowed to act from religious zeal, and be in no degree interfered with, hindered, or assisted by the action of Parliament. The right hon. Gentleman the Member for Wiltshire (Mr. S. Estcourt) has discussed this question, as he always does, and as a question that touches religion and conscience should be discussed—namely, in a spirit the most moderate, the most friendly, and, so far as he can see into it, the most just. But his justice has been shown also in another particular, for he has—I was going to say depreciated—but not only depreciated, but he has repudiated and rejected absolutely every scheme that every one, of whatever party, has hitherto submitted to the House on this question. I do not complain that he objects to the measure of my hon. Friend the Member for Tavistock (Sir J. Trelawny). He objects even to his own measure. He has repudiated that. He says that now he clearly sees that that which he thought would be a simple and admirable settlement of this question a year ago would have been no settlement at all; and he admits, further, that a Bill which would not be a final settlement of this question is of no value at all. I admit that, and for that reason I think he does not give the House good advice in asking it to agree to his Resolution. I was amused at the reason which the right hon. Gentleman assigned for the failure of all these Bills. What would one suppose if, in the case of medicine or of mechanics, everything failed? His own Bill, the proposition of the right hon. Member for Cambridge University (Mr. Walpole), that of the Member for North Warwickshire (Mr. Newdegate), one brought in by the late Member for Preston (Mr. Cross), another by the right hon. Gentleman the Home Secretary (Sir G. Grey), and half a dozen others, have all failed. Then, I should say, there is something radically wrong about them. Either they did not meet the case, or, meeting the case, the opponents of the case would not agree to them, and therefore they failed. He says they failed because they were not founded on a constitutional principle, and he quoted the opinions of several lawyers and judges to show the constitutional right. Nobody disputes about the question of constitutional right — which, I presume, means legal right. The hon. Member for Wycombe (Mr. R. Mills), in a maiden speech, has placed this question with great fairness and force before the House. He says—though in language not quite exact —the population has outgrown the state of things to which the right hon. Gentleman referred. Is it because 800 years ago, as one learned Gentleman from Ireland says, and 500 years ago, as another hon. Gentleman says, a practice or a law existed, that therefore it must exist for ever? That is the question which is placed before us. We have had changes in almost every department of State government. The facts are altogether changed. What reason is there, therefore, that the law should not change, and the practice change with the facts? We have been twenty-eight years discussing this question, because a great majority of the people have discovered that what you call the constitutional or legal principle of church rates was at variance with their true rights and interests. I recollect an admirable work, I think a *History of the Anglo-Saxons*, by the late Dr. Lingard, the historian of the Roman Catholic Church, and a man of singular accuracy and impartiality, in which occurs a passage which points to that very fact. He says in effect, that in times past nothing could be more equitable or just, nothing more proper in his view, than the system of the church rate as it then existed in the various parishes of England; but he says that the men who in past times, with exact justice, established the system of church rates by local organization and collection, and so forth, would, had they lived in our time, have repudiated the very thing which they established in their time; because a man who could say it was just and wise to do that 700 or 800 years ago, in the then circumstances of the country—if he were here, he would tell you it was not wise and just, all the circumstances having undergone a complete change. I must call attention to some phrases used by the right hon. Gentleman, which did not appear sufficiently definite. He speaks of the "common interest" we all have in the church. I recollect a "common interest" a clergyman once asked me to share. He asked me to subscribe towards what he considered the ornamentation of his church—for some curious and grotesque figures which were to peep out from under the slates. I told him I did not like to subscribe to places of worship which were to be handed over to bishops, and that I had other things to do with any surplus funds I might have. "Well, but," he said, "one thing we do—you can't deny we do something to keep the people quiet." The right hon. Gentleman says that in those churches every Sunday you have the Scriptures read and morality preached—he might have gone further, and have said that the principles of Christianity—I will admit it—are, to a large extent, faithfully preached. I deny none of this; for there is no one more ready to admit the good in every sect than I am. It is quite true all this is done, and we all have an interest that it should be done; but I have no more interest in its being done in the parish church than I have in its being done in the Wesleyan chapel. I have the same interest in them all. I fancy I know what the right hon. Gentleman is communicating to his neighbours at this moment. The right hon. Gentleman had a further meaning than that in what he said about "common interest:" he meant that we have citizens' rights in the Established Church. That is quite true; and we do not in the least propose to interfere with them. As regards the common interest every man has, that the truth, so far as he knows it, should be taught in every place of worship, that morality should be upheld, and the highest sanction should be offered to influence the conduct of the people, we have precisely the same interest that this should be done in the churches of the Established Church that we have in its being done in the chapels of every other sect in the kingdom; and we have no more interest in the one than in the other. The right hon. Gentleman referred to the Toleration Act, and admitted that it was quite right. By that Act, the natural right of men to worship according to their conscience—he even said according to their fancy—was made legal by the Parliament of the country. What is it we want now? We want that the natural right of men, not only to worship according to their consciences, but not to be mulcted for any other kind of worship which is not according to their consciences, should be made legal. What was the good of your Toleration Act if it amounted merely to this? "Walk out of our church—build chapels—do what you like—have any kind of religious service you please, but still you shall contribute to the full, as heretofore, for the performance of services in a manner you do not approve or you do not think necessary." I say that what we ask now is merely, to a certain extent, the complement of the Toleration Act. If it was right to legalize a natural right 170 years ago, it is right now to legalize the natural right which we now assert. I ask hon. Gentlemen opposite if there be any friend of the Church who will say, as I wish some one would get up and say, that Churchmen will not maintain their place of worship, will not wash a surplice, will not do any of those things which the humblest congregations of Primitive Methodists constantly do. I want some one to get up and say to the party which owns the great bulk of the land, which holds the patronage of the Government and enjoys it, and has enjoyed it in all time past, which boasts itself to be the richest, which has the great seats of learning at its disposal, which assumes in both Houses of Parliament a pre-eminent authority—I want some one to dare to stand up in this Parliament and say, that with all this power, and with all this greatness, that party is not liberal enough to support its own churches. Now, we do not in the least want to diminish the number of your churches or their usefulness. To my certain knowledge, it gives the greatest pleasure to the leading men whom you blame so much as connected with this agitation, to see the voluntary activity which has been displayed on every side in your Church. All we want is, that the voluntary action which has done so much in every other department of your Church should be allowed full play in regard to this particular department to which the church rates have heretofore been applied. I recollect sitting on a Committee some years ago, when the hon. Member for Leeds (Mr. Baines) produced statistics of what had been done by your Church since the beginning of the century, chiefly in the county of Lancaster and in the West Riding of Yorkshire. The whole character of your Church has been revolutionized in that time. All the vast increase that has taken place, and of which you constantly and justly boast so much—so far as such things can be made matter of boasting—all this has been effected by the very principle which in this House, as political Churchmen, you so constantly deride, and, though perhaps you may not mean it by your language, sometimes you are not even ashamed to insult. Why is it, after all this change has taken place, and when in all parts of the country you find churches raised up by the people in greater numbers than heretofore, you fear to trust to them for this small matter of £200,000 or £250,000 a year, which, with every kind of evil that can be conceived, you extort—a portion of it, at least, from those who are unwilling to pay? I maintain that the whole country affords abundant evidence that this side of the House, in the course it takes upon this question, is perfectly right. As you are obliged to admit a dozen great measures of legislation which in past years you opposed to be wise, so I have not the smallest doubt that five or ten years after this Bill, or such a Bill, shall have been passed, you will all admit you were wrong on this matter as you were on the others; and you will find the whole breath of society in England and Wales will have been purified by this change which we now propose.

I think the Resolution which the right hon. Gentleman has submitted to the House is one which the House ought not to assent to. The right hon. Gentleman has stated, that if nobody else did anything, he should—though he thought it was the duty of the Government to do it—he should be ready to submit to the House, after consultation with his friends, a Resolution which, I presume, would define or shadow forth a proper settlement of the question. I do not think the House ought to place much confidence that he will be able to perform that which he undertakes. He has brought forward one measure—he was confident it was a good thing; and he is now as confident it was worth nothing. I say, upon his own principle, that a measure which does not finally settle the question is not worth anything. So has the right hon. Member for Cambridge University tried and signally failed. The Resolution says that it is unjust and inexpedient to abolish an ancient customary right until some provision has been made as a substitute for it. It is only the old story; the language is rather more difficult to comprehend, but it means the same thing—that the friends and partisans of the Established Church, and the political party with which it is mainly connected, do not intend to part with this levy of the church rate until Parliament shall grant a substitute that shall be equal to it. ["Hear, hear!" *from the Opposition benches.*] Well, that is honest. The right hon. Gentleman's proposition comes simply to this—he proposes to give a substitute for what exists, but he proposes nothing which will in any degree, so far as I can find, be a remedy for the grievance. Where can you get the £250,000? I hope somebody on the opposite side will get up after me and tell us. You would not have it when it was proposed to get it by a proper management of the Church funds: the "healing measure" you repudiated. Then it was proposed that it should come out of the Consolidated Fund. Of course that was opposed by those who are against church rates; and now the right hon. Gentleman the Member for Wiltshire admits he would rather have the Bill of the hon. Member for Tavistock than come to this House and ask for a vote as a substitute for church rates. If you cannot get it out of Church funds, nor out of the public funds, and you cannot get it out of a mixed rate collected like this, partly from Churchmen and partly from Dissenters, where are you likely to get it? Every year, every day, this matter goes further, you will get less and less from the Dissenters. You may get more from Churchmen, but I do not suppose you will, except where church rates are abolished. Where they are abolished, I find Churchmen willing to give twice or even six times as much as they paid in rates. If anybody were to tell me of a district in which the rates collected were insufficient for the repair of the church, my advice would be—Abolish the rate; appeal to all your own people; point to the venerable fabric in which they have so long worshipped, and tell them the things likely to excite their liberality and their sympathy, which you know how to do so well, and you will not be long without all you want. The hon. Gentleman who spoke last said, "They marry in our churches; they bury in our burial-grounds." Why, do not you marry yourselves in your own churches? Do not you bury in the burial grounds? Are not these reasons why you should cling to your own church, and subscribe freely to it? If you would but have faith, even as a grain of mustard seed, you might remove this great mountain at once. I believe you cannot maintain this rate. I believe no theory of "common interest" will convince the Nonconformists of this country that it is their duty either as citizens or as conscientious Christians to continue to pay this rate. They may pay it—some of them—but they pay it with grudging, with no friendly feeling to your church, and with no advantage to your system. The right hon. Gentleman says nothing is of any value except that which will finally settle this question. He does not believe himself—I appeal to him, as an honest man—he does not believe that any one of the propositions that have been submitted to the House on this subject, unless it be that of the hon. Member for Tavistock, can at all do anything materially to settle this question? There was one proposition I made which I think he would be almost willing to accept, and I have a strong suspicion, that if the right hon. Member for Wiltshire and I were appointed to settle the question, we should not be long in submitting a satisfactory proposition to the House. I judge as much from the speeches he has made, and from the opinions he has often undisguisedly expressed. I proposed a very simple plan—(it was not one of my discovery; I do not pretend to be a discoverer)—by which you might leave everything as it is, except the power to enforce the rate. The hon. Member for Derby (Mr. Bass) claims to be a discoverer; and he has expressed his regret that he has not had an opportunity of bringing his admirable proposition before the House. If you leave everything just as it is—your citizenship, your common interests, your vestry meetings, your discussion as to the amount of rate for the services of the Church, your determining the rate and the time of payment, your issuing your little notes, your going about from house to house to collect, I doubt if there be a single parish in England—and recollect I am not a Churchman, and never have had an enthusiasm for Churchmen as such, nor for the Church itself—but speaking honestly, from my knowledge of the people of this country, I do not believe there is a single parish in England, in which it would be found difficult to raise by voluntary subscriptions as much as is considered necessary to expend on the services of the Church. If I am of that opinion, and I have repeatedly expressed it, hon. Gentlemen opposite will not blame me for urging it upon them. Let us get rid on this question, if we can, of all party feeling, and anxiety for party triumph. If you are willing to entertain such a proposition, I will ask the hon. Member for Tavistock to withdraw his Bill, or when it goes into Committee to take out of it the clauses which you consider offensive, and to put in one clause that would withdraw the legal power of enforcing the rate. If you will do so, I believe that the next year, and the year after, and the year after that, the House will have a pleasant Session in anticipation that there was no church rate debate or division to come on; and the Church throughout the country will feel that it is placed in a stronger position, and the religious and social harmony of the country will not be interrupted by those broils which so incessantly take place in connection with this question. I tell hon. Gentlemen opposite that a greater question is growing with this question. I believe the right hon. Gentleman the Member for Wiltshire (Mr. S. Estcourt) is aware of this fact, that every vestry meeting—every meeting which is held on this question in any parish—has become a meeting for teaching a lesson which some hon. Gentlemen may think pernicious, and many may think advantageous, but which tends to greater changes than the mere abolition of this miserable tax. The Liberation Society is a dreadful object—I do not say in the night dreams—but in the waking visions of hon. Gentlemen opposite. It has been greatly abused in this House—most undeservedly and most unjustly so. It is an honest Society, composed of earnest men, working for what they consider noble objects; and, however hon. Gentlemen opposite may abuse it, it is not to be despised. The Liberation Society can have at every meeting at which this question is discussed some person quite competent to go into the general question of Church Establishments. And while this assembly is engaged in settling this little tax, great principles wholly opposed to those which hon. Gentlemen opposite hold may sink too deeply for eradication into the minds of those who listen to them. I can wait; that is no harm for me; I am not an enthusiast in favour of the Established Church; but I speak here as wishing this question to be settled on its own basis and in its own time, leaving all greater questions to the further discussions and deliberations which an intelligent and Christian people will, no doubt, give to them.

Now, Sir, the right hon. Gentleman the Member for Wiltshire, and I think the hon. Member for Sligo (Mr. Macdonogh) appealed to the Government on this matter. On that point I shall have no difficulty in agreeing with them. I believe that the Government ought to take it up, not merely because it is a great question in itself, but out of respect to the great party on this side the House by whom alone they hold office. It has been for many years past the course of Governments to take every question into their hands at a certain period of its career, because a Goverment is more fitted to effect a settlement than any private Member can be. But what is the case with regard to this particular question? While individual Members have not become more potent to settle the question, we see the Government more and more indisposed to take it up. I recollect when the Government of Lord Aberdeen was formed, an hon. Friend of mine on this side of the House, who is not only a politician but a wit, said that the Government of Lord Aberdeen would get on very well so long as it kept clear of politics. That appears to me to be rather the course of the Government of the noble Lord. There are two reasons why the Government should change their course in regard to the matter. One of them is sure to have the sympathies of hon. Gentlemen opposite. The right hon. Gentleman the Member for Buckinghamshire made a very remarkable speech some time last November—it was in the days of fog—and the right hon. Gentleman attempted to clarify this great question. He never made a speech more remarkable or more ingenious. I would have given a good deal to have seen the countenance of that Bishop who was on the platform listening to it. But the right hon. Gentleman did not confine his sympathy to the great Church Establishment—his commiseration was excited for Members on his own side of the House. He complained that the country had not sufficiently supported them in the almost superhuman efforts which they made on behalf of the Church. He said this was only done by a strain upon the physical energies of those who repelled the attacks, and that it was not in human nature to continue such efforts unless the country and Churchmen generally came forward to support them. At the time when I read this, the eye of my mind turned to the hon. Member for Norfolk (Mr. Bentinck) and other hon. Members, whose physical energies never seem to fail them. To prevent the strain upon these valuable energies, the Government ought to take up the subject. But the right hon. Gentleman called upon the country, if it wished to defend the Church against attacks, to give him and his party the benefit of its support in the opposition which they gave to this Bill. I hope, if this be any reason with the noble Lord, he will take the Bill into his own hands. But there is another reason. We, on this side of the House, have a substantial grievance. I do not know how many on this side will vote to-day against the Bill—perhaps none—very few. There is no question which can be brought before the House—not even the question of a vote of want of confidence in the Government—that would unite a larger number of votes on this side of the House than the question about to be submitted to it. If that be so—if this question affects the feelings of millions of the people—if all reasonable men (who I hope are still the majority) wish this question to be settled, I think that we, and you indeed also (the Opposition), have a right to call upon the Government to take up this matter, and submit to the House a measure founded on some basis that will be acceptable to the great body of their supporters in the country. Let them do what we always find Government unwilling to do—let them stake their existence on carrying the measure. If the Government ignores politics altogether; and if this question is only to be used in the boroughs to return Members to support the present Government against the Conservatives; and if the present Government care nothing for its being carried, then, I say, let them abdicate their functions as statesmen, and take their places on that bench as—what shall I call them—as superior clerks. I am anxious for the final settlement of this question on some principle so simple and so just that it will recommend itself to the great body of the people, and never invite further contention in this House. I believe, that if you on the benches opposite will drop your feelings of hostility towards those who—as you suppose—are attacking the supremacy of your Church; if you look only to the harmony which all religious sects ought to endeavour to cultivate; if you look to those great principles which are mainly taught, as much in your Church as in our Churches, you will come to the conclusion that there is not in this question any thing that makes it worth the while of the country and of Parliament further to debate about it. Twenty-eight years have not exhausted the attacks which are incessantly made upon this odious and unjust impost, and the assailants have not yet been driven off. If you maintain it for twenty-eight years longer, you will not drive off those who feel that it is their imperative duty to assail it. Let us then, in a Session in which nothing has been hitherto done except the spending of money which is hardly gathered from the people, agree to settle this question—let us, I implore you, make this Session famous for one thing—namely, that we have allayed a source of constant irritation throughout the country, and embodied in English law one of the plainest precepts of Gospel morality—that we do to all our neighbours as we would wish them to do to us.

Sir PERCY BURRELL rose to support the Amendment, and to enter his protest against dragging into this discussion matters which had nothing whatever to do with the question under discussion. The law relating to this subject was founded upon the common law, and that was founded upon the principles of common sense and justice. He wished to express his disapproval of the attempts to treat this question as one merely involving political considerations.

Sir JOHN PAKINGTON: Sir, every one who has heard the speech of the hon. Member for Birmingham will allow that I am justified in making two remarks on it. The first is, that all the arguments of the hon. Member are applicable as much to the payment of tithes as the payment of church rates; and the other is, that he forgot, as all who take his line on this question are prone to do, that the Church of England is essentially the poor man's church. There is no place of worship belonging to the Church of England throughout the land which the poor man is not at all times free to enter without payment of any kind; and that forms one of the grounds on which we rest our vindication of the rates. The hon. Member applied to us the designation of political Churchmen. I might, with more reason, speak of him and his friends as political Dissenters. I must take exception to the answer which the hon. Member for Birmingham made, upon the quotation which my hon. Friend the Member for Sussex (Major Barttelot) made from a speech delivered some years ago by Lord John Russell. The hon. Member observed that the noble Lord had as good a right to an opinion in 1862 as in 1854. My objection is that the answer does not apply. The noble Lord has never told us that he has changed his opinion. The complaint I made against the noble Lord is that he has changed his vote—that he has changed his conduct, but that he has never changed his opinions. ["Oh!"] At least, he never told the House that his views had undergone an alteration. In the same speech, I believe, to which reference has been made, the noble Lord used words which have already been verified in a remarkable degree. He said, "I do not think that a general who has to defend a fortress is apt to say, 'I will abandon the outworks, and then the citadel will be safe.'" Those words involved a great principle, and again and again the noble Lord, as the leading champion in this House of church rates, uttered that warning. There are points, however, in the speech of the hon. Member for Birmingham in which I heartily agree. I am glad to hear from his lips a distinct declaration that he desires a settlement of this question. I join most cordially in that wish. The subject is painful. It is inconsistent with the interests of religion, and fraught with acrimony and bad feeling.

I believe there is no man on either side of the House, whether Churchman or Dissenter, who does not in his heart feel that the time has arrived when this question ought to be disposed of in some way or other, and that this annual debate and perpetual controversy should cease. Holding those views, I heard the remarks of the right hon. Baronet the War Secretary (Sir George Lewis) with surprise and regret. He asked what was the objection to pew-rents? It is that the church ought to be free to every man. The right hon. Gentleman told us, moreover, that last year he had suggested to the House a plan for the solution of this question, and that he still adhered to it. But why does not the Government of which he is a Member take up that plan and present it to us? What have been the main obstacles to the solution of this question? One is the violence manifested by a portion of the Dissenters, and the other is the tergiversation of certain eminent politicians in this House. I have never spoken otherwise than with respect of the Protestant Dissenters. I readily acknowledge that the ministrations of the Church have not kept pace with the rapid increase of the population, and that those who have at heart the interest of true religion are under deep obligation to the Protestant Dissenters for the extent to which they have supplied the deficiency. I believe there is a section of our Dissenting brethren who sincerely feel that the payment of rates is a matter of conscience; but there are others who do not sympathize with the agitation against the rates, and are ready to contribute as individuals for the support of the Church. Some of the Dissenters, and especially those connected with the Liberation Society, have carried on the controversy with great acrimony towards the Church, and are open to the charge which the hon. Member for Birmingham made very unjustly against us, of offering insult to their opponents. [MR. BRIGHT: No, no!] To show the spirit and language of this section, I will read a few lines from a high authority in the Dissenting ranks. Mr. Miall, in one of his published works, says—

> "What we require is, that when the present incumbent shall depart this life, the successor shall not be appointed, and that the funds should be sequestrated to the use of the civil Government."

The next extract is from the *Nonconformist's Sketch Book*, edited by the same gentleman—

> "The Church of England is an image carved with marvellous cunning, tricked out in solemn vestments, a part woven by human fancy, a part stolen from the chest of truth—an image, we repeat, an outside semblance, a counterfeit . . . empty, without heart, destitute of any well-spring of vitality . . . Kings, nobles, and bishops under the sanction, and on the behalf of their Church, perpetuate a thousand enormities, violate every maxim of religion, degrade, insult, harass, imprison—regard neither justice nor mercy in their pursuit of pelf. An attention to rites for the performance of which fees may be exacted—heartless formality—a blind, unreasoning, ignorant superstitious obedience to the priesthood—payment of tithes and Easter offerings and church rates—these are the great objects of our Establishment. To shatter this image, and give the dust of it to the four winds of heaven . . . is the sacred mission of Protestant Dissenting ministers."

The *Christian's Penny Magazine*, edited by John Campbell, D.D., denounces the Church of England as "an engine of Satan to delude and deceive the people." I will not weary the House by repeating the language of Mr. Morley, Dr. Foster, and other eminent Nonconformists, as they are doubtless already acquainted with it. I will only remind hon. Members of one statement made by Mr. Morley before the Lords' Committee. He was asked, "You have stated that there is a very strong opinion on the part of Dissenters that church rates ought to be abolished, even as applicable to Churchmen?" His reply was, "Yes, clearly." Dr. Foster took the same view. I ask the House whether that is not a degree of extra liberality which borders closely upon tyranny and oppression? The church rate abolitionists not merely wish to abolish a grievance upon Dissenters, but they wish to prevent Churchmen from paying church rates. I regret much that the question should be embarrassed by such questions as these. When one reflects on how much the difference between Dissenters and Churchmen relate to form rather than substance, considering how nearly they are agreed upon the great leading doctrines of the Christian faith, it is impossible to deplore too much the acrimony and extravagance of the views I have just cited. But how came these opinions to be elicited before the Lords' Committee? I believe it was owing to the measure introduced by Lord Derby's Government in 1858, who deserved credit for doing that from which the present Government shrink—grappling with the subject. I am sorry to hear that my right hon. Friend the Member for Wilts (Mr. S. Estcourt) does not attach very great value to that measure, and thinks it ought not to be repeated. I still adhere to it candidly. What is the effect it produced upon the extreme party who advocated the abolition of church rates? Up to that time church rates had been objected to on conscientious grounds; but since Lord Derby's Bill of 1858 that ground could no longer be maintained. It was proposed in a conciliatory spirit, and gave relief to conscientious scruples. It was rejected by the Dissenters, and from that moment the conscientious grievance was gone. But the agitation was to be prolonged and a new platform had to be sought. The real ground of opposition was then disclosed. It was not relief from the payment of a rate which conscience disapproved, but the destruction of the Church as a State establishment which was desired. I am deeply sorry that this course should have been adopted by the Dissenters. As a Churchman—as one who is anxious to uphold church rates as the legitimate means of maintaining the fabric of the house of God, I am not sorry that the Dissenters adopted this violent policy; for it has told against their own cause. It has opened the eyes of many Liberal Members, who formerly supported them, to their ulterior designs, and has done probably more good than harm to the Church. But I regret it, because it has postponed a settlement. To that result the tergiversation of certain political leaders has also contributed, and I am glad to see that the noble Lord at the head of the Government has arrived in time to hear my remarks. With deep respect for the noble Lord, I must express my regret at the course which he himself, Lord Russell, and some other gentlemen on that bench have pursued on this subject. I have no right to impute motives, but it certainly appears to me that the change in the Votes of these noble Lords was dictated by party considerations—that they sacrificed the interests of the Church to the interests of party. They changed their votes, but I never heard that they had changed their opinions. With regard to Earl Russell, I am quite confident that I am justified in using that language, and I believe that I am equally justified in using it with regard to the noble Lord at the head of the Government. In conclusion, I will only repeat the expression of my earnest desire to see this question settled, and settled upon fair and equitable principles. I will go further and state my deep disappointment that it has not been settled this year. I confess that last Session I was very sanguine that the time had come when a compromise might be effected. I had the honour of conferring with no inconsiderable number of Gentlemen who sit on the opposite side of the House, and I found them influenced by a most moderate spirit, and anxious to come to an equitable compromise. There was really scarcely any difference of opinion between the Gentlemen who sat on different sides of the House, and who took part in those conferences as to the grounds on which an arrangement might have been made; but I am sorry to say that, I believe under pressure from their constituents, hon. Members opposite receded from the ground which they had taken, and those attempts to bring about an arrangement were productive of no result. I am, however, sanguine enough to think that, notwithstanding that failure, the time is not far off when the moderate and conciliatory course which has been taken by the Church party on this subject will prevail. I believe that the Church of England is the most tolerant Church in the world, and I believe that she will never lose by continuing to act, as she has hitherto acted, upon conciliatory and truly liberal principles. I, for one, as a member of that Church, shall be happy at any moment to lend my humble aid to bring about a fair adjustment of this painful and difficult question, and I do most earnestly hope that at no distant day the Church and religion may be relieved from the scandal of these annual squabbles in the British Parliament.

MR. DILLWYN said, that the right hon. Gentleman who had just sat down had placed church rates and tithes in the same category, whereas they stood upon entirely different principles. The tithe was a rent-charge, enforced by a distinct and recognised principle of law, whereas church rates were little better than an illusory possession. The desirability of having a compromise had been urged on both sides of the House; in his opinion, however, the advances, if a compromise was to be made, should be made by the Conservative party. Her Majesty's Government had very little encouragement to propose such a compromise, as their own supporters were nearly unanimous in favour of total abolition; while the right hon. Gentleman the Member for Bucks, with all his power of rhetoric, had not been able to induce his party to combine in support of a measure which he understood was to proceed from that side of the

House. Probably the Opposition would be able to manage things better when they came again into power; and when this Bill was before the House last Session, the right hon. Gentleman opposite certainly promised, that if it were thrown out, he would bring in some other measure for a settlement of this question. No doubt that promise induced many of the supporters of the hon. Baronet's measure to go into the lobby with the right hon. Gentleman; and the Speaker of the House gave his casting vote against that measure upon the understanding that the House was in favour of some other plan than that of abolition. The Liberal Members had a right now to call upon the right hon. Gentleman to fulfil his promise. But what did the opposite side of the House now offer to them? A compromise in the terms of the Resolution proposed by the right hon. Gentleman the Member for North Wiltshire. That proposition was by no means such a one as the Liberal Members had a right to expect. It cast upon the Government the responsibility of bringing in a measure to settle this question. It contained conditions which were impracticable, and which would not be accepted by the country. He deprecated the breaches of faith which the two great political parties had committed on this subject. He thought he was the best friend of the Church who endeavoured to settle this vexed question by supporting some such measure as was proposed by the hon. Member for Tavistock. ["Divide, Divide!"]

MR. DISRAELI: Sir, the House being anxious to come to a division—an impatience at which I am not at all surprised—I shall occupy but a very few minutes in the observations I am desirous of addressing to you. But, if I were to pass over the remarks of the hon. Gentleman, so far as they have reached this side of the House, we should go to a division with an imputation resting upon the conduct of hon. Gentlemen on this side, in reference to their dealing with this important question, which is, I think, quite undeserved. We have been reminded during this discussion that this question has occupied Parliament for now nearly thirty years, during which time twenty-three schemes have been brought forward for its solution and settlement, two of them under the auspices of Ministries of the Crown, one of those Ministries being Whig and the other Tory, and all of them have proved wholly ineffectual to effect the object their framers had in view. The inference which I draw from these circumstances is very different from that which has been deduced by some hon. Gentlemen. My conclusion is, that if such a remarkable history could be brought forward with respect to any public question in this country, it only proves that the question was not ripe for legislation, and that the country did not really require it to be dealt with. No doubt, when you are dealing with an ancient law and an ancient custom, there must be many abuses which might be removed, and many improvements of which it is susceptible. So it may be said with regard to this question. No doubt, in the appropriation of the sums levied by church rates there were appropriations which could not be altogether justified, and in other cases appropriations which were of too limited and exclusive a character. But who can suppose, that if those were the abuses and grievances which required a remedy, the House of Commons, the most practical assembly in the world, would have wasted thirty years, and made twenty-three legislative experiments—experiments emanating from Ministries formed from both the great political parties of the country—and yet never advanced a single jot towards the solution of the difficulty? Why, what was the cause of this? It was that the pretext for legislation was not the real cause of the movement. And it was only after these repeated discussions, after these repeated attempts, and after these influential interferences, that the truth was at last discovered, and the issue was recognised as one which concerned not the management of church rates, but the existence of Church Establishments, and the connection of the Church of England with the State. When you come to deal with an issue of that magnitude, I am not surprised that twenty-eight years should have been occupied without producing any effect; I am not surprised that so many projects have failed, and that such influential interferences have had no result. But now the hon. Member for Swansea (Mr. Dillwyn) says that we on this side of the House entered into an engagement with himself and his friends, and that by not fulfilling that engagement we have deceived and misled them in this matter. That is a very grave imputation. Whatever may be the differences of opinion upon any subject in this House, we are all interested in the observance of good faith; and until I heard that accusation from the hon. Gentleman, I had hoped that both sides of the House had always been nice and delicate in the observance of engagements of this character. The hon. Gentleman, with great inaccuracy, singled me out individually as the person who had misled the House by undertaking, that if the Bill of the hon. Baronet the Member for Tavistock was withdrawn, I would make an effort for the settlement of the question. The hon. Gentleman must be under a great mistake. I have certainly always exerted myself to the utmost to ensure the defeat of the Bill of the hon. Baronet; but I have always maintained, and have always given my opinion, both publicly and privately, that no settlement of this question could be advantageously undertaken except by a Government. It is very true that many of my friends, whose assistance and advice upon all questions are my greatest pride, have entertained different opinions upon the subject. It is very true that my right hon. Friend the Member for Wiltshire (Mr. S. Estcourt) advanced with regard to this question a long way in the line indicated by the hon. Gentleman; but did my right hon. Friend shrink from attempting to fulfil his pledge? It is in the memory of the House that, after the defeat of this Bill last year, my right hon. Friend brought forward, or made known to those who were deeply interested in the question, a Bill upon the subject; and we all know that that Bill was received with no favour or satisfaction by them. My right hon. Friend then stated publicly in the House that he had fulfilled his engagement, and that he should make no further effort in that direction. His words must be remembered by the House; and I ask with confidence, is there any foundation for the grave imputation which the hon. Member for Swansea has made upon Members who sit on this side of the House? I am of opinion, with the hon. Member for Birmingham, that this is a question which ought to engage the attention of the Government. Upon that point the hon. Member for Birmingham takes quite a different course from that of the hon. Member who has just addressed us with so much acerbity of feeling. The hon. Member for Birmingham says that it is the duty of the Government to attempt to settle this question; but the hon. Member for Swansea says that no one ought to attempt to settle it except the Gentlemen who sit on this side of the House. I think it is the duty of the Government; because they have voted for the total abolition of church rates, and therefore it can be no longer pleaded for the Government that they have not unequivocally adopted the policy which has been recommended by the hon. Baronet. I cannot, however, say that I am more sanguine than is the hon. Member for Birmingham that the Government will undertake this great responsibility, seeing that several important questions regarding the United Kingdom are left in the hands of private Members to be dealt with in this House. Observe what has taken place this Session as regards both England, Ireland, and Scotland. I certainly see great questions trying to be solved, but I do not find them in the hands of the Government. When an alteration in the Marriage Law of Ireland is proposed—no inconsiderable question—I find that it is brought forward by a Member of the Opposition sitting to my right. The Excise law of Scotland, another great question fit for the consideration of the Government, occupied our attention last night. That is in the hands of a Gentleman who sits on my left. When Ireland and Scotland have these important questions in the hands of private Members, I am not at all surprised that a not unimportant English question, the abolition of church rates, should also be in the hands of a private Member. But notwithstanding these circumstances I am still of opinion that it would be a great public advantage if Her Majesty's Government would take up this question; and I have the more hope that I may induce them to do so because the question of church rates is the only question of importance in the hands of a private Member in which Her Majesty's Government have shown some public interest. At least this we can say, that a Member of Her Majesty's Government took the chair the other day at a meeting of the Liberation Society. That was intended as a compliment, no doubt, but it may be taken also as an indication of the future policy of Her Majesty's Government on this question. The Member of the Government I allude to is certainly not a Cabinet Minister, but then he is a Minister celebrated for his acquaintance with Cabinet secrets. The Secretary of State for War who has addressed us this morning did indicate a plan. He did not say that Her Majesty's Government were prepared to adopt it, but he did indicate a plan which he recommended as worthy of all attention; and it was, he said, the plan of the Archbishop of Canterbury. The plan of the Archbishop of Canterbury is, I dare say, well known to many hon. Gentlemen. I will only speak of that most reverend Prelate with those feelings of sincere respect which are due not merely or mainly to his high station, but to his amiable character, and to the simplicity and perfect unaffectedness with which he discharges his high functions; but I may be allowed to say that on this question of church rates the opinion of the Archbishop of Canterbury bears no special weight with me; no more than that of any other individual of eminent station and cultivated mind. Sir, this is not a clerical question. It is not a question to be decided, as the right hon. Gentleman seemed to think, by the weight of the opinions of Prelates, and I entirely differ from the right hon. Gentleman, who adduced the opinion of the Archbishop of Canterbury as one which ought to have overwhelming influence with us. I bring forward that as a proof that the right hon. Gentleman does not apprehend the real character of this question. The question of church rates is not a clerical question—it is a popular question, it is a question of popular rights. It is a political question—not, indeed, in the sense in which the hon. Member for Birmingham used the epithet—but it is a political question, because it involves the public rights of the people. It is a question that is to be settled by statesmen, and not by Archbishops, and I entirely protest against the contracted view which the Secretary of State for War would take of it. That leads us to the mode in which this church rate has really been levied. It has been levied by popular election. It has been imposed by the popular voice, expressed in the ancient and constitutional manner of this country, by a majority; and I have been perfectly astonished to hear from so many quarters, and from so many gentlemen distinguished for what we call liberal opinions, the expression of utter contempt which they seem to entertain for this decision by the majority. Why, the principle of ruling by a majority is the moving spring of our social and political life, and upon it the remarkable order of this country mainly depends. Why, Sir, if it is a grievance for a minority in a parish to submit to a majority, under what a grievance does a member of the minority of a constituency labour who sees returned to this House a gentleman who is in mockery called his representative, with whom he does not agree upon any single public question, and who is passing all his time in opposing those views and principles which the unhappy constituent advocates. Why might not he come to us and say, "Here is a political grievance which touches me every hour of my life, which makes me feel degraded and enslaved, and I ask for some relief in these particulars. This monstrous proposition that my borough is to be represented by the opinion of the majority is, in fact, an obstacle to all sound principles of government; and if this rule of a majority is adhered to, those ideas, which I am convinced are the only ones upon which beneficial legislation can rest, will not have the slightest chance of successful assertion?" What would you say to a person who addressed you in that manner? You would say, "All this may be very well; but the fact is, society could not be carried on upon your principles." On this occasion we have been told that the people of England have outgrown the common law. I must say that I never before heard so remarkable an opinion expressed in a maiden speech. The hon. Member who expressed it (Mr. R. Mills) sits for a borough in the county which I have the honour to represent. The county of Bucks having been for a long time the nursing mother of political liberty and constitutional rights, I beg that it may be clearly understood that the opinion that the people of England have outgrown the common law was not obtained by the hon. Member from that county. His connection with the county is political and not local, and I beg it to be understood that, so far as that opinion is concerned, he may represent the Liberation Society, but he does not represent the opinions of, I hope, a single person in the county of Bucks. We have now found out what is the clear issue which is to be decided. You have at stake, in the division which is instantaneously impending, some of the greatest objects and some of the most important principles which can engage the attention of Englishmen. You have at stake the principle of an Established Church, the practice of local government, the right of self-taxation, and the hereditary privileges of the great mass of the population. That is the issue before the House. Upon that, and upon that alone, we are going to divide, and to that division I go with greater confidence than I ever before went into the lobby.

SIR JOHN TRELAWNY, in replying,

regretted the language which had been applied by the hon. Baronet the Member for Droitwich, when he said that some members of the Government, and especially Earl Russell, had upon this question changed their votes, but not their opinions. He hoped that the right hon. Baronet would, before the debate closed, state that those expressions had escaped him in the haste of the moment, and that he did not intend to say anything so unjust. The expression that the population had outgrown the common law had been made the subject of a play upon words. What was meant by it clearly was, that the population had outgrown the accommodation which was provided for them under the ancient common law.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 286; Noes 287: Majority 1.

List of the AYES.

Acton, Sir J. D.
Adair, H. E.
Adam, W. P.
Adeane, H. J.
Agar-Ellis, hon. L. G. F.
Agnew, Sir A.
Alcock, T.
Andover, Visct.
Angerstein, W.
Antrobus, E.
Ashley, Lord
Atherton, Sir W.
Ayrton, A. S.
Bagwell, J.
Bailey, C.
Baines, E.
Ball, E.
Barnes, T.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Beale, S.
Beamish, F. B.
Beaumont, W. B.
Beaumont, S. A.
Bellew, R. M.
Berkeley, hon. H. F.
Berkeley, Col. F. W. F.
Berkeley, hon. C. P. F.
Biddulph, Col.
Black, A.
Blencowe, J. G.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bouverie, hon. P. P.
Brand, hon. H.
Bright, J.
Briscoe, J. I.
Bristow, A. R.
Brocklehurst, J.
Brown, J.
Bruce, H. A.
Buckley, Gen.
Bulkeley, Sir R.
Buller, Sir A. W.
Butler, C. S.
Buxton, C.
Caird, J.
Calthorpe, hon. F. H. W. G.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Cavendish, hon. W.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clay, J.
Clifford, C. C.
Clifford, Col.
Clifton, Sir R. J.
Clive, G.
Cobden, R.
Cogan, W. H. F.
Colebrooke, Sir T. E.
Collier, R. P.
Coningham, W.
Cowper, rt. hon. W. F.
Cox, W.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, F.
Dalglish, R.
Davey, R.
Davie, Sir H. R. F.
Davie, Colonel F.
Denman, hon. G.
Dent, J. D.
Dillwyn, L. L.
Divett, E.
Dodson, J. G.
Doulton, F.
Duff, M. E. G.
Duff, R. W.
Dunbar, Sir W.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunlop, A. M.
Egerton, E. C.
Ellice, rt. hon. E.
Ellice, E.
Elphinstone, Sir J. D.
Enfield, Visct.
Euston, Earl of
Evans, Sir De L.
Evans, T. W.
Ewart, W.
Ewart, J. C.
Ewing, H. E. C.
Fenwick, H.
Fermoy, Lord
Finlay, A. S.
Fitzwilliam, hn. C.W.W.
Foley, H. W.
Forster, C.
Forster, W. E.
Foster, W. O.
Fortescue, hon. F. D.
Fortescue, C. S.
Freeland, H. W.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Glyn, G. C.
Glyn, G. G.
Goldsmid, Sir F. H.
Gower, hon. F. L.
Greene, J.
Greenwood, J.
Gregory, W. H.
Gregson, S.
Grenfell, C. P.
Greville, Col. F.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Grosvenor, Lord R.
Gurney, S.
Hadfield, G.
Hanbury, R.
Hankey, T.
Hardcastle, J. A.
Hartington, Marq. of
Hayter, rt. hn. Sir W. G.
Headlam, rt. hon. T. E.
Henley, Lord
Herbert, rt. hon. H. A.
Hervey, Lord A.
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Hutt, rt. hon. W.
Jackson, W.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kershaw, J.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Col.
Kinnaird, hon. A. F.
Knatchbull-HugessenE.
Langston, J. H.
Langton, W. H. G.
Lanigan, J.
Lawson, W.
Layard, A. H.
Leatham, E. A.
Lee, W.
Lewis, rt. hon. Sir G. C.
Lewis, H.
Lindsay, W. S.
Locke, J.
Lowe, rt. hon. R.
Lysley, W. J.
M'Cann, J.
MacEvoy, E.
Mackie, J.
Mackinnon, W. A. (Lym.)
Mackinnon, W. A. (Rye)
M'Mahon, P.
Maguire, J, F.
Marjoribanks, D. C.
Marsh, M. H.
Marshall, W.
Martin, P. W.
Martin, J.
Massey, W. N.
Matheson, A.
Mildmay, H. F.
Mills, T.
Mills, J. R.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Moncreiff, rt. hon. J.
Monsell, rt. hon. W.
Monson, hon. W. J.
Morris, D.
Morrison, W.
Norris, J. T.
North, F.
O'Brien, P.
O'Connell, Capt. D.
O'Conor Don, The
O'Ferrall, rt. hon. R. M.
Ogilvy, Sir J.
Onslow, G.
O'Reilly, M. W.
Osborne, R. B.
Padmore, R.
Paget, C.
Paget, Lord C.
Palmerston, Visct.
Paxton, Sir J.
Peto, Sir S. M.
Pigott, Serjeant
Pilkington, J.
Pollard-Urquhart, W.
Ponsonby, hon. A.
Portman, hon. W. H. B.
Potter, E.
Powell, W. T. R.
Powell, J. J.
Proby, Lord
Pryse, E. L.
Pugh, D.
Ramsden, Sir J. W.
Raynham, Visct.
Ricardo, O.
Robartes, T. J. A.
Robertson, D.
Roebuck, J. A.
Rothschild, Baron L. de
Rothschild, Baron M. de
Russell, H.
Russell, A.
Russell, F. W.
Russell, Sir W.

St. Aubyn, J.
Salomons, Mr. Ald.
Scholefield, W.
Scott, Sir W.
Scrope, G. P.
Seely, C.
Seymour, Sir M.
Seymour, H. D.
Seymour, W. D.
Shafto, R. D.
Shelley, Sir J. V.
Sheridan, R. B.
Sheridan, H. B.
Sidney, T.
Smith, J. B.
Smith, M. T.
Smith, A.
Smith, Sir F.
Somerville, rt. hon. Sir W. M.
Stacpoole, W.
Staniland, M.
Stanley, Lord
Stansfeld, J.
Steel, J.
Stuart, Col.
Sykes, Col. W. H.
Talbot, C. R. M.
Taylor, P. A.
Thompson, H. S.
Tite, W.
Tollemache, hon. F. J.
Tomline, G.
Traill, G.
Turner, J. A.
Tynte, Col. K.
Vane, Lord H.
Verney, Sir H.
Villiers, rt. hon. C. P.
Vivian, H. H.
Vyner, R. A.
Waldron, L.
Walter, J.
Warner, E.
Watkins, Col. L.
Weguelin, T. M.
Wemyss, J. H. E.
Western, S.
Westhead, J. P. B.
Whalley, G. H.
Whitbread, S.
White, J.
Wickham, H. W.
Wilcox, B. M'G.
Williams, W.
Willoughby, Sir H.
Winnington, Sir T. E.
Wood, rt. hon. Sir C.
Wynne, C. G.
Wyvill, M.

TELLERS.

Trelawny, Sir J.
Douglas, Sir C.

List of the NOES.

Adderley, rt. hon. C. B.
Annesley, hon. Col. H.
Anson, hon. Major
Arbuthnott, hon. Gen.
Archdall, Capt. M.
Astell, J. H.
Baillie, H. J.
Baring, A. H.
Baring, H. B.
Baring, T.
Barrow, W. H.
Barttelot, Colonel
Bathurst, A. A.
Bathurst, F. H.
Beach, W. W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. W. P.
Bentinck, G. C.
Benyon, R.
Beresford, rt. hon. W.
Bernard, hon. Col.
Bernard, T. T.
Blackburn, P.
Bond, J. W. M'Geough
Booth, Sir R. G.
Botfield, B.
Bovill, W.
Bramley-Moore, J.
Bramston, T. W.
Bridges, Sir B. W.
Brooks, R.
Bruce, Lord E.
Bruce, Major C.
Bruce, Sir H. H.
Bruen, H.
Burghley, Lord
Burrell, Sir P.
Butler-Johnstone, H. A.
Cairns, Sir H. M'C.
Cartwright, Col.
Cave, S.
Cavendish, Lord G.
Cecil, Lord R.
Chapman, J.
Churchill, Lord A. S.
Clive, Capt. H. G. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Cole, hon. J. L.
Coles, H. B.
Conolly, T.
Corry, rt. hon. H. L.
Cubitt, G.
Curzon, Visct.
Dalkeith, Earl of
Damer, S. D.
Dawson, R. P.
Deedes, W.
Disraeli, rt. hon. B.
Du Cane, C.
Duncombe, hon. A.
Duncombe, hon. W. E.
Dunne, Col.
Du Pre, C. G.
Dutton, hon. R. H.
East, Sir J. B.
Edwards, Major
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, hon. W.
Elcho, Lord
Estcourt, rt. hn. T. H. S.
Fane, Col. J. W.
Farquhar, Sir M.
Farrer, J.
Fellowes, E.
Fergusson, Sir J.
Filmer, Sir E.
Fitzgerald, W. R. S.
Forde, Col.
Forester, rt. hon. Col.
Forster, Sir G.
Franklyn, G. W.
Gallwey, Sir W. P.
Galway, Visct.
Gard, R. S.
George, J.
Getty, S. G.
Gilpin, Col.
Gladstone, Capt.
Gladstone, rt. hon. W.
Goddard, A. L.
Gore, J. R. O.
Gore, W. R. O.
Graham, Lord W.
Greenall, G.
Gray, Capt.
Grey de Wilton, Visct.
Griffith, C. D.
Grogan, Sir E.
Gurney, J. H.
Haliburton, T. C.
Hamilton, Lord C.
Hamilton, J. H.
Hamilton, Major
Hamilton, Visct.
Hardy, G.
Hardy, J.
Hartopp, E. B.
Hassard, M.
Hay, Sir J. C. D.
Heathcote, Sir W.
Heathcote, hon. G. H.
Henley, rt. hon. J. W.
Henniker, Lord
Hesketh, Sir T. G.
Heygate, Sir F. W.
Heygate, W. U.
Hill, Lord A. E.
Hill, hon. R. C.
Hodgson, R.
Holford, R. S.
Holmesdale, Visct.
Hood, Sir A. A.
Hope, G. W.
Hopwood, J. T.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Humberston, P. S.
Hume, W. W. F.
Hunt, G. W.
Ingestre, Visct.
Jermyn, Earl
Jervis, Capt.
Johnson, Capt. J. S. W.
Jolliffe, rt. hn. Sir W. G. H.
Jones, D.
Kekewich, S. T.
Kelly, Sir F.
Kendall, N.
Kennard, R. W.
Kerrison, Sir E. C.
King, J. K.
Knatchbull, W. F.
Knight, F. W.
Knightley, R.
Knox, Col.
Knox, hon. Major S.
Lacon, Sir E.
Laird, J.
Leader, N. P.
Leeke, Sir H.
Lefroy, A.
Legh, Major C.
Legh, W. J.
Leighton, Sir B.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Leslie, W.
Lever, J. O.
Liddell, hon. H. G.
Lindsay, hon. Gen.
Long, W.
Longfield, R.
Lopes, Sir M.
Lovaine, Lord
Lowther, hon. Col.
Lowther, Capt.
Lyall, G.
Lygon, hon. F.
Lytton, rt. hon. Sir G. E. L. B.
Macaulay, K.
M'Cormick, W.
Macdonogh, F.
Mainwaring, T.
Malcolm, J. W.
Malins, R.
Manners, rt. hn. Lord J.
Maxwell, hon. Col.
Miles, Sir W.
Miller, T. J.
Mills, A.
Mitford, W. T.
Montagu, Lord R.
Montgomery, Sir G.
Moody, C. A.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Morritt, W. J. S.
Mowbray, rt. hon. J. R.
Mundy, W.
Mure, D.
Murray, W.
Naas, Lord
Newdegate, C. N.
Newport, Visct.
Nicol, W.
Noel, hon. G. J.
North, Col.
Northcote, Sir S. H.
O'Hara, C. W.
Packe, C. W.
Packe, Col.
Pakenham, Col.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Palmer, R. W.
Palmer, Sir R.
Papillon, P. O.
Parker, Major W.
Patten, Col. W.
Paull, H.
Peacocke, G. M. W.
Peel, rt. hon. Sir R.

Peel, rt. hon. Gen.
Pennant, hon. Col.
Pevensey, Visct.
Philipps, J. H.
Phillips, G. L.
Potts, G.
Powys, P. L.
Puller, C. W. G.
Quinn, P.
Repton, G. W. J.
Richardson, J.
Ridley, Sir M. W.
Rogers, J. J.
Rolt, J.
Rowley, hon. R. T.
Salt, T.
Sclater-Booth, G.
Scott, Lord H.
Selwyn, C. J.
Seymer, H. K.
Shirley, E. P.
Smith, M.
Smith, A.
Smith, S. G.
Smollett, P. B.
Somerset, Col.
Somes, J.
Spooner, R.
Stanhope, J. B.
Stanhope, Lord
Stirling, W.
Steuart, A.
Stewart, Sir M. R. S.
Stuart, Lieut. Col. W.
Stracey, Sir H.
Sturt, H. G.
Talbot, hon. W. C.
Tempest, Lord A. V.
Thornhill, W. P.
Thynne, Lord E.
Thynne, Lord H.
Tollemache, J.
Torrens, R.
Tottenham, C.
Trefusis, hon. C. H. R.
Trollope, rt. hon. Sir J.
Turner, C.
Upton, hon. Gen.
Vance, J.
Vansittart, W.
Verner, Sir W.
Walcott, Admiral
Walker, J. R.
Walpole, rt. hon. S. H.
Walsh, Sir J.
Watlington, J. W. P.
Way, A. E.
Welby, W. E.
Whiteside, rt. hon. J.
Williams, Col.
Woodd, B. T.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, Col.
Wynne, W. W. E.
Yorke, hon. E. T.

TELLERS.

Taylor, Col.
Whitmore, Mr.

Question put, "That those words be there added."

The House *divided* :—Ayes 288; Noes 271: Majority 17.

List of the AYES.

Adderley, rt. hon. C. B.
Annesley, hon. Col. H.
Anson, hon. Major
Arbuthnott, hon. Gen.
Archdall, Capt. M.
Astell, J. H.
Baillie, H. J.
Baring, A. H.
Baring, T.
Barrow, W. H.
Barttelot, Col.
Bathurst, A. A.
Bathurst, F. H.
Beach, W. W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. W. P.
Bentinck, G. C.
Benyon, R.
Beresford, rt. hon. W.
Bernard, hon. Col.
Bernard, T. T.
Blackburn, P.
Bond, J. W. M'Geough
Booth, Sir R. G.
Botfield, B.
Bovill, W.
Bramley-Moore, J.
Bramston, T. W.
Bridges, Sir B. W.
Brooks, R.
Bruce, Lord E.
Bruce, Major C.
Bruce, Sir H. H.
Bruen, H.
Burghley, Lord
Burrell, Sir P.
Butler-Johnstone, H. A.
Cairns, Sir H. M'C.
Cartwright, Col.
Cave, S.
Cavendish, Lord G.
Cecil, Lord R.
Chapman, J.
Churchill, Lord A. S.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Cole, hon. J. L.
Coles, H. B.
Conolly, T.
Corry, rt. hon. H. L.
Cubitt, G.
Curzon, Visct.
Dalkeith, Earl of
Damer, S. D.
Dawson, R. P.
Deedes, W.
Disraeli, rt. hon. B.
Du Cane, C.
Duncombe, hon. A.
Duncombe, hon. W. E.
Dunne, Col.
Du Pre, C. G.
Dutton, hon. R. H.
East, Sir J. B.
Edwards, Major
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, hon. W.
Elcho, Lord
Estcourt, rt. hn. T. H. S.
Fane, Col. J. W.
Farquhar, Sir M.
Farrer, J.
Fellowes, E.
Fergusson, Sir J.
Filmer, Sir E.
FitzGerald, W. R. S.
Forde, Col.
Forester, rt. hon. Col.
Forster, Sir G.
Franklyn, G. W.
Gallwey, Sir W. P.
Galway, Visct.
Gard, R. S.
George, J.
Getty, S. G.
Gilpin, Col.
Gladstone, Capt.
Gladstone, rt. hon. W.
Goddard, A. L.
Gore, J. R. O.
Gore, W. R. O.
Graham, Lord W.
Greenall, G.
Gray, Capt.
Grey de Wilton, Visct.
Griffith, C. D.
Grogan, Sir E.
Gurney, J. H.
Haliburton, T. C.
Hamilton, Lord C.
Hamilton, J. H.
Hamilton, Major
Hamilton, Visct.
Hardy, G.
Hardy, J.
Hartopp, E. B.
Hassard, M.
Hay, Sir J. C. D.
Heathcote, Sir W.
Heathcote hon. G. H.
Henley, rt. hon. J. W.
Henniker, Lord
Hesketh, Sir T. G.
Heygate, Sir F. W.
Heygate, W. U.
Hill, Lord A. E.
Hill, hon. R. C.
Hodgson, R.
Holford, R. S.
Holmesdale, Visct.
Hood, Sir A. A.
Hope, G. W.
Hopwood, J. T.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Humberston, P. S.
Hume, W. W. F.
Hunt, G. W.
Ingestre, Visct.
Jermyn, Earl
Jervis, Capt.
Johnson, Capt. J. S. W.
Jolliffe, rt. hon. Sir W. G. H.
Jones, D.
Kekewick, S. T.
Kelly, Sir F.
Kendall, N.
Kennard, R. W.
Kerrison, Sir E. C.
King, J. K.
Knatchbull, W. F.
Knight, F. W.
Knightley, R.
Knox, Col.
Knox, hon. Major S.
Lacon, Sir E.
Laird, J.
Leader, N. P.
Leeke, Sir H.
Lefroy, A.
Legh, Major C.
Legh, W. J.
Leighton, Sir B.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Leslie, W.
Lever, J. O.
Liddell, hon. H. G.
Lindsay, hon. Gen.
Long, W.
Longfield, R.
Lopes, Sir M.
Lovaine, Lord
Lowther, hon. Col.
Lowther, Capt.
Lyall, G.
Lygon, hon. F.
Lytton, rt. hon. Sir G. E. L. B.
Macaulay, K.
M'Cormick, W.
Macdonogh, F.
Mainwaring, T.
Malcolm, J. W.
Malins, R.
Manners, rt. hn. Lord J.
Maxwell, hon. Col.
Miles, Sir W.
Miller, T. J.
Mills, A.
Mitford, W. T.
Montagu, Lord R.
Montgomery, Sir G.
Moody, C. A.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Morritt, W. J. S.
Mowbray, rt. hon. J. R.
Mundy, W.
Mure, D.
Murray, W.
Naas, Lord

Newdegate C. N.
Newport, Visct.
Nicol, W.
Noel, hon. G. J.
North, Col.
Northcote, Sir S. H.
O'Hara, C. W.
Packe, C. W.
Packe, Col.
Pakenham, Col.
Pakington, rt.hn. Sir J.
Palk, Sir L.
Palmer, R. W.
Palmer, Sir R.
Papillon, P. O.
Parker, Major W.
Patten, Col. W.
Paull, H.
Peacocke, G. M. W.
Peel, rt. hon. Sir R.
Peel, rt. hon. Gen.
Pennant hon. Col.
Pevensey, Visct.
Philipps, J. H.
Phillips, G. L.
Potts, G.
Powys, P. L.
Puller, C. W. G.
Quinn, P.
Repton, G. W. J.
Richardson, J.
Ridley, Sir M. W.
Rogers, J. J.
Rolt, J.
Rowley, hon. R. T.
Salt, T.
Sclater-Booth, G.
Scott, Lord H.
Selwyn, C. J.
Seymer, H. K.
Shirley, E. P.
Smith, M.
Smith, A.
Smith, S. G.
Smollett, P. B.
Somerset, Col.
Somes, J.
Spooner, R.
Stanhope, J. B.
Stanhope, Lord
Stirling, W.
Steuart, A.
Stewart, Sir M. R. S.
Stuart, Lieut. Col. W.
Stracey, Sir H.
Sturt, H. G.
Talbot, hon. W. C.
Tempest, Lord A. V.
Thornhill, W. P.
Thynne, Lord E.
Thynne, Lord H.
Tollemache, J.
Torrens, R.
Tottenham, C.
Trefusis, hon. C. H. R.
Trollope, rt. hon. Sir J.
Turner, C.
Upton, hon. Gen.
Vance, J.
Vansittart, W.
Verner, Sir W.
Vernon, H. F.
Walcott, Admiral
Walker, J. R.
Walpole, rt. hon. S. H.
Walsh, Sir J.
Watlington, J. W. P.
Way, A. E.
Welby, W. E.
Whiteside, rt. hon. J.
Williams, Col.
Woodd, B. T.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, Col.
Wynne, W. W. E.
Yorke, hon. E. T.

TELLERS.
Taylor, Col.
Whitmore, Mr.

List of the NOES.

Acton, Sir J. D.
Adair, H. E.
Adam, W. P.
Agnew, Sir A.
Alcock, T.
Andover, Visct.
Angerstein, W.
Antrobus, E.
Ashley, Lord
Atherton, Sir W.
Ayrton, A. S.
Bagwell, J.
Baines, E.
Barnes, T.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Beale, S.
Beamish, F. B.
Beaumont, W. B.
Beaumont, S. A.
Bellew, R. M.
Berkeley, hon. H. F.
Berkeley, Col. F. W. F.
Biddulph, Col.
Black, A.
Blencowe, J. G.
Bonham-Carter J.
Bouverie, rt. hon. E. P.
Bouverie, hon. P. P.
Brand, hon. H.
Bright, J.
Briscoe, J. I.
Bristow, A. R.
Brocklehurst J.
Brown, J.
Bruce, H. A.
Buckley, Gen.
Bulkeley, Sir R.
Buller, Sir A. W.
Butler, C. S.
Buxton, C.
Caird J.
Calthorpe, hon. F. H. W. G.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Cavendish, hon. W.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clay, J.
Clifford, C. C.
Clifford, Col.
Clifton, Sir R. J.
Clive, G.
Cobden, R.
Cogan, W. H. F.
Colebrooke, Sir T. E.
Collier, R. P.
Coningham, W.
Cowper, rt. hon. W. F.
Cox, W.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, F.
Dalglish, R.
Davey, R.
Davie, Sir H. R. F.
Davie, Col. F.
Denman, hon. G.
Dent, J. D.
Dillwyn, L. L.
Divett, E.
Dodson, J. G.
Doulton, F.
Duff, M. E. G.
Duff, R. W.
Dunbar, Sir W.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunlop, A. M.
Egerton, E. C.
Ellice, rt. hon. E.
Ellice, E.
Enfield, Visct.
Euston, Earl of
Evans, Sir De L.
Evans, T. W.
Ewart, W.
Ewart, J. C.
Ewing, H. E. C.
Fenwick, H.
Fermoy Lord
Finlay, A. S.
Fitzwilliam, hn. C.W.W.
Foley, H. W.
Forster, C.
Forster W. E.
Foster W. O.
Fortescue, hon. F. D.
Fortescue, C. S.
Freeland, H. W.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Glyn, G. C.
Glyn, G. G.
Goldsmid, Sir F. H.
Gower, hon. F. L.
Greene, J.
Greenwood, J.
Gregory, W. H.
Gregson, S.
Grenfell, C. P.
Greville, Col. F.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Grosvenor, Lord R.
Gurney, S.
Hadfield, G.
Hanbury, R.
Hankey, T.
Hardcastle, J. A.
Hartington, Marq. of
Hayter, rt. hn. Sir W. G.
Headlam, rt. hon. T. E.
Henley Lord
Herbert, rt. hon. H. A.
Hervey, Lord A.
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Horsman, rt. hon. E.
Hutt, rt. hon. W.
Jackson, W.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kershaw, J.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Col.
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E.
Langston, J. H.
Langton, W. H. G.
Lanigan, J.
Lawson, W.
Layard, A. H.
Leatham, E. A.
Lee, W.
Lewis, rt. hn. Sir G. C.
Lewis, H.
Lindsay, W. S.
Locke, J.
Lowe, rt. hon. R.
Lysley, W. J.
M'Cann, J.
MacEvoy, E.
Mackie, J.
Mackinnon, W. A. (Lym.)
Mackinnon, W. A. (Rye)
M'Mahon, P.
Maguire, J. F.
Marjoribanks, D. C.
Marsh, M. H.
Marshall, W.
Martin, P. W.
Martin, J.
Massey, W. N.
Matheson, A.
Mildmay, H. F.
Mills, T.
Mills, J. R.
Mitchell, T. A.
Moffatt, G.
Moncreiff, rt. hon. J.
Monsell, rt. hon. W.
Monson, hon. W. J.
Morris, D.
Morrison, W.
Norris, J. T.
North, F.
O'Brien, P.
O'Connell, Capt. D.
O'Conor Don, The
O'Ferrall, rt. hn. R. M.
Ogilvy, Sir J.
Onslow, G.
O'Reilly, M. W.
Osborne, R. B.
Padmore, R.
Paget, C.

Paget, Lord C.
Palmerston, Visct.
Peto, Sir S. M.
Pigott, Serjeant
Pilkington, J.
Pollard-Urquhart, W.
Ponsonby, hon. A.
Portman, hon. W. H. B.
Potter, E.
Powell, W. T. R.
Powell, J. J.
Proby, Lord
Pryse, E. L.
Pugh, D.
Ramsden, Sir J. W.
Raynham, Visct.
Ricardo, O.
Robartes, T. J. A.
Robertson, D.
Roebuck, J. A.
Rothschild, Baron L. de
Rothschild, Baron M. de
Russell, H.
Russell, A.
Russell, Sir W.
St. Aubyn, J.
Salomons, Mr. Ald.
Scholefield, W.
Scott, Sir W.
Scrope, G. P.
Seely, C.
Seymour, Sir M.
Seymour, H. D.
Seymour, W. D.
Shafto, R. D.
Shelley, Sir J. V.
Sheridan, R. B.
Sheridan, H. B.
Sidney, T.
Smith, J. B.
Smith, M. T.
Somerville, rt. hn. Sir W.
Stacpoole, W.
Staniland, M.
Stanley, Lord
Stansfeld, J.
Steel, J.
Stuart, Col.
Sykes, Col. W. H.
Talbot, C. R. M.
Taylor, P. A.
Thompson, H. S.
Tite, W.
Tollemache, hon. F. J.
Tomline, G.
Traill, G.
Turner, J. A.
Tynte, Col. K.
Vane, Lord H.
Verney, Sir H.
Villiers, rt. hon. C. P.
Vivian, H. H.
Vyner, R. A.
Waldron, L.
Warner, E.
Watkins, Col. L.
Weguelin, T. M.
Wemyss, J. H. E.
Western, S.
Westhead, J. P. B.
Whalley, G. H.
Whitbread, S.
White, J.
Wickham, H. W.
Willcox, B. M‘G.
Williams, W.
Willoughby, Sir H.
Winnington, Sir T. E.
Wood, rt. hon. Sir C.
Wyvill, M.

TELLERS.
Douglas, Sir C.
Trelawny, Sir J.

Main Question, as amended, put, and *agreed to*.

Resolved,

"That it is unjust and inexpedient to abolish the ancient customary right, exercised from time immemorial by the ratepayers of every parish in England, to raise by rate amongst themselves the sums required for the repair of their Church, until some other provision shall have been made by Parliament for the discharge of those obligations, to which, by custom or statute, the churchwardens, on the part of the parish, are liable."

House adjourned at two minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, May 15, 1862.

MINUTES.]—PUBLIC BILLS.—1^{a} Public Works and Harbours Act Amendment; Moveable Property (Scotland); Acts of Uniformity.
2^{a} Saint Giles-in-the-Fields Disused Burial Ground; Edinburgh Roads and Streets.

REGISTER OF VOTERS BILL.

[BILL NO. 43] COMMITTEE.

House in Committee (according to Order).

Clause 1 (Clerks of the Peace and Town Clerks to prepare alphabetical Lists of Voters for Counties, Cities, and Boroughs).

THE EARL OF CARNARVON opposed the clause on four grounds—first, because it was unnecessary; secondly, because it proposed to substitute an arrangement inferior to that at present existing; thirdly, because it involved heavy expense; fourthly, because it was compulsory, instead of permissive. It was unnecessary, for we already had a register in every county and borough, with the names, surnames, and Christian names, alphabetically arranged in polling-places; and the clause proposed a second list. The clause proposed the substitution of an arrangement inferior to that which already existed; because where there was a number of names common to many individuals, with Christian names also common to several, there could be no better way of distinguishing individuals than by the addition of the places of residence. In Scotland, where hosts of individuals bore names in common, they were known almost exclusively by the names of the places where they lived. Further, the new scheme must evidently involve great additional expense. As to his last objection, that it was compulsory and not permissive, he should propose an Amendment, by which it should be made optional, and that the clerks of the peace and the town clerks should be required to prepare the second register only when directed to do so by the Quarter Sessions or the Town Councils.

LORD LYVEDEN objected that the Amendment was merely a renewed opposition to the principle of the Bill, which had been already decided by the House on the second reading. The Bill practically consisted but of this one clause, the rest of it being of merely a formal character; and if the noble Earl's Amendment were adopted, the effect would be to render nugatory the whole Bill.

THE EARL OF ELLENBOROUGH: My Lords, I shall support the Amendment, because it mitigates the mischief of the Bill. I should have preferred its rejection. In any case, if it is to proceed, since the noble Lord who has charge of the Bill can give no information with regard either to the value of the measure, or to the expense of putting it in operation, I would suggest that the Bill be referred to a Select Committee upstairs. I will not use harsh terms in speaking of the Bill. I will not call it a job.

"I never mention *job* to ears polite."

I will use the mildest, the most gentle terms in which the Bill can be described. It is a measure for the accommodation of candidates for large constituencies, by throwing a portion of their legitimate electioneering expenses upon the poor rates. Doubtless, the Bill will facilitate the convenience of candidates; but then it should be remembered that by the second clause this is to be at the expense of the elector. This I object to. I have a great objection to the principle of the measure on this ground — I think that whenever it is determined to afford accommodation to an individual at the public expense, it is but fair to ascertain that the public will not be put to a larger expense than is proportioned to the advantage the individual receives. Now, in this case I believe that the expenses which will be thrown upon the public will be greatly in excess of the advantages which any individual can receive. It is, no doubt, desirable that a candidate should not have to pay an extravagant bill for electioneering purposes; but it must be remembered that these lists will have to be made out annually, and perhaps the expense will have to be incurred for four or five successive years before the one occasion arrives at which the proposed register will be of practical utility; and then in places where no contests take place no possible advantage can be derived to any one from the publication of the lists. If all these circumstances are taken into account, I believe the outlay on the part of the public will be ten times as great as the benefit which will be derived from the measure by individuals. This is, in fact, a measure for the purpose of facilitating the proceedings of candidates at elections, and in which the ratepayers have very little concern. In some cases it would, no doubt, facilitate the canvass of candidates, but it would be of no service to the voter, inasmuch as it does not matter to him whether there is a canvass or not. Your Lordships are asked to pass this Bill without being informed what the expenses of carrying out the measure will probably be. The present Government, like previous ones, has complained on various occasions that a considerable portion of the expenditure of the country is forced upon them by the House of Commons. I recollect the late Sir Robert Peel saying that the Reform Act, instead of putting an end to jobbing, had created more jobbing—but in this way, that while formerly jobbing was practised for individuals, it was now practised for classes, and this was much more expensive. I will not say that this is a measure of a jobbing character; but it is clear that her Majesty's Ministers are not responsible for it, and I do not believe that the House of Commons is generally interested in it. Not one-tenth of the Members of the Lower House were present when they divided upon it. I think the Members of the House of Commons would do well if they would more carefully consider those measures which tend to throw additional expenses on the country; for I believe, that if an estimate had been prepared of the probable expenses which would be incurred under this Bill, and the Vote proposed in the lump in a Committee of Supply, it would have been rejected; but when those expenses are thrown on the ratepayers, Parliament will have no knowledge of what they amount to, or how the money is expended. We are now spending about £20,000,000 annually more for our peace establishment than we were expending a few years ago; and, moreover, a large portion of the population, owing to circumstances over which the Government have no control, are suffering under severe distress. It is therefore by no means desirable that fresh burdens should be thrown upon the people. But if we now place these extra burdens upon the ratepayers, there is not a distressed man in Lancashire, being a ratepayer, who will not have to pay a portion of those expenses, which ought to fall on his rich representatives, or the candidates. I have always great reluctance in opposing a matter which especially concerns the House of Commons; but, at the same time, as your Lordships know nothing of what the expenditure may be under this Bill, and as I believe that the benefit to be derived from it will be very small, I hope that your Lordships will reject the Bill

EARL GRANVILLE said, he did not look on the Bill as a measure of great importance; but, on the other hand, he was of opinion that the objections to it were entitled to no great weight. The chief objection raised to it was that it would entail considerable expense, and that of the amount of that expense no estimate had been given. It would probably be very small—he could not, at all events, help thinking that the amount which would fall on the individual ratepayer of Lancashire would not be very great. It was true the Government were not responsible for the Bill, but then it should be borne in mind that it had received the sanction of a large majority in the House of Commons. It was promoted by two county Members, one on each side, in the other House of Parliament, and there had been a division of four to one in its favour. That circumstance showed that the House of Commons had a very decided opinion as to its merits, and it would therefore be a matter of discourtesy to the other House if they were to reject it. He might add that he thought it very desirable, that if there were a public register at all, it should be as perfect as possible. Such a register would, he contended, be of advantage not only to the candidate but also to voters and the public generally.

THE EARL OF DERBY said, that as to the Bill having been carried by a large majority of the other House, he would remind their Lordships that it was passed in a House composed of less than 100 Members. That argument, then, of the noble Earl's was not of very great weight. He agreed in opinion with the noble Earl that this was not a measure of great importance with regard to the magnitude of the object concerned. But with regard to the principle of the measure he thought it was important, on the ground of expenses which would be incurred under it. If he had entertained any doubt as to the wisdom of their refusing their sanction to the compulsory powers of the Bill, it would have been removed by the arguments used by the noble Lord who had charge of it (Lord Lyveden), and who desired to make that compulsory on the members of quarter sessions which was now permissive. But he (the Earl of Derby) thought the quarter sessions should have a discretion as to whether the provisions of the Bill should be enforced or not. The question was whether there should be a consolidated index or three or four indexes or lists of voters, and whether it should be reprinted at the public expense. In his opinion the Bill was unnecessary. At the same time, he should support the Amendment of his noble Friend behind him, in order to give the local authorities a discretion in the matter as to whether they would allow this increase of expenditure or not.

EARL GREY said, it appeared to him, that if the local authorities were to be responsible for ordering those extra expenses, which would have to be paid out of the rates, it would be only reasonable that they should have power to exercise a discretion in the matter, and therefore he should support the Amendment.

THE EARL OF ROMNEY was understood to say, that the expense of this measure would add about one-third to the existing expense of the parish registry.

On Question, Amendment *agreed to;* a further Amendment made: The Report of the Amendments to be received *To-morrow.*

OUTRAGES (IRELAND).

MOTION FOR PAPERS.

THE MARQUESS OF CLANRICARDE, who had given notice to move an Address for—

"Copies of the Criminal Calendar of each County, and of any Reports upon the State of Crime in the County, presented to the Judges by the Inspectors of Police at the last Assizes in Ireland:"

"Return of all Homicides and Aggravated Assaults that have been committed in Ireland within the last Twelve Months, and of the Trials of Persons accused of such Crimes and the Result of each Trial"—

said, that the subject to which his intended Motion referred was one of importance, and, considering the amount of money paid for the prevention of crime, it was astonishing that the exertions of the Government in that respect were not more successful. The state of Ireland generally was by no means such as could be called disturbed; and the people, generally speaking, had less inclination to crime and violence than any other people in the world; but, unfortunately, there was a feeling prevalent among them that when a wrong was supposed to have been done the injured person should take the redress of their own grievances into their own hands; and this notion had not only produced a frightful amount of crime and assassination, but had also most unhappily produced a most culpable mode of viewing the perpetration of such crimes; so that when murders had been committed, it too frequently happened that the assassins remained undiscovered. He attributed the latter result to the military character and organization of that force to which the name of constabulary had been given, and to which the military character was no longer so much wanted. In old times there used to be strong and organized parties in the country ready to resist the Government and the law, and serious conflicts occurred; and, consequently, at that time it was wise to give a military character, more or less, to the constabulary; but at present he objected to their being disciplined as a body of soldiers, disallowing them the liberty of action of ordinary constables. The consequence was, that when crime was committed, it was not always by the connivance of the people that the perpetrator escaped. A case had come under his own observation in which three men returning from a country fair picked up a quarrel with two persons unknown to them, and one of the latter was so severely beaten that he died in a few days. The outrage was committed about six o'clock in the afternoon, and there was not a person within five or six miles round that did not know who all the parties were. Information was given to the police; but as the post had gone out at the time, and they were forbidden to send a messenger to the stipendiary magistrate or to communicate with him except by letter, they were under such strict discipline that they did not stir out to get a warrant to apprehend the offenders, or to make the facts known to their commanding officer, who lived about four miles away. The consequence was that they were not able to despatch a letter to the magistrate or the officer before the next evening, and it was not received until the day after the occurrence. Fortunately, however, the matter was well known to the public, and the magistrate and police officer did not wait for the arrival of the formal notice, but went off at once to take the informations of the injured men. A boy who had taken very little part in the outrage was arrested at home. The other and more guilty persons absconded when in their sober moments they found what a serious offence they had committed; one gave himself up ten days after, and the other remained at large until the time of the assizes drew near, when he also surrendered himself, and the men were found guilty and punished. That case would show how injurious was this discipline of the police, and how it interfered with their action. Last year he took occasion to quote the opinion of Judge Lefroy on the subject; and at the last assizes three judges, one of them being a new and distinguished ornament of the bench, Judge Christian, stated in their charges that there was a vast disproportion between the number of offences in the Report submitted to them by the County Inspector, and those which appeared in the Calendar. The constabulary numbered about 12,000 men, and, if efficient, would be far more than was required for police purposes, considering the diminished population and improved condition of Ireland. A mistaken opinion prevailed as to the riband system. He had taken at one time an active part in putting down that system, and he could state that it had never been so perfect as was supposed, and anything more absurd than the idea that the organization was perfect and extensive could not be conceived. It was, of course, part of the policy of the ribandmen to pretend that their organization was extensive, but in the cases which had happened lately, it was well known that it was the individuals who fancied themselves aggrieved that had committed the crime. Something must be done to repress crime in Ireland. The Government would never get together a better set of men and officers; and if the police were only told that they were not soldiers, but constables, their zeal and intelligence would do the rest. He understood that Returns had been presented to the House of Commons which embodied the information he desired their Lordships to possess, and he would not therefore put the country to the expense of having the Returns printed, for which he had intended to ask; he would, instead of moving for the Returns indicated in his notice, move for those which had been laid before the other House; namely—

"Return of outrages reported to the constabulary officers in Ireland during the year 1861, with Summaries of preceding years; and also Return of Outrages reported by the constabulary in Ireland during the month of April 1862."

EARL GRANVILLE said, that there would, of course, be no objection to the Motion. He thought the noble Marquess would find in the Returns laid before the House of Commons more information than he had asked for.

Motion *agreed to.*

PUBLIC WORSHIP BILL.

BILL WITHDRAWN.

LORD EBURY said, he did not intend to proceed with this Bill. He had, however, prepared another Bill on the subject, which he trusted would meet with the approval of their Lordships.

Bill *withdrawn* (on Motion), by leave of the House.

ASSENT TO USE OF PRAYER BOOK BILL.

Order for the Second Reading, on Tuesday, the 27th instant, *discharged;* and Bill (by leave of the House) *withdrawn.*

ACTS OF UNIFORMITY BILL.

BILL PRESENTED. . FIRST READING.

A Bill to amend the Acts of Uniformity *presented* by The Lord EBURY; and read 1ª.

RUMOURED RIFLE MATCH BETWEEN THE TWO HOUSES OF PARLIAMENT.

EARL GRANVILLE: Before the House adjourns, it will be convenient for your Lordships to know whether there is any truth in a certain rumour that this House is likely soon to be at war with the other House of Parliament. It appears that a challenge has been offered in due form, and accepted. How far my noble and learned Friend on the Woolsack was authorized by any order of the House to go the length of accepting that challenge without some preliminary notice, which might have led to a more amicable understanding between the two Houses, I am not prepared to say.

THE LORD CHANCELLOR: My Lords, it is undoubtedly true that the Lord Chancellor stands before you as one who has to confess, I am afraid, to another irregularity. But, my Lords, I will state the manner in which it occurred. As I was leaving the House I had the honour to receive from the Speaker of the House of Commons a challenge. It came from the House of Commons to the House of Lords, and it was delivered to me. It is true that I did not stop to inquire whether I had the authority to accept such a challenge. But having that spirit which I am sure every one of your Lordships would have desired me to exercise and exhibit, I accepted at once that challenge on behalf of your Lordships, and returned an answer that we would meet the House of Commons in honourable rivalry at any place, at any time, and with any weapon. I might probably have been irregular, but I felt at the time that it would not do to hesitate, although if I had had the fear of the noble Duke (the Duke of Buccleuch) before my eyes, I might have abstained until I had referred the question to your Lordships. I trust that we shall meet the House of Commons in the same spirit in which they have offered to meet us. I am sorry to say, therefore, that your Lordships stand pledged to this combat, and I venture to prophesy that you will not recede from it, but that you will enter the lists in a manner worthy of this House of Parliament.

House adjourned at half-past Six o'clock,
till To-morrow, half-past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, May 15, 1862.

MINUTES.]—PUBLIC BILLS.—1° Universities (Scotland) Act Amendment (No. 2); County Surveyors (Ireland).
2° Landed Property Improvement (Ireland) Acts Amendment; Retiring Pay, &c. (British Forces, India).

THE SLAVE TRADE.—QUESTION.

MR. BUXTON said, he rose to ask the Under Secretary of State for Foreign Affairs, What steps the Government have taken towards the punishment of the parties privy to the fitting out for the slave trade, in Liverpool, in November, 1860, of the slaver *Nightingale;* what has been the result of the application which Earl Russell instructed Sir Arthur Magenis to make to the Portuguese Minister for the Colonies, on the 14th of August last, relative to the practice of sending slaves, as domestic servants, by the Portuguese Mail Steamers and other conveyances, from the province of Angola to the neighbouring island of St. Thomas, under the representation of their being the property of passengers going there; what answer has been returned to the recommendation made to Senor Collantes at Madrid, by Sir John Crampton, on the 10th December last, at the request of Earl Russell in his despatch to Sir J. Crampton of the 12th November preceding, that, with a view to suppress the slave trade to Cuba, the slave trade should be declared piracy, and the masters, crew, and all concerned in the navigation of slavers, be subjected to martial law, a recommendation made by the present Captain General of Cuba; what reply has the French Government returned to the representation Earl Russell instructed Earl Cowley to make to it on the 19th of December last, relative to the continued shipment, as *engagés*, of slaves from the Comoro Islands to Réunion and other French possessions, "contrary to the orders of the French Government, and also in violation of the engagements contracted by that Government towards the Government of Her Majesty on the subject;" and what explanations has Mr. Consul Sunley, at Johanna, tendered on the subject of his employment of large numbers of slaves on his sugar plantations, in reply to Earl Russell's communication on that matter of the 5th of November last, and in consequence of M. Thouvenel's complaint, that while Mr. Sunley opposes the prosecution of the French immigration system from the Comoro Isles, he does not scruple to collect slaves at Anjouan, with the consent of the chiefs, and to employ them on his own account.

MR. LAYARD said, the questions of his hon. Friend related to a great variety of points. His hon. Friend wished to know, in the first place, what steps the Government had taken towards the punishment of the parties privy to the fitting out in Liverpool of the slaver *Nightingale;* and, in reply to that question, he (Mr. Layard) had to state that the slaver to which his hon. Friend referred was a vessel sailing under American colours. During the time she was being fitted out at Liverpool no circumstance transpired to give rise to suspicions which could warrant the interference of Her Majesty's Government, and it was only after she had sailed that the authorities had learned that she was intended for a slaver. But he was happy to say that by the information which they had transmitted to the African coast they had caused her to be seized, with a full cargo of five hundred slaves. His hon. Friend wished to know, in the next place, what was the result of the application which Earl Russell had ordered to be made by Sir Arthur Magenis to the Portuguese Minister for the Colonies, relative to the practice of sending slaves, under the pretence of their being domestic servants, by the Portuguese mail steamers from the province of Angola to the neighbouring island of St. Thomas. In answer to that question he regretted to have to state that a considerable slave trade had sprung up between the Portuguese settlements and the island of St. Thomas. It was carried on under the pretence that the people were free labourers, but he feared there could be no doubt that they were slaves. Her Majesty's Government had thought it right to address very strong remonstrances to the Government of Portugal upon that point; and he trusted that when the King of Portugal was made aware of the gross infringement of the law which was taking place—and taking place, he (Mr. Layard) was sorry to say under the sanction of the Portuguese authorities—means would be taken to put a stop to it. The third question of his hon. Friend related to the efforts which were being made to suppress the slave trade in the island of Cuba. In that case, again, he regretted to have to say that the Spanish authorities still countenanced that detestable traffic. He trusted, however, that the Spanish Government gave no support to the acts of their officers in the island of Cuba. Her Majesty's Government had addressed fresh remonstrances to the Spanish Government upon the subject, and he hoped that in consequence some decided steps would be taken for the suppression of the evil. The fourth question of his hon. Friend referred to the slave trade which was carried on in the islands and French possessions along the coast of Africa. On the 19th of December last Earl Cowley was instructed, as his hon. Friend had stated in his question, to make a representation to the French Government in reference to that matter, and the consequence was, that the French Government had sent out to make inquiries on the spot; but the distance was so great, that no answer to those inquiries had as yet been received. But, considering the treaty into which this country had entered with France for the suppression of the slave trade, and the desire which the Emperor personally expressed to put an end to that traffic, he had no doubt that when the French Government had obtained information as to what was going on in the Comoro Islands, they would take energetic steps to put an end to that branch of the slave trade. The last question of his hon. Friend related to the conduct of Mr. Consul Sunley at Johanna. That gentleman was charged with employing a number of slaves on his sugar plantations. Her Majesty's Government had written to Mr. Consul Sunley, asking for an explanation, which had been at once given by that officer: The Consul was a gentleman of great activity and energy, of great humanity, and had done a great deal towards improving the condition of the inhabitants of the island of Johanna. He (Mr. Layard) thought it only due to that gentleman to read the reply to the despatch, which was printed in the slave-trade papers. In that document Mr. Consul Sunley stated three hundred men and two hundred women were employed on his estate. The majority of these people were slaves belonging to the inhabitants of the island, thirty of them being free people, but the whole of them in their relations with him (Mr. Consul Sunley) were perfectly free, and he made no distinction between them. They received their own wages, and were free to come and go as they liked. That was the effect of Mr. Consul Sunley's explanation. The fact appeared to be, that although these labourers were slaves belonging to inhabitants of the island, they were allowed to work as free labourers, and were employed by Mr. Sunley without any reference to their state of servitude. At the same time, it was a question as to how far he was justified in even employing persons in a state of slavery, though he himself was not supposed to know they were slaves, as they came to him as free labourers and received wages. Under these circumstances, Her Majesty's Government had under their consideration how far they ought to disapprove of the conduct of Consul Sunley in this matter.

POACHING CASE AT MAIDSTONE.

QUESTION.

MR. DIGBY SEYMOUR said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to a statement in the newspapers that a child of the name of Thomas, aged nine years, was lately fined £5 11*s.* by a bench of magistrates at Maidstone for being found in possession of a snare for catching rabbits, and, in default of payment, was sent to prison for three months; whether he has taken steps to ascertain the facts of the case; and, particularly, whether any evidence was laid before the magistrates to show that the child was acting at the instigation or was under the control of others?

SIR GEORGE GREY said, that on seeing the statement in the newspapers he immediately referred it to the chairman of the bench of magistrates at Maidstone, and requested him to furnish a report of the facts of the case. He received a report a few days afterwards, and it left no doubt as to the nature of the offence of which the boy was charged. That offence, however, was not quite accurately described, either in the newspaper statement or in the question put by the hon. and

learned Member. The magistrates, in considering the amount of fine they should impose upon the boy, were guided by the knowledge that the boy was acting as the instrument and at the instigation of his parents; and the fine, though nominally imposed upon the boy, was intended practically to be imposed upon the parents. The magistrates believed the parents had ample means to pay the amount of the fine, and they were strengthened in that conviction by a knowledge of the fact that during the last five years members of the same family were, he believed, convicted and fined twenty-four times by the magistrates or at the County Courts, for breaches of the game laws, or for assaults connected with poaching. In fact, they lived by poaching, and in every one of these twenty-four cases the fine was paid forthwith. The result was the same in the present instance. The morning after the conviction of Thomas the mother came to the gaol, and paid the fine and expenses. The boy was immediately discharged, and he (Sir G. Grey) was informed that the mother, after paying the amount, said that had it been three times as large, she could have paid it.

REPORT OF THE CADASTRAL SURVEY COMMITTEE.—QUESTION.

SIR FREDERICK HEYGATE said, he wished to ask the Secretary of State for War, Whether it is the intention of the Government to act upon the Report of the Cadastral Survey Committee; and if so, whether he will bring in a Supplementary Estimate this Session to enable their recommendations to be carried into effect?

SIR GEORGE LEWIS replied, that the Government had not hitherto come to any decision on the Report of the Cadastral Survey Committee, but as at present advised they had no intention of bringing in any Supplementary Estimate on the subject.

THE BREHON LAW PUBLICATION.

QUESTION.

MR. STIRLING said, he wished to ask the Chief Secretary for Ireland, What progress has been made with the Brehon Law Publication; and whether the surviving Editor, Mr. Curry, is prepared to continue the work?

SIR ROBERT PEEL said, that the manuscripts of the Brehon Laws from the beginning of the 14th century to the close of the 16th century had been transcribed and translated; and the Commissioners were in communication with Mr. Curry, the eminent Celtic scholar, for the purpose of ascertaining whether they could continue his services.

THE BRITISH MUSEUM.—QUESTION.

MR. GREGORY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, before the second reading of the Bill for the removal of certain Collections from the British Museum, he will be able to give the House an estimate of the cost of the alterations of the present structure of the British Museum, and of the proposed additions, and of the cost of the building and fitting-up of the proposed new Museum of Natural History at Kensington?

THE CHANCELLOR OF THE EXCHEQUER said, that on the second reading of the Bill in question he would give the House the best information in his power with respect to the probable cost of the contemplated enlargements and improvements of the Museum on its present site and of the buildings which it was proposed should be erected on a new site.

THE DELHI AND LUCKNOW PRIZE MONEY.—QUESTION.

MR. DEEDES said, he wished to ask the Secretary of State for India, What is the reason that the Delhi and Lucknow prize-money still remains unpaid, and whether he can name any period within which all claims will be met?

MR. T. G. BARING said, that the Delhi and Lucknow prize-money was at present being paid in India. In order that it might be paid to those officers and men who had returned from India, it would be necessary that the Prize Rolls should be sent to this country; they would be forwarded immediately, and the money would then be paid under the terms of the Act of Parliament. The Indian Government had taken steps for having the Rolls prepared in the shortest possible time; and the Commanding Officers of Regiments in India had been directed to send them in within a fornight from the 21st of March last. With respect to those officers whose head-quarters were in India, and who were absent on leave in this country, they would be required to produce certificates that they had not received the money in India.

MR. DEEDES said, he wished to know whether the receipt of the Prize Rolls would be necessary before payment could be made to those senior officers of the staff who had been for some time in England?

MR. T. G. BARING said, he believed that it would, but he could not at the moment speak positively upon that point.

MERCHANT SHIPPING ACTS, &c. AMENDMENT BILL—[BILL No. 89].

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [2nd May], "That Mr. Speaker do now leave the Chair."

Question again proposed.

Debate *resumed.*

Question put, and *agreed to.*

House in Committee.

Clauses 1 to 7 inclusive *ordered* to stand part of the Bill.

Clause 8 (Certificates of Competency to be granted to those who pass).

MR. AYRTON said, he wished to ask upon what principle the proposal with respect to engineers, embodied in the clause, was based. It was the first time, he believed, that the Crown had undertaken the singular duty of determining the efficiency and qualifications of any body of persons engaged in carrying on their own private business. Not only were engineers who were candidates for service on board merchant steamers required to undergo an examination, and to be certified, but the whole operation was to be under the absolute control and discretion of the Board of Trade. The proposal involved so great a departure from recognised principles, that the right hon. Gentleman was called upon to give some explanations as to the grounds of the change.

MR. MILNER GIBSON said, that the proposal rested on the same principle as the existing regulations with respect to the examination of the masters and mates of merchant vessels. Engineers had important duties to perform; life and property were intrusted to their care, and it was desirable that there should be some test of their competency. He believed there was no objection on the part of engineers to the proposal, which had this advantage, that in the case of misconduct, drunkenness, or neglect of duty on the part of any engineer, there would be the power of withdrawing this certificate. The object desired to be attained was obvious; and all concerned had expressed their approval of the proposed change in the law.

Mr. HORSFALL said, he considered the proposed examination for certificates of competency as one of the most important provisions of the Bill. No injustice was done to the engineers by the change, and it was only carrying out the principle of the Merchant Shipping Bill, that had been applied with such good effect in the case of masters and mates.

Mr. MONCKTON MILNES said, that a similar provision had been in operation in some of the colonies with the best result, and no objection had been made to it.

Mr. HENLEY said, he thought the object of the clause a very good one; but he wished to know how the right hon. Gentleman meant to work that part of the clause which required from the engineer "satisfactory evidence of his sobriety, experience, and general good conduct on board ship." How long, in what manner, and in what capacity must an engineer have served at sea before going up for his examination? The conditions ought to be defined and made clear.

Mr. AYRTON said, he must repeat his objection to the clause, that it introduced a new principle. It was the first time an Act of Parliament invested the Crown with the power of determining whether a man should be at liberty to carry on his own business. It was the greatest condemnation of the much-lauded principle of free trade that could be pronounced. There was no reason for requiring the proposed examination that would not equally apply to engineers of railways, mines, and engineers in general. If it was the opinion of shipowners that the engineers ought to be raised to the standard of a professional class, a clear explanation ought to be given of what was intended to be done. It was a startling fact that the shipowners could not manage their business for themselves, like the owners of mines and railways.

Mr. LINDSAY said, that the clause would not impose upon shipowners the necessity of employing a particular engineer any more than the law which already required the examination of masters and mates, and which had been generally approved of, imposed upon them the necessity of employing a particular master or mate. Therefore while on the one hand the clause offered a great boon to shipowners, it on the other gave necessary protection to the public.

Mr. HENLEY said, there was a difference between the cases of masters and mates and engineers. The former must have learned their business at sea; but the engineers went to sea from the mechanic's shop. If the right hon. Gentleman had not made up his mind on the point, he might postpone the clause and bring it up on a future day.

Mr. MILNER GIBSON said, he would admit the difficulty of determining what should be accepted as evidence of general good conduct and that a man might be an able engineer, though he had not been employed on board ship. Therefore he was quite prepared to omit the words "general good conduct on board ship." He presumed that although a man might on examination prove his ability as an engineer, yet if it should be known that he was a great drunkard, or his character were otherwise impeachable, there would be little chance of his obtaining a certificate.

Mr. HENLEY said, he was satisfied with the right hon. Gentleman's Amendment.

Mr. CHILDERS said, he would express a doubt whether either the right hon. Gentleman opposite (Mr. Henley) or the President of the Board of Trade fully understood the effect of the clause. They seemed to suppose that every engineer in a steamer would be required by the clause to have passed an examination. But that was not in the least the effect of the clause. By the fourth clause, the first and second engineers of every foreign-going ship would be required to pass an examination; but every such ship had six or seven engineers. Again, with respect to ordinary passenger ships, only the first and second, out of a body of six or seven engineers, would be required to pass an examination; and as to vessels of less than 100-horse power, only the first engineer would have to pass an examination. The practical result would be, that not more than a third or a fourth of the engineers employed in the merchant service would be required to pass an examination. Therefore he thought it would be inexpedient not to require the small proportion of engineers who would need these certificates to give some proof of their general good conduct on board ship.

Mr. CAVE said, that no new principle was introduced, as certificates or diplomas were necessary in many callings. There was a great difference between an engineer of a mine, who could be discharged if incompetent, and an engineer afloat, whose character might not come out till a hundred miles from land. He thought, however, the words "on board ship" should be omitted.

Mr. HENLEY said, the apprenticeship of an engineer must be served on shore. He must have mechanical knowledge, which he could only acquire in a workshop, and there was no reason for giving a monopoly to the inferior officers of merchant steamers merely because they had been to sea.

Mr. BENTINCK said, he agreed with the hon. Member for Pontefract (Mr. Childers) for this reason—no one would like to have for an engineer on board ship a man who had never been to sea. If the men were not required to have certificates in order to act as assistant engineers, it was quite clear that they would have ample opportunity for learning their sea-going duties.

Amendment *agreed to.*

Clause added to the Bill.

Clause 9 *agreed to.*

Clause 10 (Incorporation of certain Provisions of Merchant Shipping Act).

Mr. DIGBY SEYMOUR said, that the question as to how far the Board of Trade were in future to undertake the function of inquiring into the alleged misconduct of masters and mates in the merchant service was properly raised on the tenth clause. Upon that point great dissatisfaction prevailed in the mercantile marine. Under the existing law the Board of Trade had the power of investigating any charge before two justices or a stipendiary magistrate, with a view of determining whether the certificate should be cancelled. The operation of that law was as follows:—A report of the investigation was sent to the Board of Trade, and upon that report they decided the question without examining any more witnesses. The Mercantile Shipping Committee had addressed a very strong remonstrance on this subject to the Board of Trade. He would suggest that the proper tribunal to refer these inquiries to was the local marine board, and that where appeals should be necessary they should be made to the High Court of Admiralty, assisted by the Trinity Masters, where the proceedings would be conducted before the public. The Board of Trade had given up their power of suspending the certificates of masters and mates, but by the Bill they would have an appellate jurisdiction. He thought that no tribunal ought to have the power to sit and judge in private on the conduct of any officer, and thus arrive at a decision which might injure his character or prospects for life.

Mr. COLLIER observed, that there was a great deal in what had fallen from his learned Friend; but he thought they might pass the clause without determining the question he had raised. There was much inconvenience in the law as it stood, on account of the concurrent jurisdiction of the several courts of inquiry.

Mr. HENLEY said, he held that the clause would add another to the curious anomalies which already existed. Nautical questions, with which the local marine boards had some acquaintance, were sent before a magistrate, who knew nothing about them, and the Boards were restricted to cases of immorality or drunkenness. Some of the proceedings to take place under the Bill savoured too much of the Inquisition. It was monstrous also that a master or mate should be compelled, under pain of fine or imprisonment, to answer a series of searching questions which might criminate him. As to the engineers, any question relating to their professional conduct should be judged by a scientific person.

Mr. AYRTON said, that he trusted, before the right hon. Gentleman extended such an anomalous and fantastic system to another class of the community, he would seriously consider the consequences. It would be establishing a system of close courts, quite contrary to the English law, which expressly declared that no man should be deprived of his character and his living without a fair trial.

Mr. MILNER GIBSON said, the clause did that which, as he understood, his hon. and learned Friend desired. He understood him to say that the local marine board ought to be the tribunal to investigate the conduct of engineers, as well as of captains and mates. If an engineer were charged with drunkenness, the local marine board would be quite competent to try such a charge by itself; and if they found that it was true, the Board of Trade could withdraw his certificate of sobriety. When it was a charge of incompetency from want of professional knowledge, he agreed with the right hon. Gentleman the Member for Oxfordshire, the local marine board ought to have the assistance of engineering assessors. As the clause, however, only applied to engineers, whatever provisions might be made as to captains and mates, it would be convenient to reserve the general question until the Committee came to Clause 22. They were provided with a clause to meet the difficulty.

Clause *agreed to;* as was also Clause 11.

Clause 12 (Third part of Act to apply to Fishing Boats, Lighthouse Vessels, and Pleasure Yachts).

Mr. HENLEY said, he wished to ask for an explanation of the clause. It proposed to apply the third part of the principal Act, with the exception of certain clauses, to all sea-going ships exclusively employed in fishing on the coasts of the United Kingdom. The interpretation clause of the principal Act defined "ship" as a vessel not propelled by oars. He wished to know whether the clause would extend to every fishing-boat which ever hoisted a sail.

Mr. MILNER GIBSON said, when the Merchant Shipping Act passed, the owners of fishing-vessels desired to be exempted from its provisions, but they had recently made application that they might be brought within the operation of certain provisions of the Act which related to discipline and questions of wages—to place, in fact, all sea-going fishing vessels under the same law as merchant vessels. In fact, the object of the clause was nothing more than to enable sailors to recover their wages by a summary mode against owners and captains; and, on the other hand, captains and owners would have a summary remedy against sailors.

Mr. W. S. LINDSAY observed, that the term "sea-going" was well understood.

Mr. LIDDELL said, that he was surprised that no provision was inserted in the Bill giving to some authority a greater power to deal summarily with cases of desertion. The Select Committee recommended that such a power should be lodged in the hands of the shipping master.

Mr. CHILDERS suggested that the word "registered" should be inserted before "sea-going ship exclusively employed in fishing."

Mr. HENLEY asked, whether the clause would be confined to decked vessels?

Mr. MILNER GIBSON said, that the object of the clause was merely to enable agreements between masters and men to be enforced by a cheap and summary process, and that in respect to such an object it could make no difference whether a vessel was decked or open. No doubt it would practically be most felt by the owners and crews of decked fishing smacks.

Mr. HENLEY said, he could not say he was satisfied. The clause related to many other things besides agreements between masters and men, and the introduction of the word "registered" would not meet the difficulty. For instance, he wished to know whether fishermen taking apprentices would come under the Act, and whether they would thus have to make those returns about their crews which were required from sea-going vessels.

Mr. MILNER GIBSON said, he could give no further explanation, but he would consider the propriety of inserting the word "registered," which would limit the operation of the clause to vessels of fifteen tons and upwards, in bringing up the Report.

Clause *agreed to;* as were also Clauses 13 to 19 inclusive.

Clause 20 (Recovery of Wages, &c. of Seamen lost with their Ships).

Mr. HORSFALL said, he had hoped that the law would have been amended which enabled sailors to recover their wages, whether the ship was lost or not, or whether they abandoned it upon a supposed emergency. The underwriters or the owner had to bear the loss, and why should not the sailors take their share of the risk? The effect of the clause would be to render seamen apt to abandon their ship instead of standing by her to the last.

Mr. MILNER GIBSON did not exactly concur with the hon. Member for Liverpool in his approval of the maxim, that freight is the mother of wages. The sailor was not a partner with the owner, but the servant of the owner. If a ship was lost, the sailor ought not to suffer the loss of his wages. He engaged to serve the owner for wages, and was entitled to be paid for those services during the time his services were rendered. If sailors abandoned their vessels unnecessarily, the law could be enforced against them.

Mr. LINDSAY said, he would remind the hon. Gentleman that the owner might insure his freight as well as his ship. There was, therefore, no pretence for the alteration suggested.

Clause *agreed to;* as was also Clause 21.

Clause 22 (Power of cancelling Certificate to rest with the Court which hears the Case).

MR. HENLEY said, he intended to move an Amendment; but as the hon. and learned Member for Plymouth (Mr. Collier) had also an Amendment upon the same subject, he would defer his own for a time. His intention was to deprive magistrates of the power of suspending or cancelling the certificates of masters or mates, because before magistrates no charge was preferred, and therefore the parties were not put upon their defence.

MR. COLLIER said, that provision was made for the trial of cases under the Act by the local marine board, by magistrates, by the Naval Board, and by the Admiralty Court, and other courts and tribunals. The suspension of a master or mate was a matter more peculiarly within the cognizance of the local marine board than two justices, and therefore the jurisdiction should be intrusted to the former. He proposed to strike the word "magistrates" out of the clause.

MR. MILNER GIBSON said, he could not assent to the Amendment. The inquiry before magistrates was in the nature of an inquest, to ascertain the causes of any casualty, but in the course of that inquiry it might appear that misconduct on the part of the master or mate had led to the misfortune. In an inquiry, instituted with the twofold object of ascertaining the causes of a wreck and the conduct of the officers, it was necessary that it should be conducted in a judicial spirit. To combine the necessary nautical knowledge with a just protection of the interests of those inculpated by the inquiry, a nautical assessor and a magistrate were selected to constitute the tribunal. The cases ought not to be referred to the local marine boards, because the persons composing them were often shipowners, who might themselves be interested parties, if the origin of the casualty in any way turned upon the unseaworthiness of the ship. For these reasons he must decline to leave out the word "magistrates." With regard to the remark made by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), he thought it would be very unjust to prefer a criminal charge in the first instance against the master of a ship, because the Crown would then be bound to follow up the inquiry in the spirit of a prosecution. Great advantages had resulted from these preliminary inquiries. Lights had been put upon stations where the necessity for them would never have been discovered but for the information thus obtained; surveys had been undertaken, and other facilities afforded for navigation which had entirely grown out of these investigations. It was a mistake to say that a master or mate had not full notice of all the points to be raised against him. Immediate steps were taken to give notice to all those inculpated of the points to which the investigation would be directed, and in all cases of wreck the officer in charge must know that it was probable his conduct would be impeached. Although the proceedings were not conducted strictly in accordance with criminal law, justice was better done than if the inquiry assumed the shape of a prosecution. If it transpired in the course of the investigation that the officer had either failed in his duty or been guilty of neglect, the Board of Trade at once withdrew the certificate of competency which they had previously given. He thought that a more lenient course than the one which was adopted in the navy, where an officer was at once put upon his trial; and he was quite sure, in the interests of the public, that the inquiry before the magistrate and nautical assessor was the most desired method that had been yet proposed.

MR. HENLEY said, the right hon. Gentleman had answered by anticipation the substance of his Amendment, but he wished to test the accuracy of his figures. From the wreck returns of the last three years—

MR. MILNER GIBSON observed, that he had taken the figures for six years.

MR. HENLEY said, it was not usual to deal with returns other than those of which the House was in possession. From the wreck returns of the last three years it appeared that out of the total number of 3,965 wrecks and casualties the Board of Trade had only seen fit to order sixty-six inquiries, or at the rate of one inquiry out of sixty casualties. The right hon. Gentleman, therefore, had no right to put into his mouth a statement which he had never made, that the captain, or mate, was put on his trial for every loss. The right hon. Gentleman stated that these inquiries were in the nature of an inquest; but at inquests it was not usual to subject the man accused of murder to cross-questioning and cross-examination; he was told he might stand aside and be silent if he liked. The magistrates and assessors, moreover, were not to inquire and report merely, but actually to pronounce sentence; and everybody knew that an inquiry was conducted in quite a different spirit when it was preliminary and when it was final. He should be deceiving the House if he said that his experience of the working of the present system of inquiry had removed the objection which he entertained to it in theory. The right hon. Gentleman the President of the Board of Trade had conveyed to the House the impression that out of sixty-six cases which had been investigated there were very few in which masters or mates had been criminally affected; but no less than forty-six of those cases resulted in either the cancelling or suspension of certificates, or in reprimands; so that the greater number had ended in a penal dealing with masters or mates. If an inquiry of the kind was merely an inquest, a man ought not to be condemned on its result without further trial. Again, he agreed with the right hon. Gentleman that the local marine board as at present constituted was not a satisfactory tribunal. Nor, on the other hand, was a stipendiary magistrate the functionary whom he should select to preside at such an inquiry. The person whose duty it was to decide on the evidence given in cases of the kind ought to be a man with a thoroughly judicial mind, assisted by a naval officer of experience. He thought that much laxity had been exhibited in the way in which evidence had been taken at some of those investigations, and that questions had been asked of persons in charge of vessels the answers to which afforded ground for condemning them.

Mr. CARDWELL said, that for many years great anxiety had been manifested on the part of some Members of that House that there should be frequent inquiries into the causes of loss of life at sea; and it having been suggested to the Board of Trade that many casualties took place because ships went to sea in an unseaworthy condition, they determined, when the Merchant Shipping Act was passed, to put an end to the reproach that such cases escaped notice. It was determined that the officers of the Customs and the Coast Guard should always, in the first instance, take up the case where it occurred; and so far as he knew or believed, in every case of loss of life on the coast since the passing of that Act, there had been immediate local inquiry instituted under a competent person on the part of the Government. The result of these inquiries was communicated to the Board of Trade; and if the circumstances were such as seemed to render a public inquiry necessary, the case was investigated and evidence taken before a stipendiary magistrate and a naval assessor. The right hon. Gentleman (Mr. Henley) considered that an investigation which might result in penal inquiry, ought not to be conducted in the manner of an inquest, but as a formal trial, analogous to a court martial. In theory, he agreed with the right hon. Gentleman, but in practice it would be found that his proposal would cause great additional inconvenience and expense to masters and mates. There was no doubt that one of the first questions that arose in those inquiries was as to the conduct of the master. Another question that invariably presented itself was as to whether the ship had gone to sea in a seaworthy state. It could not be tolerated, therefore, that such inquiries should be conducted by a body appointed by shipowners. The question, then, was whether in the experience of the last eight years they could find that any injustice had been done; and so far from that being the case, he was informed that all parties concerned were agreed that the present mode of conducting these inquiries was a proper one. The present system was, that the Board of Trade, upon the report of the magistrates, could withdraw certificates; and as he understood the suggestion made by the right hon. Gentleman, it was, that the magistrate should withdraw the certificate, and the Board of Trade should have power to mitigate the sentence. He personally thought that there was great advantage in having a public inquiry, and that the existing system did not operate to the prejudice of the parties more immediately interested.

Mr. HENLEY said, he had now heard for the first time, and with great surprise, that masters and mates were satified with the existing system. Certainly, when he was at the Board of Trade, a very large deputation waited on him, and expressed the greatest dissatisfaction with the tribunal. He had been misunderstood when it was supposed that he desired that there should be a second trial after an investigation had been held; what he had endeavoured to impress upon the Committee was, that these investigations all turned upon the conduct of the masters and mates, and it was immaterial to say that an inquiry so conducted was not the same thing as a trial. He thought it would be more satisfactory if the court were constituted with more than one naval assessor.

Mr. AYRTON said, he shared in the astonishment which had been expressed at the authoritative statement that the tribunal constituted by the Merchant Shipping Act had given satisfaction. The important question before them was, whether that tribunal was a proper one to have the power of depriving masters and mates of their livelihood. The treatment which mariners received in having their most important interests dealt with by such a tribunal, could only be explained by the fact that but few of them had votes; and it contrasted strongly with the treatment which bankrupts received when the power of deciding whether they were fit to carry on business again was considered. It was protested that no single judge should have such power, and that the accused should have the privilege of a jury. He hoped the right hon. Gentleman would give some pledge to the Committee that he would reconsider this question, and bring up a clause constituting a tribunal on a basis which would give security and satisfaction to those whose character and means of livelihood were to be placed under its jurisdiction.

Mr. HORSFALL said, he also shared in the surprise expressed by the right hon. Member for Oxfordshire, that the tribunal in its present form gave entire satisfaction to the masters and mates in the mercantile marine. On the contrary, a very large deputation from that body had represented that they were dissatisfied. He thought the right hon. Gentleman might, with a good grace, yield so far as to add to the stipendiary magistrate two assessors; the whole difficulty might then be got over. It was due to the right hon. Gentleman to say that when he asked whether the deputation to which he referred could point to any case where injustice had been done to any master or mate, the reply received was that they could not, but they knew that a general feeling of dissatisfaction pervaded the mercantile community.

Mr. CHILDERS suggested that the Amendment should be withdrawn then, and brought forward at some future time, in an altered form.

Mr. COLLIER said, his proposition was to simplify the law. As it stood at present, in some cases the local marine board had the jurisdiction of granting and suspending certificates; in others the magistrates. In each case there was an appeal, practically, to the Board of Trade. What he proposed was that the jurisdiction should be given exclusively either to the marine boards or to the magistrates. His proposition was that, of the two, the local marine boards should have the jurisdiction.

Mr. MILNER GIBSON said, the clause might very well be omitted from the Bill. It did not set up a new court but simply affirmed that the court, such as it was, which heard the case should sentence. Those who heard the evidence and observed the demeanour of the witnesses must be better qualified to pronounce sentence than those who merely read a report, which was the duty of the Board of Trade. If it was the wish of the Committee, he would not insist on the change proposed, but leave the courts to proceed as at present. When an engineering question was involved, there would be an engineering as well as a nautical assessor; and if one nautical assessor was not thought in an ordinary way sufficient, he should have no objection to another. These were points of detail.

Mr. R. HODGSON said, he hoped the clause would not be omitted.

Mr. AYRTON thought such great powers as the clause gave should not be vested in one magistrate only. He thought the magisterial court ought to be strengthened.

Mr. LINDSAY said, he thought the proposal of the right hon. Gentleman (Mr. Gibson) would be a most extraordinary termination to the discussion.

Mr. MILNER GIBSON said, that if the master or mate got a copy of the original depositions on which the investigation was ordered, he thought it would meet the view of the right hon. Member for Oxfordshire. He had no objection to strengthen the court by giving a second nautical assessor, and he would make that provision in a subsequent stage of the Bill.

Mr. HENLEY said, he was glad the right hon. Gentleman had made so important a concession as that of allowing a second assessor. All that he desired was that the master and mate should be put properly on their defence. If he gave an assurance on that point, he would not press his Amendment. He thought that the power of examination should be limited, and that the person respecting whom the examination was made should be present at it.

Mr. MILNER GIBSON said, it was not the recent practice to examine the master. He was told that he might make any statement he pleased; but he was not subjected to a cross-examination upon it.

MR. DIGBY SEYMOUR said, that it was a very common practice to examine and cross-examine the master. He thought, if a power of appeal was granted, it ought to be to some public tribunal.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 23 (Offences by British subjects on board foreign ships on the high seas to be tried as if committed on board British ships).

MR. AYRTON said, he wished to ask for some information as to the object of the clause.

MR. MILNER GIBSON said, it was framed to meet a class of cases of which there had been a recent example. Some English sailors left their own vessel, went on board a French ship, sufficiently distant from the Essex coast to be upon the high seas, committed a violent assault, and then returned to their own vessel. It was only reasonable, to prevent such offences being committed with impunity, that the clause should be inserted.

MR. AYRTON said, the clause had nothing to do with British shipping, and ought to be omitted. He protested against such an off-hand mode of dealing with great legal principles. Any passenger on board a foreign ship might be prosecuted for an offence under the clause, while every one else on board was not liable; and if the question happened to be one of assault, he would have no means of obtaining the attendance of witnesses from on board a foreign ship to show that he was first assaulted, and that all he did was to act in self-defence. It was not clear whether the offence was intended to mean an offence against English law, or against the law of the country which claimed jurisdiction over the vessel where the transaction occurred. At least, there should be some reciprocal treaties with foreign countries before such a sweeping clause was adopted.

MR. CHILDERS said, he also concurred in the expediency of omitting the clause. He would also suggest that before the Bill was reported the right hon. Gentleman should consider the propriety of extending the power of inquiry to the case of wrecks off the coasts of British possessions.

MR. COLLIER said, he would recommend the postponement of the clause; because it had a much wider application than the evil which it was intended to meet. It was also calculated to lead to international difficulties; because an act might be held to be an offence by the law of one country, while according to the law of another it would be no offence at all.

Clause *postponed.*

Clause 24 *postponed.*

Clauses 25 to 31, inclusive, *agreed to.*

Clause 32 (Penalties on drunken or disorderly Passengers).

MR. AYRTON remarked, that the clause delivered passengers up to captains in a somewhat summary manner. If such powers were to be given at all, they should be given with great precision, so that passengers might not be subjected to unnecessary annoyance.

MR. MILNER GIBSON said, the clause was taken from the Railway Acts, and it had not hitherto been found practically inconvenient.

Clause *agreed to.*

Clauses 33, 34, and 35, were also *agreed to.*

Clause 36 (Pilotage—Part V. of Merchant Shipping Act, 1854).

LORD HOTHAM said, he should oppose the clause, his object being that the subject of pilotage should not be included in the Bill. The measure under consideration might be taken as the offspring of the Committee of 1860. Now, although the question of pilotage formed a separate item in the Report of that Committee, yet the only inquiry made into it was by questions put in the cross-examination of the hon. Member for Sunderland. So superficial, indeed, was the inquiry, that from the two great estuaries of the Mersey and the Humber not a single witness was summoned before the Committee. Pilotage had always been considered a matter of national concern, and accordingly steps had been taken to keep up an adequate supply of competent pilots at various points on our coasts. Three years ago a new Pilotage Board was formed at Liverpool, to which was committed not only the old docks of Liverpool, but likewise the new and important docks of Birkenhead. It was called the Mersey Docks and Harbour Board. Now, a body of that description, consisting as it did of commercial men of high and independent position, was, he contended, quite as well able to conduct satisfactorily the pilotage of the Mersey as the right hon. Gentleman the President of the Board of Trade could possibly be, assisted by any number of gentlemen in his office. The same observation applied to the Commissioners by whom the pilotage was managed at Hull, and he could state that, from all he had been able to ascertain on the subject, their duties were efficiently discharged. He found, for instance, that in the case of 23,983 vessels which had in the last six years entered the lower district of the port of Hull, only one accident occurred; and he knew that there was no foundation whatever for the imputation that a dearth of pilots prevailed in Liverpool. Be that, however, as it might, all that the parties whose interest he represented required was, that inquiry should precede legislation; and with this object in view he proposed that Clause 36 be left out of the Bill.

MR. COX said, he thought it was very desirable that the system of compulsory pilotage should be abolished. Between 8,000 and 9,000 barges plied for hire on the Thames, and every day three or four, if not five, of them were injured in some shape by vessels coming from Gravesend to London Bridge. Where it not for the present pilotage law, the owner of a barge thus injured would be entitled according to the common law of the land to require compensation from the owner of the vessel that had injured the barge. But the pilotage law exempted the owner of the vessel from all liability, in consequence of his having being obliged to employ one of the compulsory pilots, and the owner of the injured barge had only the pilot to look to for compensation. The futility of such a resource was evidenced by what recently happened to one of his constituents. A barge worth £140 or £150, belonging to that constituent, was run down, and, upon endeavouring to recover compensation from the pilot employed by the owner of the vessel that occasioned the damage, he discovered that the pilot lived on a second floor in a back street in Gravesend, and was utterly incapable of paying even a shilling of compensation. In the course of a twelvemonth 1,500 at least of these accidents occurred. But what was the law in the event of a vessel being injured by a barge? The owner of the vessel could sue the owner of the barge for compensation. Did the President of the Board of Trade approve of such unfair distinction made by the law between rich shipowners and bargeowners? In common justice the shipowner should be obliged to resort for compensation to the free waterman whom a bargeowner was obliged to employ, and not to the bargeowner, so long as the law lasted which made pilots and not shipowners answerable for injuries to barges?

MR. LIDDELL said, that the natural consequence of the present most unjust law was that the shipowner was obliged to take a pilot; and so long as he was obliged to take a pilot he must be necessarily relieved of any liability for accidents which might arise when the vessel was in the charge of such pilot. With respect to the present clauses, he objected to them because they did not go far enough. He wished to see it left to the shipowner's discretion to take a pilot or not, according to his judgment; and he would remind the Committee that the sense of responsibility resting upon the masters would always induce them to take a pilot where it was necessary. The present law on the subject of pilotage was anomalous, inconsistent, and incomprehensible, and was founded neither on justice nor reason. There were some cases, as in the Bristol Channel for instance, where, one pilot being quite sufficient to do the work, the shipowner was compelled to employ two. Danger arose from the system of compulsory pilotage, and he knew at least one instance in which a ship had struck through stopping to take on board a pilot. If a ship was bound from Newport or Cardiff down Channel, the same pilot who takes her out of her own port is not allowed to take her out of danger, but at a given place a Bristol pilot steps on board and supersedes him, notwithstanding that there might be a gale of wind blowing, and the vessel might be in the most imminent danger, in order that the privileges of the Bristol pilot might not be interfered with. It was also absurd to allow the captain of a ship having a valuable cargo on board from any port in the Baltic to enter the port of London without employing a pilot; while the same captain, bringing the same vessel with an equally valuable cargo of wine from Oporto or Lisbon, could not enter the port of London without being compelled to employ a pilot. Again, though coasters are exempt from compulsory pilotage, a vessel returning home in ballast from the Port of London to the North is obliged to take a pilot at Gravesend as far as Orfordness, though the captain may be thoroughly competent to conduct his ship. The pilotage charges pressed very heavily on the small class of shipowners, who were the least able to bear them. In the case of two vessels trading with St. Michael's in the fruit trade, and having a tonnage of 96 tons and 140 tons respectively, the pilotage charges had amounted to 9 per cent on the gross earnings of the first, and to 15 per cent on the gross earnings of the second; while the pilotage charges on a large vessel of 612 tons, coming from Manilla, had only amounted to 1⅛ of the earnings. In making pilotage compulsory, all that was done was to force those who did not want pilots to pay for those who did want them. It was a mistake to suppose, that if compulsory pilotage was abolished, the supply of efficient pilots would be less. As an illustration, he might mention that at Falmouth, where there was compulsory pilotage, there were but thirty-six pilots, while at Cork, where it did not exist, there were 103 pilots; while the rates at Cork were less than half what they were at Falmouth. The Cork pilots, moreover, went out further to seek for ships than did those of Falmouth; as might, indeed, be supposed, for the tendency of monopoly was to make men lazy. In the Ports of the Tyne and Wear, where the taking a pilot is optional, the supply of pilots is abundant at all times, and the service admirably performed. Through the legislation of Parliament the shipowners were now exposed to the competition of all the world, and therefore he thought that they ought in justice to be relieved from these petty local restrictions.

MR. CLAY was convinced that the clauses under discussion, though they did not propose to abolish compulsory pilotage, would lead to that result. He would not now argue whether the change would be right or wrong; but he thought that a question of that magnitude ought not to be decided by clauses which did not pretend to decide it, or without being preceded by an inquiry.

SIR HENRY STRACEY said, he was of opinion that compulsory pilotage bore hardly on shipowners. It was not to be supposed that any man, having his property embarked on board a vessel, would employ an inefficient captain to command the vessel, and therefore it was a hard case to subject him to compulsory pilotage. Although his constituents lived on a dangerous coast, he had received no representation from them against these clauses, and he should certainly give them his support.

COLONEL CLIFFORD said, that in his district the question was not one of changing the status of pilots, but a question of annihilation. The Isle of Wight pilots would find pilotage abolished. After all, the pilotage was no burden on the shipowner, as in the end it fell on the consumer; and he doubted the economy of the abolition, for the loss of one cargo of great value would cover an immensity of pilotage charges.

MR. COLLIER said, that the clauses were very valuable; and although they did not amount to an abolition of compulsory pilotage, he hoped that they would lead to it. Some hon. Gentlemen seemed to think that there had been no inquiry upon the subject; but the fact was, that the question had been examined by a Committee, presided over by the hon. Member for Sunderland, who took a great deal of evidence, and reported that they had arrived at the conclusion that a system of voluntary pilotage might safely be established in most parts of the empire. They added that where such a system now existed pilots were more abundant and efficient, and the rates were generally lower than those which prevailed where pilotage was compulsory.

MR. KNATCHBULL-HUGESSEN said, that the hon. and learned Member (Mr. Collier) stated that the shipping interest was that to be principally considered in this matter; but that there was, above and beyond all, a public interest, on behalf of which, as well as on behalf of the important body of pilots whom he represented, he asked leave to make a few observations. There were three principal objections urged against the present pilotage system. First, that under it prevailed certain anomalies and inconveniences; secondly, that among persons qualified to pilot vessels, there ought to be free competition, just as among butchers, bakers, and such like tradesmen; and thirdly, that upon the east coast and elsewhere a voluntary system of pilotage did exist, and answered so well that it might well be made general. And this afforded the solution of the question he had often asked himself in wonder, why he found the hon. Member for Norfolk (Mr. Bentinck) leading the attack upon what he was pleased to call the monopoly of the present system? His hon. Friend the opponent of monopoly, the champion of free trade! He put it to the House, when they found his hon. Friend—the last living Protectionist—the man who preferred wars to treaties of commerce, and who was generally the supporter of monopolies and the upholder of cherished abuses—opposing something which he called a monopoly, whether it was not probable that either upon investigation that would turn out to be no monopoly, or else, being a monopoly, to have something in it so inherently good as to command the support of the House for the very same reason which secured to it the opposition of his hon. Friend. But upon the east coast, from whence came his hon. Friend, there was a system of *quasi* voluntary pilotage. It would not be difficult to show that differences existed which rendered it by no means a natural consequence that this system might be safely extended to other districts. But he begged the especial attention of the House to an argument constantly used by those who desired such extension. It was said by them—"The abolition of compulsory pilotage will do no harm. It has done no harm on the east coast, and why? Because ships still almost invariably take a licensed pilot in pilotage districts, inasmuch as the underwriters will not insure ships without a clause in their insurance binding them to do so." Well, but if this was the case, and if the desired object was that a pilot should be employed, why interfere with a system by which due care was taken that only duly qualified persons should be put on board, by which order and regularity was obtained, and a good supply of competent persons secured? It was said that this was a matter which might be left to be settled between the shipowner and the underwriter; but in the case where not only property but the lives of many thousands of Her Majesty's subjects were concerned, was it not well that some superior power should exist to exercise supervision and control over these regulations? Human nature was weak, captains were ordered to avoid every possible expense to their owners; and if left to be a matter of bargain, greater risks would be run. The principle of free trade was not called in question at all. Grant that there ought to be free competition in all ordinary occupations, but this was no ordinary occupation; it was the occupation of skilled men acting under authority and control. Would hon. Members wish to have free competition in the police force, and the streets of the metropolis guarded by a voluntary police? Well, the pilots of the Channel in whom he (Mr. Knatchbull-Hugessen) was especially interested, were the police of the Channel. They acted under strict regulations. Each must have served two years as mate of a vessel. Each had left his occupation in order to become a pilot; and if you altered the conditions under which they entered the service, the only fair way would be to have a real free trade—to sweep away all restrictions and regulations and rates of pilotage together, and let these men go into the market with their capital and skill, and make the best bargains they could. This would hardly content the shipowners. The question of compensation would also have to be seriously entertained. He was not there to contend that there were no anomalies and no inconvenience in the present system. Nothing was perfect in this world; but, to correct and remove such anomalies, the pilots and the pilotage authorities desired nothing better than a full and fair inquiry before a Committee of the House of Commons. The hon. Member for Plymouth (Mr. Collier) had said there had been such an inquiry. He utterly denied it. True, a Committee had been appointed early in 1860 to inquire into the various burdens upon merchant shipping. This Committee reported upon a great number of subjects, and amongst them the subject of pilotage. In the course of evidence certain questions were asked concerning pilotage, but the matter was never fully gone into, and upon that Committee was no one to represent the Channel pilots, who never imagined that they were to be attacked. In answer to certain questions, Mr. Green and the late Mr. Dunbar, among others, stated their entire approval of the present system, and their belief that increased loss of life and property would follow its abolition. But at last there arose a mighty witness, Captain Sullivan, of the Board of Trade, with a strong bias against compulsory pilotage. Captain Sullivan, being an experienced man, capable of navigating a ship, and ready to do so, in any waters, believed that everybody else could do the same. He certainly went fully into the question, and gave evidence against the present system. But no opportunity of replying to his evidence was given; not one pilot was examined, and the Trinity House authorities were not heard. Did any one ever hear in this country of condemning people without hearing their defence? The elder brethren of the Trinity House put in one short statement (which would be found in the Appendix) to the effect that no such thing as compulsory pilotage really existed now, inasmuch as any master or mate might present himself for examination, and, on passing, would be qualified to pilot his vessel without a pilot. If, therefore, he neglected to do this, the law stepped in and obliged him to take a competent person, it being fair to suppose that he was not qualified, or was ignorant of the particular negotiation. The Trinity House, a non-political body, composed of men who had themselves been masters of vessels, was peculiarly well fitted for the management of pilotage matters, and their management was excellent. But it was said that damage was done by ships with pilots on board, for which the owners of such ships were not liable, on account of the pilot being forced upon them. But the pilot was liable to a civil action, and moreover gave a bond for £100 to the Trinity House, and was rendered doubly careful by the fear of losing his licence. Damage done above Gravesend was by a different class of men, who might be fit subjects for inquiry, but must not be confounded with the Channel pilots, who during the last sixteen years had conducted an annual average of 4,000 vessels, with only one fatal accident. He (Mr. Knatchbull-Hugessen) knew that his right hon. Friend the President of the Board of Trade did not wish to injure these men, of whose value he was aware. He could not, of course, vote against his right hon. Friend, nor could he vote against the noble Lord and those with whom he had been acting upon this matter, and he should therefore abstain from voting. He (Mr. Knatchbull-Hugessen) knew the pilots of the Channel well. They were an honest and intelligent class of men, following the duties of their laborious profession with punctuality and with diligence. They were valuable to the merchant shipping, and valuable to the Royal Navy, when their services were required. Let the House take care how they drove from the service a class of men whom it would be found difficult to replace. These men feared no inquiry; nay, they courted inquiry into their character and capacity; and remembering how highly they were prized by the late Duke of Wellington, and what care he bestowed upon them in his capacity of Lord Warden of the Cinque Ports, they looked with confidence to the present Lord Warden, his noble Friend at the head of the Government, feeling sure that he would never give his consent to any measure which, by injuring their profession, would not only deal unfairly with vested interests, but would inflict a real and lasting injury upon the merchant shipping of this country.

Mr. BENTINCK said, he was glad to find that one hon. Member had been added to the band of Protectionists; for a more determined Protectionist speech he had never heard. His hon. Friend, however, had taken an exaggerated view of the question. All that was proposed was, that vessels should not be compelled to take pilots under circumstances where they were not required, and that every competent man might have it open to him, upon passing an examination and obtaining the proper certificate, to act as pilot. The hon. Member for Sandwich had forgotten, that although by the Bill powers were given to the Government to deal with abuses that might be hereafter shown to exist, yet that no decision affecting local or vested interests could be taken without again coming to the House. As he had been wrongly supposed to have impugned on a former occasion the pilotage of Liverpool, he would take that opportunity of saying that the pilot system of that port was admirably conducted. There was a sufficient number of pilots, they possessed excellent vessels, and they were always forthcoming in the worst weather. One gross and glaring abuse of the present system ought to be remedied. A ship was compelled to take a pilot; and as long as he was on board, and the vessel was in narrow waters, the owner was exempted from all liability for accidents. If the vessel ran down another, the owner of the vessel so injured had no remedy or ground of action, except against the pilot. The Trinity pilots had a fund among themselves, so that if one of their number were proceeded against for damages, his wife and family were maintained while he went to prison and was "whitewashed." The question really seemed to be whether the safety of the ship or the interest of the pilot was the principal consideration. It used to be supposed that pilots were made for ships; but as they were now dealing with the question, it appeared as if ships were made for pilots. He believed that in places where pilotage was voluntary the service was better done, and at a cheaper rate, than where a compulsory pilotage existed.

Mr. CHILDERS said, he should support the Bill. The effect of the clause might be to introduce the thin end of the wedge, as it was called, into the system of pilotage, but still it was doing so in a way absolutely called for by the wants of the country. He believed that the great majority of the leading shipowners were opposed to the present system of compulsory pilotage, although individually, and as compared with the smaller shipowners, they derived great advantages from it. He could not agree with the noble Lord the Member for the East Riding that accidents were very rare. On the contrary, one had happened last year near Hull, which attracted a great deal of public attention, and had since given rise to most expensive litigation. In perfectly still water, and in broad daylight, a vessel moored close to the wharf was run into by a foreign steamer and sunk with her valuable cargo. The steamer had a pilot on board, whom the master was compelled to take; and, after very full investigation, she was found to have been entirely innocent. The unfortunate owners of the stationary vessel, therefore, not only lost their ship and cargo, but were mulcted besides in the costs of the action. The Bill in its present shape would give the Board of Trade power to inquire into such cases, and he therefore supported it.

LORD HOTHAM said, he had stated distinctly that in speaking of the number of accidents he was guided altogether by the information which he had received. He would make inquiry, and admit his error if he found that he had unintentionally put forward any misstatement. After the strong opinions which hon. Members had expressed with regard to compulsory pilotage, he was surprised that none of them had proposed clauses giving effect to those views.

MR. BLAKE said, the rumours of dissensions in the Government were certainly strengthened by what had taken place that evening. The noble Lord at the head of the Government had been unable to take more than a few minutes' repose without finding when he woke up the hon. Member for Sandwich (Mr. Knatchbull-Hugessen) in fierce contest with the right hon. Gentleman the President of the Board of Trade. If that right hon. Gentleman did not consent to an inquiry into the effect of the clauses, he might be responsible for heavy losses to life and property which he would regret to the end of his days. Until harbours of refuge were established, there could be nothing more important than an adequate supply of skilled pilots. But the tendency of particular clauses of the Bill was to discourage this useful class. He believed that the Bill had been too hastily prepared, and although there were some provisions in it which might be considered good, there were those exceptions which he had pointed out, and which ought to be omitted altogether. If the present pilots were thrown out of employment, it would be most disastrous to them and their families. He did not, however, mean to say that a system of compulsory pilotage should be kept up for the benefit of these men; but what he thought was, that they would have to return to the present sytem when it had been broken up, and then they would not be able to find the same class of men for the duty. On the whole, he would suggest that these clauses should be postponed, in order that further inquiry should take place.

MR. MONCKTON MILNES said, he thought that the noble Lord would do well not to press the House on the point of compulsory pilotage, which had attracted a great deal of public attention. It would be better for the noble Lord to join the right hon. Gentleman the President of the Board of Trade in bringing the question before the House in the manner proposed by those clauses. If his noble Friend should persist in going to a division, and if he gained a victory, the only consequence would be more excitement than there was at present, and the question would be brought forward in a more aggravated form. There was no doubt that the system of compulsory pilotage had arisen from a desire on the part of our Government to protect the mercantile wealth of the country on the dangerous waters which surround our coast; but since the repeal of the Navigation Laws, and the skill and scientific knowledge of navigators had increased, there was less necessity for that system. All that the clauses now objected to sought to do was to provide a means of applying the knowledge of the Board of Trade to those cases, and he hoped his right hon. Friend would either abolish compulsory pilotage or preserve the Bill as it stood. The hardships which had been referred to in the course of the debate, and the remarks of Dr. Lushington in a recent judgment, showed the necessity of a remedy for the existing state of things.

MR. HORSFALL said, it was his intention to support the clauses in the Bill as they now stood, and he should do so for the reason that they would insert the wedge into the question of pilotage. He also agreed that compulsory pilotage ought, in some places, to be abolished, and in some not, and the clauses would bring that question under the consideration of the Board of Trade. What was the proposal before them? Why, that when any complaint was made to the Board of Trade, whether of compulsory or voluntary pilots, an order should be issued for an inquiry; and then, when the Board was prepared with the information, it should be sent before a Select Committee, in order that the pilots might be heard by counsel. He thought that every representative of the pilots in that House ought to vote for the clauses in the Bill; for the question simply was, whether an opportunity should be afforded to the Board of Trade to inquire into the defects of the pilotage system and to have them rectified, or whether the system should remain as as present, some portion of it compulsory and some voluntary, but with defects in all.

Mr. LINDSAY said, it was well known that at ports where pilotage was not compulsory the supply of pilots was greater and better—the effect of competition. He had listened to the speeches of the noble Lord opposite and the hon. Member for Hull (Mr. Clay), and they were the same as adduced in years gone by, the doctrines of which had been happily exploded. They had ample evidence of what would be the effect of abolishing compulsory pilotage. At present, where it was not compulsory, the men were much more attentive to their duties, and to be found at a greater distance at sea; and further, they were more numerous, and their charges were lower. On the other hand, where the system was compulsory, the pilots were apt to lie by in bad weather, and then jumped on board when a ship was out of danger, and claimed the pilotage. The only objection which he had to the whole of the Bill was, that it did not propose to sweep away the system altogether. The right hon. Gentleman proposed to deal with Falmouth, the Downs, Yarmouth Roads, and the Isle of Wight; but why did he not grapple with the question boldly, and sweep the compulsory system away altogether? He felt convinced that that would have tended to the interests of the pilots themselves, and have improved their condition. It would also have tended to the interests of the shipowners, and, above all, to the interests of the public at large; and if the House would support him, he would, on the bringing up of the Report, propose clauses which should entirely abolish compulsory pilotage. Dealing with the question as proposed in the Bill was only half doing it, and that was unsatisfactory. They would have to deal with the question again before long, for they had abundant evidence before them to show that the system at present in force should be swept away altogether.

Mr. HENLEY said, the desultory course the debate had taken had made it difficult for him to understand what they were really debating about. No hon. Gentleman, with the exception of the Member for Liverpool, had dealt with the subject immediately before them. After the speech he had just heard, all doubt he might have had about voting for the clause was swept away. Whether pilotage ought to be compulsory or not he would give no opinion, but it was plain that that was a very grave question and one involving the liability of the shipowner for damage done. He had never known a question of such serious importance disposed of by provisional orders, and his hon. Friend might well doubt whether Liverpool would be safe under the Bill. He (Mr. Henley) did not like the system of provisional orders to be extended beyond due limits; and he thought the Bill went beyond that. The clause affected interests secured under charters and Acts of Parliament; and even with the Amendment which the right hon. Gentleman proposed for sending the matter to a Select Committee, the questions at issue were too large and too important to be safely dealt with by provisional orders. As far as he could see, he did not know what abuses the Bill dealt with, unless, indeed, compulsory pilotage was regarded as an abuse.

Lord CLARENCE PAGET said, he should not have risen but for the expressions used by the hon. Member for Sunderland (Mr. Lindsay), which must give very unnecessary pain to that very valuable body of men, the pilots of this country. Whatever opinions might be entertained as to the abolition of the present system, nobody had alleged that the pilots did not give satisfaction to those who employed them, except the hon. Member for Sunderland; and even that hon. Gentleman must have often congratulated himself that his property at sea was in the hands of good and faithful pilots. Yet that hon. Member had asserted that under the compulsory system this class of men were indolent and inattentive, and that they must be placed under the non-compulsory system before they could be kept up to their work. He had the honour of representing a large body of pilots, but not because he was their representative so much as a naval man did he take an interest in them. However, he was not going to oppose his right hon. Friend's measure. It was a painful matter to those men; but there was great good sense among them, and he believed they felt that they would have justice done them. In certain difficult parts of the Channel, as well as at Liverpool and elsewhere, it was most important that there should be a superior class of pilots, and he did not believe that any petitions would be sent in for the abolition of the system existing in those places. He should be sorry to see anything done that would at all tend to deteriorate the present class of pilots, upon whom, in the Channel, the safety of Her Majesty's ships so often depended.

MR. LINDSAY said, he had stated no more than was contained in the Report of the Commissioners themselves, and quoted the passage in which it was stated that in one port where the pilots were unlicensed they were much more vigilant than in a neighbouring port where the pilots were licensed.

MR. AUGUSTUS SMITH said, he thought that compulsory pilotage should be abolished. At St. Ives there were no licensed pilots, and he was informed by those who were well acquainted with the subject that there was no difficulty there in obtaining pilots or assistance to vessels in distress, while at Penzance, where there were licensed pilots, the same readiness was not exhibited.

MR. MILNER GIBSON said, he hoped the noble Lord would not press his proposal for the omission of the clauses to a division. Those clauses did not maintain, or abolish compulsory pilotage, but they enabled different localities to make such changes in their pilotage system as they thought advantageous, without the necessity of resorting to the trouble and expense of passing a private Bill through Parliament. The provisional orders would have to be confirmed by a general Act, and any petition against a provisional order would be referred to a Select Committee, so that private interests were effectually guarded. He could not, therefore, conceive any reason why the Committee should object to persons receiving the advantages which the Bill provided, with a due regard to existing interests and the circumstances of particular cases.

Question put, "That the Clause stand part of the Bill."

The Committee *divided:*—Ayes 138; Noes 27: Majority 111.

Clause *agreed to.*

Clauses 37 to 45 *agreed to.*
Clause 46 *struck out.*
Clause 47 *agreed to.*

Clause 48 (Receiver may appoint a valuer in Salvage Cases).

MR. CAVE said, that alarm was felt at the Receiver of Wrecks having power to appoint the valuer, and that there was a wish that another valuer should be appointed in conjunction with him on the part of the owners, in addition to an umpire. He did not attach much weight to to this objection, as he thought the valuation would be mere evidence, which the owner might rebut, and the court would be the umpire. Perhaps the right hon. Gentleman would state if his impression was correct, as this would remove the uneasy feeling to which he had referred.

MR. MILNER GIBSON said, the value put on a wreck by the valuer appointed under the provisions of the Bill by the Receiver of Wrecks, would not be binding, but mere evidence, which might be rebutted in Court.

Clause *agreed to.*

Clauses 49 to 51 *agreed to.*
Clauses 52 and 53 *postponed.*
Clauses 54 to 60 *agreed to.*

Clause 61 (Orders in Council to be published in *London Gazette*).

MR. HENLEY asked, why it was necessary to give the clerks to the Solicitor to the Customs, who was a well paid officer, the power to appear in court as counsel or attorney. It was hard enough to have legal proceedings instituted by a Government office, but harder still to have the proceedings conducted without those forms and regularities which professional men knew so well how to exact. There were many hundreds of penalties, and, unless he heard some good reason, he should vote for the omission of the clause.

MR. MILNER GIBSON said, the clerks having been a long time in the office of the solicitor of the Board of Customs, were thoroughly conversant with the law on the subject, and the Customs authorities told him it would be very convenient to have this power.

MR. HENLEY said, he thought the clause should be struck out.

Mr. MILNER GIBSON said, he had no objection to postpone that and the two following Customs clauses.

Clause *postponed.*

Clause 62 (20 and 21 Vict. c. 43. s. 3).

Mr. HENLEY said, he wished to call the attention of the right hon. Gentleman the President of the Board of Trade to the effect of the clause. It proposed that where any man was informed of or indicted, it should be sufficient to state the number of the section of the Act under which the indictment or information was made, instead of stating the offence. Now, they would find that one of the sections of the Act contained no less than fifty-one separate offences; and suppose an unfortunate man should be informed against, and the case should be conducted, not by a professional man, but by a Customs clerk, what a position would he not be in, and what a nice position the magistrates would be in, who would be called upon to decide the case on a clause which contained several offences, for every one of which there was a penalty attached to the extent of £100. There were other clauses relating to misdemeanors which were highly objectionable, but as these clauses would be postponed he would not say more than that he thought they must have been shoved in by the Solicitor of the Customs, who said, "Here are a number of clauses; never mind the offences so that we have somebody to convict." But that would be a sharp way of doing business, and he believed the right hon. Gentleman could not know what the effect of these clauses would be. As to Clause 63, which would enable magistrates to send doubtful cases to the Superior Courts, he thought it ought to be extended to those persons who might be convicted on information or indictment.

Clause *postponed;* as was also Clause 63.

Clause 64 *ordered* to stand part of the Bill.

Clause 65 (Power to Shipowner to enter and land Goods in default of entry and landing by Owner of Goods).

Mr. LOCKE said, his objection to the clause was that it would permit a shipowner to land goods on a wharf without giving notice of the ship's arrival to the consignee, and enabling him to take his goods from the ship. By the custom of the port of London for several centuries, every consignee of goods brought into it was entitled to forty-eight hours' notice to take them out of the vessel in

which they were brought. But of that privilege the shipowners wished, by this clause, to deprive consignees. He proposed to prevent the shipowners doing so, and on behalf of consignees moved an Amendment to the effect that the liabilities of shipowners to consignees should continue in as full force for twenty-four hours in the case of a steam-ship and forty-eight hours in the case of a sailing ship (exclusive of a Sunday or holiday) after the mooring of the ship at the place of discharge, as if such goods had not been landed or unshipped.

Amendment proposed,

In page 23, line 13, after the word "expressed," to insert the words "being subsequent to the commencement of the legal delivery of the ship's cargo at her place of discharge: Provided always, that the liabilities of the shipowner to the parties to such charter party, bill of lading, or agreement as therein expressed, and his obligations thereunder, shall continue in the same manner and in as full force and effect for twenty-four hours in the case of a steam ship, and forty-eight hours in the case of a sailing ship (exclusive of a Sunday or holiday), after the mooring of the ship at the place of discharge, as if such goods had not been landed or unshipped."

Mr. MILNER GIBSON said, he must oppose the Amendment. The object of the clause in the Bill was to enable shippers and shipowners to give effect to their own agreements both as to the time of delivery and the rate of charge. They were competent to judge of their own affairs without being nursed by a clause in an Act of Parliament; but if no agreement as to the time when the goods should be taken out of the ship were made, then the Bill required that the goods should be discharged within a reasonable time, in order that the space in the river and the docks might not be taken up by the needless detention of vessels. The proviso now proposed by the hon. and learned Member would establish an enduring responsibility on the part of the shipowner which was quite unprecedented.

Mr. AYRTON said, he should support the Amendment. Under the operation of the clause as it stood, goods might be hustled on the wharves without the consignee being aware of their arrival. He would suggest that a certain time should be specified in the bill of lading, within which the merchant should take charge of his goods, instead of using the word "forthwith."

Mr. MILNER GIBSON said, it was for lawyers to decide what was the meaning of the word "moderate." All that was proposed by the clause was, that whatever happened to be the agreement between parties, they should be at liberty to carry it out.

MR. CAVE said, this was a lawyer's objection. No mercantile man would dream that "immediate" meant anything than with all convenient speed. The change in the law was necessary, because the law, as it stood, could not be observed, and was habitually broken with the consent of all parties — a very unsatisfactory state of things. The Member for Southwark had done what he did two years ago. He had made a speech for the plaintiff in the case of Wharves *v.* Docks, and had tried to divert attention from the point by alleging that this was a quarrel between Wharfingers and Dockowners. It was no such thing. These clauses were introduced at the instigation of the Customs for the despatch of business. The House affirmed the principle two years ago. By this means, the practice of London would be assimilated to that of the Outports, and the law to the laws of almost every Continental nation on this subject. For two years past this measure had been discussed in the *Shipping and Mercantile Gazette* and other papers. Petitions in its favour had been sent in from all quarters to the Board of Trade; and he believed, that while the law in its present state was acceptable to a few, the change would give satisfaction to the public in general.

Question put, "That these words be there inserted."

The Committee *divided*:—Ayes 14; Noes 131: Majority 117.

House *resumed.*

Committee, report Progress; to sit again on *Monday* next.

PEACE PRESERVATION (IRELAND) BILL.

[BILL NO. 106.] SECOND READING.

Order for Second Reading read.

Motion made and Question proposed, "That the Bill be now read a second time."

MR. BAGWELL said, the House wished for some explanation of the measure from the right hon. Gentleman the Chief Secretary for Ireland. Unhappily, transactions which had recently taken place in his own neighbourhood would prevent him from opposing the Bill, though, in his opinion, it would be totally ineffectual. The only way to preserve the peace in Ireland was by just Government and altering the system of police. The police force of Ireland had been made so military in its character that it was of no use as a civil force. It was entirely inefficient for either the detection or prevention of crime; and until it was made effective for these purposes, the Government could not protect either life or property in Ireland. The last thing which had been done was to arm the police, who ought to be active and unencumbered, ready to pursue offenders, with the new Enfield rifle, which he understood was 3½ lb. heavier than the old carbine. All that the police did was to go out on patrols at night, when, marching as they did in military array, they could be heard a mile out; and all that any one was out with an unlawful purpose had to do was to hide in a ditch or behind a bank until they had gone past. The result of all that was that murders were committed, their perpetrators were undiscovered, and thus encouragement was offered to other persons to be guilty of similar crimes.

MR. BRADY said, he had hoped his hon. Friend would have opposed the Bill. The inefficiency of a measure was a strange ground for supporting it. The police were ineffective because they were a military body. Crime was more prevalent in England than in Ireland. Why, then, should such a measure be passed with regard to Ireland only? Ireland ought to be treated as England. Such a law was an insult to Ireland. He moved that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

MR. BLAKE said, he rose to second the Amendment. He deeply deplored the murders which had recently been committed; but that the Bill would not prevent the commission of such crimes was proved by the fact that in Tipperary assassinations had taken place in districts which had been proclaimed for many years. All that was required was a reorganization of the police force.

MR. O'BRIEN also condemned the murders which had been committed in Ireland, but he was convinced that this Bill would have no effect in preventing the commission of similar crimes in the future.

SIR ROBERT PEEL said, he had made rather a lengthened statement on the introduction of the Bill; but the truth was the House might as well ask for a long speech on bringing in the Mutiny Bill. The measure was a mere renewal of an old Act to give under special circumstances certain powers to the Lord Lieutenant, which would be seldom used and never abused. He did not doubt that it would have the general support of Irish Members at the present moment.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 78; Noes 13: Majority 65.

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *To-morrow.*

POOR LAW OFFICERS' SUPERANNUATIONS (IRELAND) BILL.

[BILL NO. 107.] SECOND READING.

Order for Second Reading read.

SIR ROBERT PEEL, in moving the second reading of this Bill, stated, that its principle had received the approval of 134 out of the 163 Boards of Guardians in Ireland, and of the Select Committee on Poor Relief which sat last year. Its object was to extend to officers under the Poor Law system, who had devoted the best part of their life to the discharge of those duties, the same advantages which were already enjoyed by officers in gaols, lunatic asylums, and other establishments. Its operation would be strictly confined to such officers as the master and matron, apothecary and schoolmaster, who well deserved to be superannuated; and while imposing but a very moderate burden on the country, it would be productive of large benefits. [The right hon. Gentleman read extracts from the evidence of Messrs. Power and Senior, Irish Poor Law Commissioners, and of Mr. O'Shaughnessy, of the Cork Union, in favour of the proposal embodied in the Bill.] The intention was to levy, within a period of three years, a rate of 6*d.* over the whole of Ireland, which would be amply sufficient to establish a fund from which these officers would derive their allowances. The total number of officers who would be subject to the operation of the Act was 1,439, but those over sixty years of age with ten years' service were only 104 in number. In the Civil Service the amount paid was equal to 14 per cent on the aggregate salaries of those superannuated, but under the present Bill it would not reach beyond 7 per cent. He hoped the House would not refuse their assent to a measure which would work beneficially and economically, and would decidedly have the effect of attracting to the workhouses a better class of officers.

Motion made, and question proposed, "That the Bill be now read a second time."

LORD NAAS said, that while he was himself favourable to the principle of superannuation generally, he thought the present proposal too novel in its character to be hastily adopted. Neither Mr. Power nor Mr. Senior, when before the Select Committee, had suggested any such measure as the present, and the country, therefore, which saw in that House a decided tendency to increase local taxation, would be taken by surprise. He hoped, therefore, that the right hon. Gentleman would postpone the Bill, so as to give the people of Ireland an opportunity of considering its provisions.

MR. GEORGE said, he should oppose the Bill on the ground that it introduced the principle of union rating. He urged the right hon. Baronet to postpone the measure at that hour.

COLONEL DUNNE said, that he must protest against the eccentric manner in which the Bills connected with Irish legislation during the present Session had been proceeded with. At the same time, he thought the Irish Members had exhibited much patience. He begged to move the adjournment of the debate.

VISCOUNT PALMERSTON hoped that the hon. and gallant Gentleman would not press his Motion. The hon. and gallant Gentleman had observed that the Irish Members had shown much patience during the Session. He hoped they would not make that occasion an exception.

MR. WHITESIDE said, it might suit the youthful energy of the noble Lord to go on with Irish Bills at two o'clock in the morning, but he had not the power to do it. It was quite a new principle to superannuate Government officers after only ten years' service and the subject ought to be discussed.

MR. H. A. HERBERT said, he thought more time was required for the consideration of the Bill, and he should therefore support the Motion for an adjournment.

SIR ROBERT PEEL said, that the Government would yield to the wish which had been expressed by the Irish Members.

Debate *adjourned* till *Monday,* 26th May.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, May 16, 1862.

Minutes.]—Public Bill.—3ª Bills of Exchange (Ireland) Act (1861) Amendment.

Royal Assent.—Exchequer Bonds (£1,000,000); Charitable Uses Act (1861) Amendment; Crown Suits (Isle of Man); College of Physicians (Ireland); Netley Hospital Estate; Whipping; Pier and Harbour Act Amendment; Writs of Habeas Corpus into Her Majesty's Possessions Abroad; Transfer of Stocks (Ireland); Wycombe Railway; Folkestone to Barham Downs Road; London and Blackwall Railway; London, Tilbury, and Southend Railway; Wareham Roads; Norwich Corporation; Ross Turnpike Trust: Faringdon Railway; Winchester Road; Coventry Poor Act Amendment; Cirencester District Roads; Much Wenlock and Severn Junction Railway; Bridport Road (Second District); Bradford Corporation Water; Heckmondwike Gas; British Plate Glass Company; Webb and Craig's Patent.

PRIVATE BILLS.

LIMITATION OF SECOND READING.

On the Motion of Lord Redesdale it was *ordered*,

"That no Private Bill brought from the House of Commons shall be read a Second Time after Tuesday, the 1st day of July next:"

"That no Bill confirming any Provisional Order of the Board of Health, or authorizing any Inclosure of Lands under Special Report of the Inclosure Commissioners for England and Wales, or for confirming any scheme of the Charity Commissioners for England and Wales, shall be read a Second Time after Tuesday, the 1st day of July next:"

"That when a Bill shall have passed this House with Amendments, these Orders shall not apply to any new Bill sent up from the House of Commons, which the Chairman of Committees shall report to the House is substantially the same as the Bill so amended."

PRIVATE BILLS.

STANDING ORDER NO. 179 AMENDED.

On the Motion of Lord Redesdale, Standing Order No. 179 amended by adding the following Words; namely—

"That the Chairman of Committees shall, in any case in which he shall think fit, propose to the House, that any Bill in either of the two classes before mentioned shall, after such Bill has been reported, be committed to a Committee of the Whole House; in which case such Bill, printed as reported, shall be delivered by the promoters to the Lords in the same manner as papers printed by this House are delivered, at least two days before the day for which the same is committed. In acting on this Order the Chairman of Committees is to take care that no Bill is allowed to proceed as a Private Bill, because it may be committed to a Committee of the Whole House which would not have been allowed to proceed as such without being so committed.

COUNTY COURT FEES.—QUESTION.

Lord CHELMSFORD rose to put a question with reference to the Schedule of Fees to be paid on Proceedings in the County Courts ordered by Two of the Commissioners of Her Majesty's Treasury, with the consent of the Lord Chancellor, by Order of the 10th of April, 1862. The noble and learned Lord said, that by the County Courts Act, 19 & 20 *Vict.*, s. 79, it was provided that the Commissioners of the Treasury, with the consent of the Lord Chancellor, might from time to time lessen or increase the fees set forth in Schedule C of the Act as payable on proceedings in County Courts, or substitute other fees, or order new fees to be charged on proceedings, either now or hereafter to be authorized, whether any fee be now payable thereon or not. Their Lordships would observe that this was a statutable authority, and could only be executed in the way prescribed. There was no power whatever for the Lords Commissioners of the Treasury to make any change as to the persons by whom those fees should ultimately be paid, that being dependent upon the wording of the original County Courts Act, which provided in sec. 88 that all costs should be paid by or apportioned between the parties in such manner as the Judge should think fit; and in default of any special direction by the Judge, they were to abide the event. The Lords of the Treasury had, however, made an Order, dated the 10th of last month, which directed in its second paragraph that when the claim was more than 40*s.* a fee of 1*s.* should be charged in addition to the existing fees, which fee was to be paid by the plaintiff, and not to be considered as costs in the cause. It appeared to him that such an Order was beyond the powers of the Lords Commissioners of the Treasury, and contrary not only to the County Courts Act, but to the very earliest Act upon the statute-book in reference to costs, namely, the statute of Edward I., which gave costs to the plaintiff in case he succeeded. He felt that this was a matter which might very reasonably have escaped the attention of the noble and learned Lord on the Woolsack, and that he gave his sanction to the Order submitted to him by the Lords of the Treasury, naturally supposing that they had satisfied themselves of their power to make it. In order that Parliament should have early information of any Order of this kind, a section was introduced into the Act requiring that returns of all such Orders should be laid before Parliament; but it was so worded as in a great measure to defeat its intention, except as regarded Orders made during the recess. As it stood, it required such Orders to be presented within ten days of the next meeting of Parliament; so that if made immediately after the commencement of a Session, they might be in operation twelve months before any check could be put upon them by Parliamentary interference.

The LORD CHANCELLOR expressed his thanks to the noble and learned Lord for the courteous manner in which he had called attention to the subject. The particular point, however, to which the noble and learned Lord had referred had not been sanctioned by him inadvertently: it had been carefully considered by him (the Lord Chancellor), and he had come to the conclusion that what was expressed in the Order was within the scope of the authority given to the Lords of the Treasury under the Act, and he accordingly gave his consent to it; although he admitted it might have been better had he requested the Treasury to take the opinion of the law officers of the Crown in the first instance. Their Lordships were aware that the cost of the County Courts was exceedingly great, and it appeared to him to be increasing. What with the sum granted by Parliament and the sum received by way of fees the cost of the County Courts for this year would be no less than £509,184. Now, if this was for expenses incurred in the administration of justice, it would be cheerfully borne. But the greater part of the County Court system might be described as a great machinery for the collection of small debts, and the distribution of the money among creditors; and strictly speaking this could not be considered a part of the administration of justice. Persons gave credit upon the faith of those proceedings, and used the County Courts for the purpose of collecting their small debts. The greater number of the orders made by the County Court Judges had reference to the payment of small debts by instalments. The Government had undertaken to receive these small sums of money, and accordingly they were obliged to have very large establishments, which were more in the nature of large banking-houses than anything else, where these small instalments could be received and paid out again to the plaintiffs. In the early part of the County Court system there were three distinct classes of fees which were ordered to be paid by plaintiffs and not by the defendants—fees for giving instructions by the plaintiffs; fees for answering inquiries as to whether money had been received; fees for paying out money to the plaintiffs, and for giving notice to the plaintiffs that money had been paid in. Those fees were some time ago abolished; and it appeared, on the suggestion of the Treasury, to be just that some fees in diminution of the general expenditure should be thrown on the plaintiff, which fees should represent the contribution to be made by him towards the liquidation of those expenses incurred by the Government for his especial benefit in acting as the recipients of the small sums paid in to his credit. Notwithstanding, however, that it might be very desirable to take that course, yet the question raised by the noble and learned Lord still, he admitted, remained in all its integrity—whether the words of the Act of Parliament sanctioned the accomplishment of so desirable an object. For his own part he was of that opinion, and he trusted their Lordships would arrive at the same conclusion. Under the Act of Parliament the authority to impose fees was of a most general kind. The Lords Commissioners of the Treasury might first of all lessen or increase the fees which were specified in Schedule C, and also substitute other fees in lieu thereof; and then the Act proceeded in these words—they "may order new fees to be paid on any proceedings which are now or shall hereafter be authorized to be taken in such Courts, whether any fee is now payable thereon or not." That being so, he certainly had arrived at the conclusion that the Treasury had power under the Act to authorize the payment by plaintiffs of this small fee directed by the new order of April last; but the clause of the Act was not clearly worded. In conclusion, he would state that he regretted that the opinion of the law officers of the Crown had not been taken on the point.

Lord CRANWORTH said, he was very much inclined to concur with his noble and learned Friend on the Woolsack that there should be a "duty" paid by plaintiffs who sued in the County Courts. But the question was whether the new Order came within the provisions of the Act of Parliament, and he would suggest to his noble and learned Friend whether it would not now be better to take the opinion of the law officers on the point; so that if the Order had been made by inadvertence, it might speedily be set right. If the Order were *ultra vires*, it would be within the power of any attorney to raise the question at any time hereafter; and that would be a very unseemly thing to incur.

The LORD CHANCELLOR was understood to say that a case should be laid before the law officers for their opinion on the point.

House adjourned at a quarter before Six o'clock, to Monday next, half-past Eleven o'clock.

HOUSE OF COMMONS,

Friday, May 16, 1862.

RUMOURED RIFLE MATCH BETWEEN THE TWO HOUSES OF PARLIAMENT.

QUESTION.

Mr. BERNAL OSBORNE: — Mr. Speaker, upon a matter which comes under the head of privilege I wish to put a question to you, Sir, as to what I conceive must be a most unjustifiable hoax, that has been practised upon the Lord High Chancellor of England and the noble Lords in another place. I wish to ask you, Sir, whether there be any truth in the statement that you, at the instigation of the right hon. Gentleman the Secretary for War, have sent a challenge to the other House of Parliament to meet this House in a rifle contest. I have reason to believe that the statement is a mere hoax, but I wish to give you, Sir, the earliest opportunity of contradicting it.

Lord ELCHO: Before you reply, Sir, I wish to say that had my hon. Friend not risen to put his question, it was my intention to have claimed the indulgence of the House to allow me to read a letter upon a matter personal to myself. The letter is one addressed by you, Sir, the Speaker of the House of Commons, to myself, and with the permission of the House I will proceed to read it—

"May 16.

"My dear Lord Elcho,—I have heard with amazement that the Lord Chancellor announced last night in the House of Lords that he had received a challenge to a rifle match from the Speaker of the House of Commons—a challenge from the House of Commons to the House of Lords. As I cannot doubt that you made the communication to the Chancellor, I must remind you of what took place between us. I was busily engaged on Tuesday evening with Members presenting petitions and moving unopposed returns; you came to me with a roll of paper in your hand, saying that a rifle match was proposed between some Members of the two Houses, and asking me for my name. I answered that I was very busy, that I could not spare a moment to read the paper, nor did I see a single word it contained. You remained a short time by my chair, and said that the match was to take place, and many Members felt much interest about it. Wishing to dismiss the subject, I said in joke the only part I could take would be to fire a shot with the Lord Chancellor. If you have made me party to a paper which I did not read, and have been the bearer of a challenge to a rifle match to the Lord Chancellor from myself, putting me into conflict with that great dignitary, I shall have to request you to make an explanation to that noble Lord that you acted under a misconception—that, on my part, no such liberty had entered into my imagination.

"Believe me yours very truly,

"J. Evelyn Denison."

I believe, Sir, when you sent me that letter it was your wish that I should read it to the House as I have done, and, in accordance with your wish expressed in that letter, I have also communicated its contents to the Lord Chancellor. For my own part, I have nothing to add except this, that I certainly did not anticipate that the subject would ever have been brought before either House of Parliament, and I have to express my regret that anything I have done or said should have led to this misconception and misunderstanding; and I have further to express my sincere regret that anything I have said or done should have caused you, Sir, the slightest inconvenience or annoyance.

Mr. SPEAKER: I can assure the noble Lord that I receive the expressions he has just uttered entirely in the spirit in which he made them, and in a manner in which I should wish to receive such expressions from an old and valued friend. I wish to treat this matter with perfect good humour, and I trust the House will be disposed to treat it in the same way. I should guard myself upon one point—I mean a point of order, of which it is my duty not unfrequently to remind hon. Members—that it is not within the rules of order to refer to debates that have taken place in the House of Lords. I should be sorry to appear myself to have infringed such rules, but I must point out to the House that this is rather an exceptional case. Perhaps it might be treated in the light of a message from the

Lords, and then it would be properly open to observation. I have only further to say that I regret the time of the House has been occupied even for these few minutes by such a subject; and for myself, having had the honour of presiding in this House for six years, I trust that there is no single Member of this House who, for a moment, believed that I had ventured in such a manner to commit myself, or this House.

VISCOUNT PALMERSTON: I am quite sure, Sir, that the House would not require any assurance on your part to convince them that in any act, however serious, or of a different character, you would commit them in any way that would be inconsistent with the rules and proceedings of the House. The House has heard the statement of my noble Friend, and they have also heard what you, Sir, have said, and I am persuaded that they will join with me in the hope that there never may be any other or more serious collision or conflict between the two Houses than that which is likely—if it be likely—to occur—a practical trial of skill on the terms and upon the occasion that has been referred to by you and my noble Friend.

RECIPROCITY TREATIES BETWEEN CANADA AND THE UNITED STATES.

QUESTION.

MR. SEYMOUR FITZGERALD said, he rose to ask Her Majesty's Government, Whether they have received from Her Majesty's Minister at Washington a copy of the Report of the Committee of the House of Representatives of the United States on the operation of the Reciprocity Treaties with Canada; and whether, if such a Report has been received, there is any objection to lay it upon the table of the House?

MR. LAYARD said, the Report referred to by the hon. Gentleman was presented to the Congress at Washington. Her Majesty's Government had received a printed copy of the Report, and there would be no objection to lay it upon the table.

THE FORTS AT SPITHEAD.

QUESTION.

MR. BERNAL OSBORNE said, he wished to ask the Secretary of State for War, When the Commissioners for inquiring into the necessity for erecting Forts at Spithead may be expected to communicate their Report to Parliament?

SIR GEORGE LEWIS said, he was informed that the Commissioners had agreed upon their Report, and that it was likely to be in the hands of the Government next week.

MR. BERNAL OSBORNE: When will it be on the table of the House?

SIR GEORGE LEWIS: When the Report has been presented to the Government, I will answer that question.

MR. BERNAL OSBORNE: Then I will ask that question next week.

FRENCH OCCUPATION OF MEXICO.

QUESTION.

SIR GEORGE BOWYER said, he would beg to ask the First Lord of the Treasury, What information Her Majesty's Government have received respecting the occupation of Mexico by France, and the intentions of the French Government regarding Mexico?

VISCOUNT PALMERSTON: Sir, by the latest accounts which we have received from Sir Charles Wyke, our Minister in Mexico, who was then at Orizaba, it appears that there was an intention to advance a French corps to the city of Mexico. As to what the intentions of the French Government may be, I can only refer the hon. and learned Baronet to the Convention of October last, recording the intentions of the three Powers for common action in Mexico, and it is not, of course, for a Minister of the British Crown to speak one way or other as to the intentions of any Foreign Government. It may be satisfactory, however, that I should add that, from a Despatch from Sir Charles Wyke, dated the 13th of last month, it appears that he expected on the 17th to have an interview with Senor Doblado, the Mexican Minister of Foreign Affairs, to conclude a Convention for the satisfaction of British claims. My noble Friend at the head of the Foreign Department states that he is quite prepared to lay before Parliament the Papers connected with the transactions in Mexico. That being the case, perhaps the hon. Gentleman who has given notice of the Motion for Tuesday will think it proper to defer that Motion until he has seen the Papers.

MR. SEYMOUR FITZGERALD: May we expect to have the Papers shortly?

VISCOUNT PALMERSTON: Yes.

SEIZURE OF THE "ORWELL" STEAMER.

QUESTION.

Mr. CAVENDISH BENTINCK said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether he is aware that on the 3rd day of May, 1861, a tribunal at Naples decided that the owners of the *Orwell* steamer were entitled to compensation from the Italian Government for the seizure of their vessel by the Garibaldians; and whether he will forthwith lay upon the table a copy of the Judgment of that tribunal?

Mr. LAYARD said, he was not aware that any judgment of the kind mentioned by his hon. Friend had been pronounced by a Neapolitan tribunal. He would, however, make inquiries into the matter.

THE CITADEL OF HULL.—QUESTION.

Colonel DUNNE said, he rose to ask the Secretary of State for War, Whether certain lands, comprising part of the glacis or otherwise connected with the Citadel of Hull, have not been sold by the Board of Ordnance some years since; and whether the titles to such lands so sold are not invalidated by the recent opinions of the Law Officers of the Crown, alleged to have been given, as to the paramount rights of the Crown to those lands?

Sir GEORGE LEWIS said, that some years ago the Hull Citadel was sold by the Board of Ordnance to the Hull Dock Company, and the sale was effected by Act of Parliament, so that he apprehended there could be no doubt about the title of the company in question to that land. He was not aware that any doubt had been cast upon its validity by any opinion given by the Law Officers of the Crown. The only question he understood to have arisen was whether the land was part of the hereditary land reserved, or whether it was vested in the Board of Ordnance; but that was a question between two public departments, and it could not in any manner affect the title of the purchasers.

CHARITABLE DONATIONS AND BEQUESTS (IRELAND) BILL.—QUESTION.

The O'CONOR DON said, he wished to ask the hon. Member for the City of Waterford, Whether it is his intention to proceed this Session with the Charitable Donations and Bequests (Ireland) Bill?

Mr. HASSARD said, he would take the first opportunity of acquainting the House with the reasons why the progress of this Bill had been so long delayed.

COURTS MARTIAL.—QUESTION.

Mr. O'BRIEN said, he would beg to ask the Secretary of State for War, Whether the Government intend to propose any change in the Law with regard to the constitution of Courts Martial?

Sir GEORGE LEWIS: Sir, I apprehend that the question of the Member for the King's County is founded mainly upon the proceedings of a late Court Martial in Dublin. Now, I think it is rather precipitate to condemn the constitution or the procedure of these Courts upon a single case. If they were to decide in that manner with respect to the value of trial by jury — admitting that every now and then juries arrived at improper decisions, which it was the duty of the Secretary of State to rectify — surely they would be committing a great mistake. I think, therefore, that even supposing that an error has been committed in this instance, which may be denied, there would still be no conclusive reasons for a change in the law. But I do not precisely know at present the exact evil which it is proposed to remedy, or the exact remedy which it is proposed to apply. If any definite proposal is brought under my notice, I shall be quite ready to give it my best consideration, but I have not at present any intention of proposing a change in the law.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

WESTMINSTER IMPROVEMENT COMMISSION.

SELECT COMMITTEE MOVED FOR.

Sir WILLIAM GALLWEY said, that in rising to move for a Select Committee to inquire into the double appointment of Sir Edwin Pearson and Mr. Tite, M.P., to the Chairmanship of the Westminster Improvement Commission, he wished at the outset to express his regret that this painful duty should have devolved upon him. The matter, however, was one which, as would be seen, evidently called for explanation. He had also been personally placed in a most disagreeable position by the conduct of the Chief Commissioner of Works, and the only alternative open to him, if he would avoid raising a very unpleasant question, was to abandon a meritorious public servant. Early in May, 1861, the Westminster Improvement and Encumbered Estates Bill was passed by the House of Commons, and it was thereby provided that the Chief Commissioner of Works should, by writing under his hand, nominate some fit and proper person to be the Chairman of the new Commission. As soon as that became known, the Dean and Chapter wrote to the Chief Commissioner of Works strongly recommending Sir Edwin Pearson, on account of "the honourable and business-like manner in which he had previously fulfilled the duties of Chairman of the Commission." That was also the general opinion entertained throughout Westminster. Some years ago he (Sir W. Gallwey) brought forward the disgraceful condition in which one of the most important portions of the metropolis was then, and still remained. He was therefore asked to impress upon Mr. Cowper the expediency of appointing some gentleman as Chairman, so that the work might be immediately proceeded with. Accordingly, he saw the right hon. Gentleman in the lobby, and stated the desirability of appointing a gentleman who had all the details of this matter at his fingers' ends, and who, the Bill being a mere winding-up Bill, would be assisted by his previous knowledge. Mr. Cowper then said he would take time to consider. Some months elapsed, and at last, on the 17th of July, the right hon. Gentleman authorized him directly and positively to state to Sir Edwin Pearson that he would be appointed the Chairman of the Commission. More than that, Mr. Cowper said that Sir Edwin Pearson should hear from him, or should receive his appointment on the following day. He did therefore convey that intimation to Sir Edwin Pearson. The right hon. Gentleman's own letters confirmed his interpretation of what had passed; and although, by the help of the law officers of the Crown, some loophole might be found, he would put it to the House whether morally, as between gentleman and gentleman, it was not in every way a direct and decided appointment. The letter written by the right hon. Gentleman was dated the 2nd of August; it stated—

> "I am required by the Act of this Session to nominate the Chairman of the new Westminster Improvement Commission, and I believe I should best discharge the duty devolved upon me by placing you in that arduous and responsible post. I am encouraged to hope, from the readiness with which you have worked for the public, that you will be willing to undertake this laborious task."

On the 3rd of August Sir Edwin Pearson acknowledged the Chief Commissioner's letter of the 2nd, and accepted the appointment to the office in the following words:—

> "I beg to acknowledge your letter of the 2nd of August, in which you do me the honour to nominate me the Chairman of the new Westminster Improvement Commission. I will undertake with much pleasure the office which you offer to my acceptance, and I trust that I may be instrumental, with God's blessing, in bringing to a successful termination the improvements in Westminster, of which untoward circumstances have for so many years prevented the public from reaping the benefit."

From that moment the appointment dated; and he thought it was utterly impossible for the Chief Commissioner to withdraw the nomination without in some degree affecting the character of the gentleman who had been appointed. But then came another chapter in the history. On the 7th of August Sir Edwin Pearson, who had already apprised the Westminster Commissioners of his appointment as Chairman, received from the Chief Commissioner the following letter:—

> "I am distressed to find that I must not give effect to the intention I mentioned to you in my letter on Friday last. Since I wrote to you I have received an intimation that some of the parties at whose instigation the power of nomination was committed to the First Commissioner of Works attach great importance to the Chairman being a person who comes freshly to the work, without any previous acquaintance with it or any bias; and although I have never heard a whisper of complaint against you, nor do I believe that any one could offer the slightest objection to you personally, yet I do feel that if the duty of nomination was intrusted to me under the expectation that I should infuse what is called 'new blood,' and select a person who would take up the affair from its present starting point, rather than from its origin, I should not be acting rightly in giving way to my own feelings, which prompted me to desire to offer it to you. I am only consoled by the reflection that you will be saved a thankless and laborious task, and that you could find no satisfaction in being again concerned in the affairs of this unfortunate undertaking, from which, I believe, you derived no advantage but that of coming out of it with a spotless reputation."

Although he (Sir W. Gallwey) had been made the medium of the communication appointing Sir Edwin Pearson, he never heard of that letter, nor did he hear that the Chief Commissioner had changed his mind with regard to Sir Edwin Pearson. He did not mention that in any way to accuse the Chief Commissioner, but to express his deep regret that he had not heard it, because he believed he should have been able to find some way of reconciling the decision with the reputation of Sir Edwin Pearson. He now came to the next letter. Sir Edwin Pearson, he thought very naturally, rather rebelled against that decision, and in a private interview with the Chief Commissioner on the 7th of August, and again in writing on the 8th, he remonstrated with the Chief Commissioner upon it. It was in reply to the latter remonstrance from Sir Edwin Pearson that the greatest contradiction was contained. The letter was dated the 23rd of August; in it the Chief Commissioner stated—

"It is unfortunate that you should have hastily communicated the erroneous impression you had derived from my first letter before you could receive my second; but, after weighing carefully what you have urged, both by word of mouth and by letter, I am only confirmed in the conviction that the view expressed in my second letter is the sound one, and that by which I ought to abide. I feel sure that you are over-sanguine in supposing that an appointment as director would be an advantage to you in regard to past transactions. Persons who, at present, have no inducement to raise questions as to the share attributable to you in those transactions, and who have no inclination to blame you, would be driven by the fact of your appointment to take up a different position; they would protest against the appointment, and bring forward their objections publicly. The amount of damage which you would incur from the raising and discussion of these questions would be greater than the benefit you could derive from having been selected by the First Commissioner of Works. The opinion of the objectors would have more effect upon the public than that of the First Commissioner of Works, since the former are cognizant of the circumstances, while the latter has no personal acquaintance with them. It would not be beneficial or advantageous to you to be named the Chairman of the new Commission, and it would not be right for me so to exercise the trust confided in me; and I am therefore compelled to repeat that I cannot appoint you, but have thought myself bound to offer the post to another gentleman. I am extremely sorry that in my desire to gratify you and your friends I should have caused you annoyance, and I beg to assure you that I shall be anxious to make amends in any way that would be consistent with my public duties."

It was one of the extraordinary features of the case that at the time, when the Chief Commissioner wrote that letter there was in existence another letter written by him to Sir Edwin Pearson on the 6th of August, 1857, long subsequent to the time when Sir Edwin Pearson had ceased to have anything to do with the Westminster Improvement Commission, to the following effect:—

"House of Commons, Aug. 6, 1857.

"Dear Sir,—I have so high an opinion of the services you rendered in transforming those haunts of vice and dens of misery into a wide and handsome street, that I shall be glad to seize any opportunity that may offer of helping to secure for you a suitable acknowledgment of the labours which met with so successful a result.

"Very truly yours,
"W. COWPER."

He believed the House would now be glad to hear a few remarks with respect to the conduct of Sir Edwin Pearson while Chairman of the old Westminster Improvement Commission. In 1852 there was a plethora of money in the market. Some extraordinary plans and schemes were proposed to the Westminster Commission. In these wonderful schemes Sir Edwin Pearson refused to concur. He entered a protest on the books, retired from the Board, and had no more to do with it. When he retired from it, he believed the Commission had about £100,000 surplus. In 1852 Sir Edwin Pearson left the Commission; in December, 1854, the number of the bonds had been largely increased, and the Commission had become hopelessly insolvent. Sir Edwin Pearson received letters from Dean Milman, Rev. W. Cureton, Canon Wordsworth, Canon Jennings, the Duke of Somerset, Lord Carlisle, and Mr. Phillips, Secretary to the Department of Her Majesty's Woods and Works, couched in the most flattering terms, and expressing the highest estimation of his services. The letter of Mr. Phillips was dated in 1852, and since that time Sir Edwin Pearson had had nothing to do with the Commission. It contained this passage—

"If you have never asked yourself the question —and perhaps your generosity has forbidden it— I have. You owe me nothing; the public are a little in my debt on that account, it is true, but I owe them so much on many others that I have long ceased to keep account with them. Their greatest of all obligations in this affair is due to you. To you they are indebted for an improvement which, for all the ordinary purposes of such undertakings, is only the second of its class in the metropolis; for the moral benefits which it will confer second to none. What I am now stating would, I am sure, be confirmed in every quarter; but it is known, perhaps, only to myself how much its progress was aided by the confidence felt here in the purity of your personal character. Were I to make you acquainted with all I hear on that point you would see how little you were indebted to me."

In a petition of bondholders, holding bonds to the amount of £250,000, presented to Parliament in March, 1856, he found the following statement:—

"That Sir Edwin Pearson, who was Chairman of the Commissioners, but who resigned his seat from the conviction that the measure proposed was fraught with imminent peril to the Commission, and was not calculated to promote the interest of the bondholders, or of any persons other than those whose bonds were postponed and were to be exchanged, together with Mr. Kettle, used his best endeavours to explain to the bondholders their position and the consequences of the measure; but those persons, implicitly relying upon the good faith of the scheme, and believing that the building fund would greatly tend to improve their security, yielded to the persuasions of others, and, as the event has proved, were deceived."

That statement confirmed the explanation which he had given as to the cause of Sir Edwin Pearson's resignation in 1852. It seemed to have been the impression of the Chief Commissioner of Works that the office had no salary attached to it, for on the very day when he wrote the letter of the 7th of August he also wrote to the Westminster Improvement Commissioners to inquire whether the Chairman would be entitled to any emoluments or allowances. It was quite evident that the Chief Commissioner thought that the laborious task was not accompanied by any remuneration. It had been said that there was really no remuneration, because the salary was not to commence until there was a surplus; but speaking upon the authority of the Act of Parliament, he was enabled to say that the salaries overrode everything. There had not been a farthing of surplus, yet the directors had contrived to receive their salary. But it was not a question of a paltry £200 a year. The Chief Commissioner said it was a very laborious and a very arduous task. Sir Edwin Pearson assured him that the duties would occupy four or five hours every day. Who then was the person whom the Chief Commissioner appointed? Was it a person who had time and leisure? He had obtained a document which showed that the hon. Member for Bath (Mr. Tite) filled sixteen appointments. In the name of common sense, he asked whether, if the duties were laborious and arduous, it was likely that the hon. Member for Bath would be able to perform them efficiently. He trusted that he had not exceeded the limits of courtesy, which he wished to observe, and in conclusion he would say that the question was not whether the Chief Commissioner was right in appointing to the office a gentleman who had been before connected with it or not; but whether, having had abundant time—a plethora of time—to consider the subject, and having appointed Sir Edwin Pearson, he was not wrong in seeking to force his retirement by what he must consider insinuations and imputations used for the purpose of intimidation.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the double appointment of Sir E. Pearson and Mr. Tite, M.P., to the Chairmanship of the Westminster Improvement Commission,"

—instead thereof.

MR. COWPER: Sir, if the hon. Baronet felt it necessary to apologize at being obliged to enter into such a personal question as the one which he has raised, I must feel still more reluctant to trouble the House with the details. I can unhesitatingly say that I grieve exceedingly at the disappointment of Sir Edwin Pearson in not getting the appointment which he expected to obtain. [An hon. MEMBER: Which he did obtain.] Nothing is more unpleasant in the exercise of patronage than being unable to appoint people whom you would like to oblige. If the simple question had been the disappointment of Sir Edwin Pearson at not getting the place, I should not trespass at any length upon the time of the House. But the hon. Baronet has placed the subject in another light. He moves for a Committee of inquiry into the double appointment. I venture to say that there has been no double appointment. It is a fiction of the hon. Gentleman's brain. No such thing exists. There has been no double appointment, and there is nothing to inquire into. Sir Edwin Pearson was not appointed, and I do not think he ought to have been appointed. I will first state the circumstances under which I wrote the letter. I wrote it for the purpose of ascertaining whether Sir Edwin Pearson was willing or not to occupy the post. ["Oh, oh!"] If hon. Members demur to that, I am sorry to say I must go through the whole story. Everybody is aware of the gross mismanagement of the Westminster Commission. The Winding-up Act, which passed in 1861, was for the purpose of bringing that gross mismanagement to a conclusion. The affairs of the Commission were in a state of inextricable confusion. It was established in 1845 on a wrong principle, for it undertook to execute a very large work without sufficient funds. The consequence was that heavy loans were raised without any means to pay them off. It was stated by the Chairman of the Committee a few years ago that £700,000 had been lost in this transaction. A Bill was brought in to wind up the affairs of the Commission, to authorize the sale of whatever land they possessed, and to pay the proceeds into Chancery, to be divided among the creditors, mortgagees, and bondholders, according to their rights. When the Bill was introduced, it contained a clause to the effect that two of the Commissioners should be appointed by the mortgagees, two by the bondholders, and one by the old Commissioners, and the sixth by the First Commissioner of Works. I was anxious to prevent the Government from being mixed up in the matter, and therefore I informed the solicitor that I objected to the provision empowering the First Commissioner of Works to appoint one of the Commissioners. It was not a Government Commission at all, although the Government had given them a loan. Indeed, much of the loss which the shareholders suffered arose from the false pretences which were put forth that, somehow or other, the Government would find security for the repayment of their loans. During the first stages of the Bill the provision in question was therefore omitted; but it was afterwards represented to me that, in order to secure a Chairman who would act impartially between the different creditors, the appointment should be made by the Government. On public grounds alone I assented to that provision; but I was unwilling to undertake the duty. When the time came to fill up the office, it occurred to me that Sir Edwin Pearson would be a suitable person. I had known him for several years, chiefly as a benevolent man, interested in providing lodgings for the poor. But, as I said in that letter of mine which has been so much misrepresented, I had no personal knowledge of Sir Edwin Pearson's proceedings in connection with the Commission. I believed he was a man of honour and integrity; and I thought it would be an advantage to get a Chairman who was acquainted with the former transactions, fair and unfair, of the concern. I consulted with the hon. Member for Thirsk (Sir W. Gallwey) as to Sir Edwin's fitness for the situation, and what he said confirmed my previous impression. It often happens, however, that no sooner is a gentleman named for an appointment than immediately one hears all that can be said against him; and when it was rumoured that I intended to nominate Sir Edwin Pearson, I received remonstrances from several persons. On the 2nd of August I wrote to Sir Edwin Pearson the letter which, by some strange delusion, has been supposed to be a regular appointment. I will read the letter again—

> "I am required by the Act of last Session to nominate the Chairman of the new Westminster Improvement Commission, and I believe I should best discharge the duty devolved upon me by placing you in that arduous and responsible post. I am encouraged to hope, from the readiness with which you have worked for the public, that you will be willing to undertake the laborious task."

When I wrote that letter, I did not know whether Sir Edwin Pearson would be willing to take the office, and that was what I wished to ascertain. There is a vast difference between an offer and an appointment, and no candid person can say that my letter constituted an appointment. To show hon. Members what a deed of appointment is, I will read that conferring the office on the hon. Member for Bath. It is dated the 5th of September, and runs—" Pursuant to the Westminster Improvement Act of 1861, I, the Right Hon. William Cowper, Chief Commissioner of Her Majesty's Works, do by this writing under my hand, within six months of the passing of the Act, nominate William Tite, Esq., M.P.," and so on. This is not a place to discuss the legal effect of my letter to Sir Edwin Pearson. Until the Court of Queen's Bench is moved, on behalf of the hon. Member for Thirsk, or Sir Edwin himself, to issue a writ of *quo warranto*, we have a right to assume that the latter was not appointed. I do not shrink from the slightest amount of responsibility that may attach to me; I only wish to separate the legal and the moral points of the case. As to the legal question, there has been no double appointment. That is impossible; inasmuch as if one of those gentlemen is Chairman, the other cannot be. I can only say, that I had not the most remote conception that my letter could be construed into a nomination. ["Oh, oh!"] Hon. Members who doubt that, must give me credit for being about the greatest fool possible; for to imagine that any one out of a lunatic asylum would deliberately make an appointment, and then proceed upon the assumption that he had only asked whether a gentleman was willing to serve, is an absurdity about which I need really hardly argue. I say that my object in writing that letter was to intimate to Sir Edwin Pearson that I was intending to appoint him, and that I wanted to know whether or not he would accept the place. After I had written that letter, I received representations from persons interested on behalf of the mortgagees, that they thought this appointment would be very prejudicial to their interests. They said, that Sir Edwin Pearson had neither the ability nor the good sense—that is their opinion—nor the impartiality which would be required in the person who should occupy the chair of this Commission. They said, "We do not desire to have in the chair any one who is mixed up with the previous transactions of the Commission. We think it but fair to us and to our interests that the person who is to occupy that position, and to influence so strongly the march of events in the Commission, should be a man who is not in any way mixed up with its affairs. He ought to be thoroughly competent for the work;" and they naturally alleged a want of confidence on the part of Sir Edwin Pearson; because they said that he, having been Chairman of the Commission at the time when the transactions commenced which ended in their losses, was not a person whom they could trust as likely to prevent the recurrence of similar misfortunes. Of course, it is very invidious and very unpleasant to say anything against the ability, or talent, or judgment of any man, especially when he is not in this House to defend himself; but I was satisfied, that in the opinion of the parties interested, Sir Edwin Pearson was not qualified for this post, either by his antecedents or by his attainments. I was bound by the Act to select a man who should be a fit and proper person; and although, in the first instance, with the information which I had before me when I wrote the letter of the 2nd of August, I was of opinion that Sir Edwin Pearson was a fit and proper person, on the 5th of August, when I wrote the next letter, fresh information had reached me, and on that information I could come to no other conclusion than that he was not a fit and proper person, and that I should have been betraying, instead of discharging, my public duty if I had given effect to my intention of two days before. And here I must complain of the hon. Baronet, who in reading a letter said, that Sir Edwin Pearson received it on the 7th of August, leading hon. Members to suppose that an interval of five days had elapsed between the writing of my first letter and the writing of the second. My first letter was written on Friday, August 2nd; Sir Edwin Pearson's answer was dated Saturday, the 3rd. I did not receive it, or, at all events, did not read it until Monday, the 5th. Did I allow any time to elapse? When did I write? On Monday, the 5th. [An hon. MEMBER: The 7th.] I must ask the hon. Member not to believe the papers which have been privately circulated to my prejudice. By the success with which the hon. Baronet has privately circulated papers, one of which I see in the hands of the hon. Member opposite, a very false and very unfair impression has been produced against me. I hope that hon. Members will discard what they have heard privately, and listen to me, when I assert—and I am ready to prove it—that I did on the 5th of August, the very same day on which I received Sir Edwin Pearson's intimation of the willingness to accept the office, write to him and inform him of the reasons which prevented me from giving him the appointment which I had offered to him. That letter was directed to the address which Sir Edwin Pearson had given in his previous letter, at Wimbledon; but it appears that Sir Edwin Pearson was at that moment staying with the hon. Member for Warwickshire, at Harefield. The letter travelled thither from Wimbledon, but did not reach him until the 7th of August. I do not object to his saying that he received it on the 7th, but in fairness to me he ought to have added that it was dated on the 5th. On the 5th of August I had this matter to consider. I must say that it did not occur to me that this was an appointment that Sir Edwin Pearson, or any one else, would much desire to have. What was the appointment? First of all, I believed that there would be no pecuniary profit attached to it. The hon. Baronet thinks there may be £200 a year. I doubt it; I think there will be no profit at all. Then it is not a permanent appointment. It is only the office of a Commissioner to wind up some very intricate affairs, I should think a most disagreeable office, and one which people would undertake only from a sense of public duty. It did not occur to me that in telling Sir Edwin Pearson that I should not give effect to my previous intention I was inflicting any great annoyance upon him, or depriving him of any special advantage.

On the contrary, I thought that he would acquiesce very readily, and probably thankfully, in that decision. I was under the impression that he was probably undertaking the task from a sense of public duty, and that he would have no particular objection to be relieved from it. If that is doubted, I may at least refer to the terms which I used in the letter of the 2nd of August, when, after referring to his public services as the ground on which I hoped he would undertake the office, I added, "I am encouraged to hope, by the readiness with which you have worked for the public, that you will be willing to undertake this laborious task." I really did believe that he would get nothing but labour. Of course, he might gain some reputation if he did the work well, but I did not think that he would get any pecuniary advantage, or anything which he would greatly desire. Then the hon. Baronet says that on the 6th of August, which, it is true, was before Sir Edwin Pearson received my letter, I wrote to the Commissioners to ascertain whether there was any emolument or not. I had assumed either that there was no emolument, or that it was so small that it was unnecessary that I should take the trouble to ascertain its amount. It seemed to me that that was an oversight, and that I ought to find out what it was. I therefore took steps to learn what was its amount; but after I had written to Sir Edwin Pearson on the 5th. Therefore when I wrote to say that I could not appoint him I knew no more than I did when I wrote to inform him that I was intending to make that appointment.

SIR WILLIAM GALLWEY: It is unfortunate that that letter—

MR. SPEAKER: The hon. Baronet is out of order.

MR. COWPER: If there is any doubt as to the truth of that statement, I can refer to the date on which I wrote the letter.

SIR WILLIAM GALLWEY: The words "too late" were marked on that letter.

MR. COWPER: On which?

SIR WILLIAM GALLWEY: On the letter of August 5.

MR. COWPER: This is the first time that I have heard of it. It would have been well if I had been told that before. But that does not alter the fact that I wrote the letter on the 5th—that it is dated on the 5th. The hon. Member corroborates my statement, however unwillingly, because he does not say that it was posted on the next day, but that it was posted on that day, only too late. He was trying to fix on me a statement which is contrary to my assertion, and contrary to fact. I again repeat—and I defy him to prove the contrary—that I did write the letter on the 5th, that I did post it on the 5th, and he has misrepresented the facts when he led hon. Gentlemen to suppose that it was written on the 7th. That is not his only misrepresentation. I say that on Monday the 5th of August I had to consider whether my public duty required me to appoint Sir Edwin Pearson or not. I had no private interest whatever in the matter. Whatever private feeling I had was in favour of Sir Edwin Pearson. I thought well of Sir Edwin Pearson. I had known him in connection with benevolent societies, and my wish was to appoint him. I had no wish to vex or disappoint Sir Edwin Pearson. On the contrary, the natural satisfaction which every one feels in giving pleasure to a person of whom they think well made me desire to appoint him; but it seemed to me that I should not be discharging the duty cast upon me by the Act of Parliament if I appointed a man who was objected to by any of the mortgagees and bondholders, on the ground that owing to the part he had previously taken in their affairs he was not as free from bias, from prejudice, and partiality as they had a right to expect in the discharge of the duties of the place to which he was to be appointed. There was another reason—I am reluctant to give these reasons; they are forced from me—but there was another reason why Sir Edwin Pearson was not a fit and proper person to fill this office. It is this—Sir Edwin Pearson had at that time, and I believe has now, a pecuniary interest in the transactions of the company, and it certainly was not desirable that the Chairman appointed by the Crown as an impartial person should have a pecuniary interest in the affairs he was to wind up. And not only had Sir Edwin Pearson that existing pecuniary interest, but he was one of those who originally contributed money to this undertaking. I understand that his share was £7,000, and his brother's share £7,000, out of the £50,000 which were originally advanced to the undertaking, which money has been lost; and this circumstance might expose him to a suspicion which ought not to attach to a Chairman of such a Commission.

I do not care to defend the judgment which I may have shown; but I can without fear of contradiction say that I had no improper bias or feeling whatever in the matter; that I had no personal, no private interest to serve. On the contrary, if I had been anxious for a quiet life, I should have let matters take their course but I thought that my public duty required me to take another line. In doing so I was naturally anxious to save Sir Edwin Pearson's feelings as much as I could, and with that view I used the expressions which the hon. Baronet has quoted; which I acknowledge are very strong, and which I might not otherwise have used. But I wished in the strongest way to make it clear to him that the decision at which I had arrived was in no way owing to anything I had heard against his moral character. I said that in as distinct terms as I could, and he might easily have understood, that the objections were not against his moral character, but against his conduct in the chair, and were urged by mortgagees, who said that he had been too much mixed up in the previous affairs of this Commission. I wrote to him, believing, of course, that he would acquiesce in the withdrawal—not of the appointment, but of my intention to appoint him. Because, although I had power to alter my intention, I had no power of cancelling or withdrawing the appointment; and such an idea never occurred to me. Perhaps I may fortify my statement with an opinion which has been given by a person who is very conversant with affairs of this nature. [Name, name!] I do not give the name, because the letter is confidential. What was said of Sir Edwin Pearson was, that he had not the firmness, the energy, or the determination.

Mr. MALINS said, he rose to order. Unless the right hon. Gentleman was prepared to state the name of the writer and the date of the letter, it would be better to refrain from reading that document.

Mr. COWPER: I beg to say that I was not reading the paper. I was merely stating the impression conveyed to me, which was, that persons who were interested in winding up this Commission were of opinion that Sir Edwin Pearson had not the energy, the determination, and the business qualities which would enable him satisfactorily to discharge his duties. I had to act not merely upon the opinion I

myself might form, but I had to consider the interests of those whose money was at stake; and, from the information which I received, I came to the conclusion that Sir Edwin Pearson was not the right man for the position. Then I had to consider who should be appointed, and, after thinking of various persons, it seemed to me that there was nobody who could give such universal satisfaction to the persons interested as my hon. Friend the Member for Bath (Mr. Tite), who has had very large and varied experience in the class of business relating to this Commission. I also thought a seat in this House might be of advantage to the Chairman in reference to any future proceedings that might be taken on this question, and I therefore asked him if he would be good enough to undertake this task. [Mr. Malins: When?] I applied to him on the 8th of August. Having written to Sir Edwin Pearson on the 5th, that gentleman came to me on the 7th, and I then had an opportunity of explaining to him my view of the case, and of stating that I was unable to appoint him, not on account of any reflections as to his moral qualifications that had reached me, but because persons whose interests were at stake were unwilling that he should serve. Having seen Sir Edwin Pearson on the 7th of August, I wrote on the 8th to the hon. Member for Bath, and I put it to him, as I had originally put it to Sir Edwin Pearson—"Will you undertake a public duty, a laborious one, for which you can get very little satisfaction beyond doing your duty and conferring some benefit on the public?" That hon. Member took a long time to consider the proposal; he ultimately accepted it, and on the 5th of September I appointed him to the place. A good deal more correspondence passed, but I believe there is no other point on which it is necessary for me to give explanations. I can only say, with regard to the papers that have been moved for—["No, no!"]—that are about to be moved for, if the notice which has been given shall be carried out—that there is nothing I more desire than that every letter I have written and received on the subject should be read. My wish is that the matter should be thoroughly and minutely sifted. But with regard to the Motion actually before the House, it seems to me that there are many difficulties to be encountered. One is that it proposes the Committee should consider a point of law—namely, what is called the double appointment. My statement is that there has been no such thing; that I never intended to make, and that I never did make, a double appointment. But if the House wish it to be referred to a Committee, it is not for me to express any opinion. Before I sit down, I wish to say, that if the question raised were whether I am to blame for not appointing Sir Edwin Pearson, I should be quite willing to enter into a statement in my own defence before a Committee in much greater detail than I have now felt it right to do. The question raised, however, is altogether different, and implies that I did appoint him. That, I say, is entirely a mistake. I did not intend to appoint him—I do not believe I did; and if I did, the question which is raised can only be settled in a court of law.

Mr. TITE said, he quite agreed with the remark made by the right hon. Gentleman the First Commissioner of Works at the beginning of his speech, when he expressed his regret that the appointment had been placed in his hands at all. He (Mr. Tite), at all events, regretted that he should have been the unfortunate individual appointed. His own part in the transaction had, however, been very simple and straightforward; and, briefly stated, it would afford the best reply to the imputations upon his character which he felt sure the hon. Baronet would regret having made. He knew nothing whatever of the new street, or the dealings or doings of the Commissioners before the 8th of August, when, having gone down to the coast of Suffolk, he received the following letter from the Chief Commissioner of Works:—

"Dear Mr. Tite,—The Act which has just passed for altering the Westminster Improvement Commission, for winding up its affairs and giving a title to its property, and for making some new streets, and for getting that unfortunate chaos, Victoria Street, out of the mess in which it is, has given me the authority to appoint a Chairman, who is to be one of six Commissioners, of whom two are elected by the bondholders, two by the mortgagees, and one by the existing Commissioners. Is there any possibility of persuading you to become the Chairman? I am afraid it may be rather a troublesome task; but, on the other hand, there is great public good to be done, and some reputation to be achieved by getting the waggon out of such a rut. Pray tell me how you feel about this, for the parties concerned wish, I believe, that my appointment should be made before the election of the others proceeds.

"Truly yours,

"Aug. 8, 1861." "W. Cowper."

That was the first he had heard of the appointment, or of the Bill itself, and he answered it by requesting the right hon. Gentleman to send him down a copy of the Act, which he received in a day or two afterwards. He read it over with great care, and believed he had mastered the enactments. It was distinctly a winding-up Act, and though it might entail a little trouble on a person who was well acquainted with business, there was nothing that could not be managed in a reasonable time. In two or three years, at most, he believed the work could be completed. There was a clause in the Act under which—if they could obtain the money, of which he saw very little prospect—some remuneration attached to the appointment. The sum amounted to £700 per annum, and was to be shared among six; so that his portion would be a little over £100, probably for a period of two or three years. But that payment was contingent on several considerations. At the present moment there were no funds to meet these fees, or to meet anything. The Commissioners had looked very carefully into the operation of the Act, and he thought he might say that he saw his way. On the 13th of August, not having returned an answer, he received a pressing note from the right hon. Gentleman saying it was desirable that the appointment should be announced as soon as possible, mentioning that the office was not wholly without emolument, and referring to the £700 of which he had just spoken. His answer was written on the 23rd of August, and nearly crossed another letter from the First Commissioner. In the mean time he had been in London and ascertained in society that some claim had been already made in respect of the appointment; and being anxious rather to diminish his own engagements, and being also the last man to interfere with the fair claims of any other gentleman, he wrote in the following terms to the Chief Commissioner:—

"17, St. Helen's Place, E.C.
"Aug. 23, 1861."

"My dear Mr. Cowper,—Thanks for your note of the 21st, and the information it contains. But it has accidentally come to my knowledge that some appointment in favour of Sir E. Pearson had been under your consideration. I presume, however, Sir Edwin has no pretence to claim the appointment at your hands, because I would, on no account, expose myself to the chance of any contest with the claims of any other gentleman. If, however, the nomination were perfectly free from any such difficulty, I should be ready to accept it, and to do my best to perform its duties.

"I am, my dear Sir, your obedient servant,

"W. Tite."

The answer of the right hon. Gentleman was as clear as anything could possibly be—

"Aug. 30, 1861.

"My dear Sir,—I was much pleased to get your letter, and to find that you are willing to undertake this task. Soon after the Act had passed Sir E. Pearson was recommended to me by persons connected with the Westminster undertaking. I thought that his experience and intimate acquaintance with the affairs of the Commission during the first period of its proceedings might afford an advantage which no one else could possess, and that his zeal and interest in the cause, and the absence of other occupations, would insure his full and undivided attention to the business of the Commission, and I was pleased at the thought of giving him some opportunity of retrieving the disaster into which he had, I believe, been originally drawn by a patriotic desire to improve the district. Under these impressions, I wrote to him in order to ascertain whether he would be willing to accept the office, and unfortunately it was only after I had written to him that I discovered that the circumstance which I had imagined to be an advantage was felt to be a fatal objection by some who were pecuniarily interested in the winding-up of the concern; and it appeared that the duty of nominating the Chairman had been imposed on me with the expectation that I should select some one who would take up the affair without bias or predilection from previous transactions.

"I felt it, then, my duty to explain this to Sir E. Pearson, and to assure him of my regret that I could not act upon the intentions expressed in my previous communication. My second letter was written on the third day after the first; but owing to his absence from home it did not reach him immediately, and, unfortunately, he had on receipt of my first letter told his friends that he was to be appointed. I am greatly vexed at having occasioned him this disappointment, but I am now convinced that I should not rightly discharge my duty by appointing him, so that a refusal from you would make no difference to him.

"I am truly yours,

"W. Tite, Esq., M.P." "W. Cowper."

It appeared to him that the explanation given by his right hon. Friend was a reasonable one, and that he should have been declining the performance of a public duty if he had not accepted the offer of the First Commissioner. He had no personal interest in the matter, but as a man of taste and an architect the task was one for which some persons might think he had a special qualification. He had been subjected to much inconvenience in his endeavour to discharge the duties which he had undertaken. Sir Edwin Pearson had served a notice on him, stating that every act done under his presidency would be illegal. He really thought that men desirous of having a great public object achieved ought to be prepared to surrender a little private feeling in furtherance of a common object. Such, however, was his explanation. He wished to mention that on one occasion when Sir Edwin Pearson called on him, being particularly engaged, he was unable to see him. A short interview had, however, taken place between them, and Sir Edwin Pearson told him he was desirous of leaving the matter to the arbitration of the noble Lord at the head of the Government. In reply to that offer, he stated that he was perfectly willing to leave the matter to any one. In the conclusion of the letter to Sir E. Pearson, in which he told him that he had forwarded all the documents to the Chief Commissioner, he also stated that he was perfectly ready to surrender the appointment. He ventured, therefore, most respectfully to ask the House whether he had not now cleared himself from any imputation that might have been cast upon him? As to the offer being intended to buy a vote that never was bought it was simply absurd — his politics were perfectly well known, he was the representative of an important constituency, he was well known in the City; and was it to be supposed that he would sell his independence for such a mess of pottage as the emoluments which might be attached to the chairmanship? It was said that he was a much occupied man. He knew it. If he had not been, he should not have a seat in that House; but he had done his best to diminish his occupations; and he appealed with confidence to that House, and to the City, in which he was well known, as to whether he ever neglected any duty which he undertook to perform. He must say that he regretted such an attack should have been made, because it must be offensive to the feelings of any right-minded man to have it supposed by any person that for £100 a year he would sacrifice those considerations to which he had alluded, or undertake any duty for which he was physically or morally incapable.

Mr. MACAULAY said, that as far as he understood the speech of the First Commissioner, the right hon. Gentleman objected to the wording of the Motion as prejudging the question of a double appointment; but that, subject to a verbal amendment of the Motion, he did not object to his conduct in the matter being referred to a Select Committee of that House. It was greatly to be regretted that the right hon. Gentleman had gone so far as he had done, not in casting imputations himself, but in disseminating in that House the result of imperfect information, filtered through him from suspicious sources, and calculated to prejudice the case of Sir Edwin Pearson. The right hon. Gentleman ought to have known that Sir Edwin Pearson had never been implicated in any of the scandals or the doubtful proceedings which had occurred in connection with the Westminster improvements. The Act of Parliament was passed in 1845; and Sir Edwin shortly afterwards became Chairman of the Commissioners, a situation which he held till 1852. During the time that Sir Edwin was Chairman of the Commission its proceedings were not impeached; they were a success. Sir Edwin Pearson had the entire confidence of every public body and of every private individual who had any interest in the affairs of the Commission, including Lord Carlisle, one of the right hon. Gentleman's predecessors in office. In 1852, however, certain propositions were made at the Board, from which Sir Edwin Pearson dissented. He thought he saw in these propositions the seeds of future misfortunes; but the majority were against him, and he left both the chair and the Commission, and from that day to the present had never had any connection with either. It was after 1852 that the scandalous proceedings which led to the issue of those bonds took place. Under those circumstances the right hon. Gentleman the First Commissioner was not warranted in expressing an opinion that there were some grounds for bringing forward a charge against Sir Edwin Pearson in connection with those transactions. On the contrary, he ought to have suspected that any opposition to Sir Edwin's appointment arose from the persons or the representatives of the persons who were interested in carrying out the proposals against which Sir Edwin had protested. After the passing of the Act of last year, the right hon. Gentleman seemed to have made inquiry in every quarter from which sound information on the subject was to be obtained, and the result was, he arrived at the conclusion that Sir Edwin Pearson was a gentleman whose appointment to the chairmanship would be a perfect unexceptional one. The right hon. Gentleman then wrote the letter of the 2nd of August, offering Sir Edwin Pearson the appointment. Sir Edwin Pearson wrote to accept the offer, and the right hon. Gentleman's letter and the answer constituted, as he maintained, an appointment to the office. He believed it was familiar to the House that a letter from a Minister of the Crown, offering an appointment to a Member of the House, and the acceptance of that appointment, rendered it necessary for the Member to vacate his seat. If the right hon. Gentleman had been hiring a clerk or a servant, such a letter, and the acceptance of the offer of employment, would have constituted a contract by which both parties would be bound. The right hon. Gentleman contended that the appointment was not perfect without the execution of some instrument beyond and besides the writing of a letter. He was perfectly at liberty to use that argument, and much good might it do his case; but it did not place his conduct in so satisfactory a light as could be wished. The right hon. Gentleman then communicated, on the 5th of August, his change of mind, and the language of that letter painfully conflicted with the tone of the right hon. Gentleman's observations with regard to Sir Edwin Pearson which the House had just heard. On the 2nd of August the right hon. Gentleman believed Sir Edwin Pearson to be capable, competent, and exempt from all taint. When the appointment was known, of course calumniators came buzzing about. On the 5th of August the right hon. Gentleman was in possession of all that was insinuated against Sir Edwin Pearson; at all events, he ought to have been in possession of all that was necessary to warrant him in retracting the offer. In that letter the right hon. Gentleman said—

> "I am distressed to find that I must not give effect to the intention I mentioned to you in my letter on Friday last. Since I wrote to you I have received an intimation that some of the parties at whose instigation the power of nomination was committed to the First Commissioner of Works attach great importance to the Chairman being a person who comes freshly to the work, without any previous acquaintance with it or any bias; and although I have never heard a whisper of complaint against you, nor do I believe that any one could offer the slightest objection to you personally, yet I do feel that if the duty of nomination was intrusted to me under the expectation that I should infuse what is called 'new blood,' and select a person who would take up the affair from its present starting-point rather than from its origin, I should not be acting rightly in giving way to my own feelings, which prompted me to desire to offer it to you."

He did the right hon. Gentleman the justice to believe that he had not been prompted by his feelings to make the offer, but that he had taken that step after full examination, and after satisfying himself of Sir Edwin Pearson's fitness. When the right hon. Gentleman wrote that letter, he had not heard one whisper against Sir Edwin Pearson personally, and therefore he had not heard that he was personally incapable, or that he was either by suspicion or otherwise connected with the doubtful proceedings of the Commission. The right hon. Gentleman disclosed on the face of the letter what was in his mind when he wrote it—namely, that he had been overcome by representations that certain persons did not want to have Sir Edwin Pearson as Chairman; and the right hon. Gentleman, instead of consulting the Act of Parliament which cast upon him the decision, was weak enough not only to act on the gossip which reached his ears, but to give it publicity. Did the right hon. Gentleman receive the information which led to the third letter after the 5th of August, or was he in possession of the information conveyed in the letter of the 23rd of August when he wrote the letter of the 5th? If he was well founded in what he wrote on the 23rd of August, and had received the information before the 5th, he ought never to have expressed himself as he did at the latter date. If, on the other hand, the right hon. Gentleman received his information after the 5th, it only showed that when he retracted his offer on the 5th he was not acting on the grounds laid down in the letter of the 23rd. So far as it was possible for an injury to be done to a private gentleman by a Minister of the Crown, such an injury had been inflicted on Sir Edwin Pearson by the act of the right hon. Gentleman, and the language of the letter he addressed to him when, under the threat of possible charges, he tried to induce him to withdraw from his position. The fact was that after 1852, when Sir Edwin Pearson ceased to have anything to do with the Commission, they issued fictitious bonds to the amount of £500,000, when they had first mortgaged their property beyond its value. He understood the right hon. Gentleman did not object to inquiry, and an inquiry by a Select Committee of that House was the only means by which the matter could be settled to the satisfaction of the right hon. Gentleman, and so as to give redress to Sir Edwin Pearson. He would therefore propose to amend the wording of the

Resolution so as to direct the Committee "to inquire into the circumstances connected with the appointment of Mr. Tite."

Mr. NEWDEGATE said, that it had happened in August last that Sir Edwin Pearson was staying at his (Mr. Newdegate's) house near Uxbridge, where the letter from the Chief Commissioner of Works, attempting to revoke the appointment he had made, reached Sir Edwin Pearson. He had had the honour of knowing Sir Edwin Pearson for many years: that Gentleman was extremely distressed at the letter, and referred the matter to him (Mr. Newdegate) as a friend. He approached the subject with every inclination to prevent anything like a disagreeable collision; he calmly considered the whole case. He had to take into account that ever since the resignation of Sir Edwin Pearson in 1852, in consequence of his strong opposition to the inception of the transactions which had afterwards disgraced the Commission, he had been the victim of false and malicious calumny. On resigning, Sir Edwin Pearson wrote to every bondholder, warning them, that if such proceedings as were then proposed to be taken were carried into effect, they would lead to disaster. This was an act of honesty and of duty, but was probably the cause of anger among those implicated in the subsequent transactions of the Commission. Since that period Sir Edwin Pearson had been the victim of calumny. He claimed for him the sympathy of the House, because he pledged himself to show that expressions had been used in that House on several occasions connected with the passing of the Act for Winding up the Affairs of the Commission, which gave currency to these unjust calumnies. On the 10th of May, 1861, Sir Edwin Pearson adressed a letter, which he (Mr. Newdegate) then held in his hand, to the right hon. Gentleman the Chief Commissioner of Works, in which he said, "I trust I am not asking anything but what is most just and reasonable, when I very respectfully request that you will take the opportunity on the third reading of the Westminster Improvements Bill to remove the erroneous impressions made upon the public with all the weight and authority of your official position." Therefore before his re-appointment to the chairmanship was ever thought of, before the present Act passed, expressions had been used by the Chief Commissioner which, in his (Mr. Newdegate's) opinion, had necessarily elicited, had rendered inevitable the appeal contained in the letter. The fact was, that the present Motion was the result of a long story. He (Mr. Newdegate) found that the circumstances of the case must have been known to the Chief Commissioner for many months, and he urged Sir Edwin Pearson to go to the Chief Commissioner and put the matter to him as between one gentleman and another, since it was evident that the attempt to cancel his re-appointment must affect Sir Edwin Pearson in a manner quite different from the mere cancelling of the appointment of a person who had not previously been connected with the improvements in Westminster. The letters which had been read were then written. He felt that this was a question between one gentleman and another, and he had used every means, direct and indirect, both by appealing to Members of the Government and to mutual friends, to induce the right hon. Gentleman to adhere to his decision in making the appointment, the revocation of which had given great strength to current calumnies. The case, then, was that of an honourable and ill-used man, who had proved himself capable of serving the public, but who had been grossly and most unjustly calumniated, and he (Mr. Newdegate) hoped that this gentleman would have an opportunity of vindicating himself before a Committee from the calumnies which had been circulated.

MR. H. BAILLIE said, that as he happened to have been the Chairman of the Committee to whom the Bill was referred, he wished to offer a few words in explanation. The Committee, having understood that the right hon. Gentleman the First Commissioner did not wish to make the appointment, took the subject into consideration; but, not desiring to assume the responsibility of the step, they requested him (Mr. Baillie) to address a letter to the Chief Commissioner of Works, and to request him as a public duty to make the appointment. He (Mr. Baillie) did not wish to enter into the question whether the Chief Commissioner was justified in appointing Sir Edwin Pearson or not; but this he could affirm, that it was the unanimous opinion of the Committee that no person connected with the former state of things ought to be appointed. No opinion of the Committee was more clearly entertained than that. He was fully convinced that the right hon. Gentleman could not have made a better appointment than the hon. Member for Bath.

VISCOUNT PALMERSTON: Sir, I think the hon. Baronet who made this Motion ought to be satisfied with having attained what I feel persuaded is his main object—that of having vindicated the character of his friend from any imputation that might have been cast upon it. But, if he be resolved to persist in the Motion, I think he might add a rider; whereas he proposed to appoint a Committee to inquire into the double appointment which he says has been made, he might also move for a Committee to inquire into the double Motion made by the hon. Baronet himself, because he has given a notable example of that change of mind which he condemns in my right hon. Friend. The hon. Baronet, upon full consideration, makes a Motion which, after he finds it inapplicable, he consents, in accordance with the suggestions from another quarter, to alter into a Motion of inquiry into the conduct of my right hon. Friend. Now, I maintain there is no double appointment. The result of the discussion has been to convince the Mover of this Resolution that there has been no double appointment. He gives up his Motion on that subject, and is content with a Committee to inquire into the conduct of my right hon. Friend. With regard to the appointment in question, nothing could be more absurd than to suppose that the letter offering the appointment constituted the appointment itself. It is childish to suppose such a thing. Does any man imagine, that if Sir Edwin Pearson were to walk into the Commission with that letter in his hand, and to say, "I am your Chairman," he would not be asked, "Where is your appointment?" And when he could not produce it, would he not be told, "Your appointment must be contained in some document from the responsible authorities. You have it not; therefore you are not our Chairman"? Therefore, I am glad that the hon. Baronet has himself acquiesced in the absurdity of his own Motion, and has seen the propriety of altering it into a Motion for a Committee of inquiry into the conduct of my right hon. Friend. My right hon. Friend, perhaps, made a mistake; but it was the first act that was the mistake, and not the second act. He might have made a mistake in offering the appointment to Sir Edwin Pearson—not that any moral imputation rested upon that Gentleman. Indeed, the hon. Member for

North Warwickshire (Mr. Newdegate) has given a very good reason why Sir Edwin Pearson should not have been appointed, because he said, that from the time that Sir Edwin Pearson ceased to be Chairman up to the present day he has been the victim of calumny with regard to the transactions relating to the Westminster improvements. Sir, I say that a man who has been the victim of such calumny is not fit for the appointment. But when my right hon. Friend found, whatever might be his own opinion, or whatever might be the integrity of Sir Edwin Pearson—and I maintain that no imputation which ought, for a moment, to be listened to has been cast upon his integrity—that all the parties whose interests were at stake were adverse to that appointment, I say he would have been wrong had he persisted in his intention; and he was perfectly right, and only discharging his duty, in making another arrangement. The hon. Baronet moves for inquiry into the conduct of my right hon. Friend for not having persisted in the appointment of Sir Edwin Pearson. Why, it has been demonstrated that Sir Edwin Pearson, by the fact of his having been Chairman when all this confusion arose, was not a fit person to be Chairman of that Commission; and we have a confirmation of that opinion from the Chairman of the Committee of the House of Commons, who has just told us that the right hon. Gentleman would have been wanting in his duty if he had made such an appointment. We have it, then, from the best authority—not a political friend, but a political opponent —who gets up with a determination to tell the truth, and who boldly tells you that my right hon. Friend would have been wanting in the performance of his public duty if he had appointed Sir Edwin Pearson to that position. Well, Sir, it often happens in this House that a Member of the Government is brought to task for appointing a wrong man to a wrong place—we often hear of a wrong man in a wrong place —but here the hon. Baronet wants to censure the conduct of my right hon. Friend for not appointing a wrong man to a place which he ought not to occupy. Why, Sir, it is, I believe, the most unheard-of ground of censure that was ever taken up in the House of Commons. My right hon. Friend, as was well admitted by the hon. Member for Inverness-shire (Mr. H. Baillie), judged rightly that he had too hastily offered the appointment to Sir Edwin Pearson, that he would not be discharging his duty if he fulfilled his original intention, and he offered the appointment to my hon. Friend the Member for Bath. And I must say that I heard with regret, and I think the hon. Baronet himself must regret, that he should have stated that that was done to purchase the support of the hon. Gentleman in this House. That was an unworthy assertion, totally devoid of any foundation whatever, and which, I think, any man, when he reflects, would feel ashamed of. I contend, therefore, that the Committee which is moved for would have nothing to inquire into except this:—Whether my right hon. Friend was right in abstaining from making a wrong appointment and determining to make a right one? That is not a ground on which this House would be justified in appointing a Committee to make inquiry. I have not the least objection to the Motion for the production of papers; and therefore, if the House disposes of this Motion as I hope and trust it will, and if the hon. Baronet makes another Motion, he will have the papers which he wishes for, and the House will then have a still better opportunity than this discussion has given of seeing the grounds upon which my right hon. Friend has, as I maintain, and as the hon. Member for Inverness-shire bears me out in saying, properly performed his duty as a responsible officer of the Crown.

MR. ADDERLEY said, he was astonished at the statement the noble Lord had made as to the point at issue. They were not there, like a body of attorneys, to determine whether the Chief Commissioner had given a legal bond or made a legal contract, but they were there to decide upon a point of honour. It would be disastrous if the noble Lord, and those who were going to support him, failed to see that that was the point at issue. The character of the hon. Member for Bath (Mr. Tite) had never been called in question. But what they wished to determine by the inquiry of a Committee was the grounds upon which the Chief Commissioner was entitled in honour to cancel the nomination which he had made. The right hon. Gentleman stated that he had cancelled it upon grounds which reflected upon the character of Sir Edwin Pearson; and Sir Edwin Pearson had a right to ask for an inquiry.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided* :—Ayes 139 ; Noes 128 : Majority 11.

THE SUEZ CANAL.—QUESTION.

MR. DARBY GRIFFITH said, that before putting the question which stood in his name upon the paper, he wished to take that opportunity of making a remark on the practice of the House, suggested by the division which had just taken place. As the matter which had been last discussed was one of a personal nature, it was quite possible that an hon. Member might from obvious motives wish not to vote upon it. Yet, if the Motion next upon the paper happened to be in the name of any such hon. Member, it was absolutely necessary that he should be present and vote in the previous division, in order to be in time to make the Motion. There was also some risk that after a crowded division the Member who, like himself, had next to put a question, or to make a Motion, might not be able to find his way to his seat through the crowd. He wished to point out these matters to the consideration of the House, as it occurred to him that some regulation might be adopted to enable a Member to absent himself from a division, and subsequently reach his place to exercise his right by putting the question of which he had given notice. He rose, however, to ask the hon. Under Secretary for Foreign Affairs some questions upon the subject of the Suez Canal, in which he thought the interests of humanity were concerned. He regretted to differ from the noble Viscount in the view which he took on the subject of the Suez Canal; but he might add that at the very time when, some time since, he (Mr. Griffith) was submitting his views to the House, a distinguished statesman, M. de Tocqueville, was making very similar representations to an eminent fellow-countryman of theirs, Mr. Senior. M. de Tocqueville was of opinion that the almost passionate opposition set up in England to the Suez Canal was productive of much mischief between the two countries. The opposition of England led the French to think that the scheme must be praticable, and some even had gone so far as to denominate it a vulnerable point in the *cuirasse Anglaise*. He (Mr. Griffith) should personally rejoice to see the communication opened, though he did not think that the canal would ever pay the shareholders in the undertaking. This country had always evinced great interest in the prevention of slavery in all parts of the world; and if the noble Lord, instead of objecting to the scheme upon grounds which were in direct opposition to a free-trade policy, had simply objected to forced labour being employed, he would have attained the end he had in view, because the work would never have been done without compulsory labour. It was said by M. Lesseps, at the meeting the other day, that he had 26,000 men employed; and it was believed that about 24,000 of them were forced labourers, while probably the remainder of voluntary labourers were employed as overseers. It was also said that it was expected that as many as 40,000 persons would soon be employed; so that it was clear that a great evil was being perpetrated by that company in an unblushing manner. That was quite contrary to the spirit of certain humane edicts of the Porte which extended to Egypt, and one of which declared that the lives, property, and honour of every subject in the Ottoman dominions should be held secure. When the Under Secretary for Foreign Affairs literally took his "bull" by the horns, and dragged it away by means of 300 or 400 forced labourers, it was thought a great reproach; but in making the canal many thousands of such persons were constantly employed. Of course, the great question was how far the Government could interfere, but it would be a great reproach to the policy of the noble Lord at the head of the Government—who in 1840 thought it worth while in reference to Egyptian matters to run us within forty-eight hours of war with a great European Power—if the Pacha was allowed to set at defiance those institutions which the noble Lord had advocated. The scheme, if practicable, should be left to be carried out in the ordinary commercial way; but he had always been of the opinion entertained by the late Mr. Stephenson, that the canal was totally impracticable, and it gained the greater part of its attractiveness to the French people from the opposition with which it met in this country. Upon the question of humanity he thought the English Government were deeply interested, for unless they used all the influence they possessed, they must be held responsible for the consequences of the policy they had thought fit to pursue. It so happened that the Pacha was to visit Europe, and would shortly be in a neighbouring country, and it was to be hoped that the opportunities he would have of considering the opinions entertained in the civilized countries through which he passed would have the effect of inducing him the more readily to abandon the system of forced labour, or, in other words, of slavery. Holding the views he had expressed, he would beg to ask the Under Secretary of State for Foreign Affairs—

> "Whether the Pacha of Egypt has lately compelled 10,000 or 20,000 labourers, or more, to work for the Suez Canal Company by forced labour, the Company paying 40 francs per month for them to the Pacha, but giving only rations to the labourers;
>
> "Whether the requirement of forced labour from the population of his Pachalic be not a direct violation of the obligations with which the Pacha has undertaken towards the Porte, according to the terms of the Firman of 1841, by which he is bound to carry out the provisions of the Hatti Sheriff of Gulhané, the Tanzimât, and all the other laws at any time existing in the Ottoman Empire;
>
> "Whether a persistence in such course might not be held to involve the forfeiture of his Pachalic by the Pacha, and the rendering invalid the permission lately obtained from the Porte to contract a loan with European capitalists;
>
> "And, if so, whether her Majesty's Government will not call upon the four Powers who were parties to the Convention of the 15th July, 1840, and of the Collective Notes to the Porte of the 30th January and 13th March, 1841, to enforce the observance of those stipulations and engagements upon the Pacha of Egypt; or will take such course as they may consider to be effective for the purpose?"

LORD HENRY SCOTT said, that having recently visited Egypt, he thought he could mention some facts that would be interesting to the House. Her Majesty's Government appeared to think that the construction of the Suez Canal would be a dangerous project for this country, both commercially and politically. He could not but think, with all deference to those who entertained opposite opinions, that if any one was to benefit by such a canal, the British traders would derive as much advantage as those of any other nation; for no country had a greater interest in a more easy and rapid communication with India. Upon the question of the practicability of the canal opinions varied, the French engineers holding one opinion, and the English engineers an opposite one; and therefore the issue must be decided by the result. But, whichever opinion was right, it was certain that many years must elapse before any portion of the canal could be open. The hon. Member for Devizes had complained, and justly, of the manner in which the work was being executed by means of forced labour, but he had been under some misapprehension of the real facts. It was true that no great work could be carried out in Oriental countries without the interference of the Government; but when it was recollected that the labourers upon the canal were regularly paid and fed, it could not be said that their labour was entirely forced. Their wages varied from 6*d.* to 1*s.* a day, and they lived much better while engaged upon that work than they had been accustomed to do. But there was one point which was deserving of the attention of the Government. The fellahs were paid in what might be called promissory notes—bits of paper payable in cash at the Treasury Offices in Cairo. The Egyptian Government being a debtor to the Canal Company, the latter, of course, availed themselves of that mode of reducing the amount of their debt. Many of these poor men had to travel 100 or 150 miles to get those notes cashed; and when they did reach Cairo, it was only those who had the benefit of some friendly influence who could get cash, while most only got renewal notes at three months, which they generally disposed of for a trifling sum to the money-changers. If Her Majesty's Government could do anything to get those poor men properly paid, they would be performing a great act of humanity. With respect to the company itself, there was no doubt that the Suez Canal Company was independent of the influences sometimes supposed to govern it, but it was hardly sufficiently known how far the Egyptian Government was complicated with it. The capital of the company was £8,000,000, and the Egyptian Government were implicated to the amount of half this sum. It seemed to him, therefore, that the real danger to be apprehended from the attempt to form the canal was not so much of a political as of a financial character. The company were to enjoy exclusive privileges, which were hardly known in this country. He had heard that by a special firman granted by the Viceroy—a firman which, as the vassal of the Porte, the Viceroy had no right to grant—the Suez Canal Company were to have in fee simple the whole of the land which they could irrigate from the alimentary canal, and over that land they were to enjoy exclusive rights of police and of internal management. When the day arrived, as it might, for winding up the affairs of the company, he feared that the Egyptian Government would be found so hampered by its connection with the company that to extricate it would prove a work of some difficulty. The question would arise, what amount of compensation the Government would be called upon to pay to the company, backed up, as the latter probably would be, by the Government of France. He hoped that the hon. Gentleman (Mr. Layard) would be able to state that there was no danger of the sacrifice in that way of Egyptian independence, the maintenance of which was of such importance to this country.

THE TREATY WITH GUATEMALA.

QUESTION.

MR. SEYMOUR FITZGERALD rose to ask Her Majesty's Government, Whether any understanding has been come to with the Government of the Republic of Guatemala with reference to the proposed road to be made from the City of Guatemala to the Atlantic coast? He was sure, seeing the responsibilities which the treaty cast upon the Government, the House would excuse him if he trespassed upon them with a few words. In 1859 a treaty was entered into between Her Majesty's Government and that of Guatemala; the object of which was to define the boundaries of the territories of the republic and of Her Majesty's dominions in that part of the world. It also contained a stipulation by which her Majesty's Government agreed to undertake the liability with the Government of Guatemala of forming a road. In the first place, he could not conceive a principle more objectionable than that this country should enter into liabilities for these kind of public improvements in another country which was quite capable of doing the work without any such assistance. The treaty, upon being brought to this country, was at once ratified by the noble Lord at the head of the Foreign Office. The noble Lord having accepted this responsibility—as he (Mr. Fitzgerald) thought somewhat hastily—it struck him that he should like to know something of the extent of the liability. He was called on to do his part under the treaty in making the road, which was 350 miles long. Major Wray, an engineer officer, was therefore sent out to investigate the matter, and he reported that the expense of making the road would be about £150,000. It appeared, also, that the Government of Guatemala was under the impression that England was to find the money for the road, and they were to find the statute labour, the result of which would be, that whilst Guatemala found the forced labour, the British Government would pay into its treasury £150,000. But it appeared that while her Majesty's Government was astonished at the magnitude of the work, and the sum it was to cost, the Government of Guatemala was also dissatisfied, because they thought that the amount (which they hoped to receive) was too small; and although it had not, he believed, been officially communicated to her Majesty's Government, the Government of Guatemala estimated the cost of the work at £300,000. Considering the present position of the finances of this country, the Chancellor of the Exchequer would probably be astonished to find a liability existing of which he knew nothing. But according to another report which had been made, the amount required to make this communication would be so large as to render it practically impossible to carry it out. Under these circumstances, he should like to know whether the Government intended to repudiate or to fulfil this bargain. Either alternative was much to be regretted. On the one hand, it was improper that obligations of this kind should be lightly incurred; and, on the other, it was a great misfortune to have to repudiate a treaty solemnly entered into. He was aware that our *chargé d'affaires* at Mexico had been despatched to Guatemala to endeavour to arrange this matter. He was probably still there with that object. His (Mr. Fitzgerald's) object in bringing this matter forward was to know whether the Government would fulfil the contract or repudiate an engagement under a solemn treaty.

CHINA—THE INSURGENTS OF KIANG-NAN.—QUESTION.

COLONEL SYKES said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the active hostilities now being carried on by British Naval and Military Forces against the insurgents in the province of Kiang-nan, notwithstanding the friendliness of the insurgents to foreigners at Ningpo, have been authorized, or are now sanctioned, by Her Majesty's Government? With respect to the conduct of the rebels at Ningpo, it is stated in the *Overland Trade Report*, dated February 28th, 1862—

"Since the capture of Ningpo the Taepings have conducted themselves there in an exemplary

> manner; so much so as to obtain the confidence of the people, who are returning in numbers. The trade of the port is reviving, and there seems a fair probability of entirely recovering itself."

With the permission of the House, he would read the following extract from the account of "The Fight with the Rebels near Ming-hong," which appeared in *The Times* of that morning:—

> "The Marines had got close up to the barricade, only waiting the Admiral's order to enter the intrenchments. At this time the enemy were observed to be retreating in great numbers from the rear, when the shells from Bradshaw's artillery were thrown rapidly among them, committing fearful havoc. Numbers also fell under the fire from the rifles of the French and English sailors, who were extended out on the left to cut them off; but the nature of the country precluded this, so they kept up an incessant fusilade on them as they ran away. Some of Colonel Ward's soldiers had got round on the other side, and were in hot pursuit. The fire from the earthworks being pretty well silenced, the British Admiral waved his cap, when the Marines under Captain Holland and Lieutenant Sturt, and the blue-jackets under Commanders Gibson, Fawkes, and Richardson, entered in front through a breach which was soon made by an extempore company of sappers and miners—blue-jackets—under Lieutenant Bosanquet, of Her Majesty's gunboat *Flamer*, who seemed to enjoy the work exceedingly. A severe contest then took place in the main street of the village, where the rebels rallied for a little, but they could not withstand the bayonet charge of the Marines and the heavy fire poured among them. Many fell, and some hand-to-hand conflicts took place. The British Admiral himself, accompanied by Mr. Alabaster, the consulate interpreter, was right in front, directing the attack in that part, while Ward and his men vigorously assailed the enemy on the left. After all was over, the village was set on fire, and the foreign troops embarked for Shanghai. Our loss is trifling, because our shot and shell reached the rebels, and their shot did not reach us."

A street in Ming-hong is choked with dead, and we burn the place. He also read an account of the naval expedition dated the 31st of March, in which a British gunboat had attacked a large flotilla of 300 boats, containing men and provisions belonging to the Taepings, and bound to the Taeping camp from the interior, when about two-thirds of the boats were destroyed. He wished to ask what was the justification for this destruction of the property of parties who asked to be our friends; and to know if the Foreign Office had received official reports of these operations, and whether they would be laid on the table before the Motion of the hon. Member for Brighton came on.

MR. LAYARD said, that he had to thank his hon. Friend the Member for Devizes (Mr. D. Griffith) for the courtesy he had shown in putting off more than once the questions he had now asked in order to give him the opportunity of obtaining the fullest information on the subject. But although he had done his best to obtain the information sought, he was afraid he could not give his hon. Friend a very satisfactory answer. With reference to the way in which the persons to whom the questions referred were employed, the matter stood thus:—By the concession granted by the Viceroy of Egypt—he spoke of the original agreement of January, 1856, with the company, at the head of which was M. Lesseps—it was stipulated that, in order to prevent the great influx of foreigners into Egypt, the persons employed to labour on the canal should never consist of more than one-fifth of Europeans, the other four-fifths being natives. The company considered that in consequence of this stipulation they had a right to call on the Viceroy to furnish them with labour, if they themselves were unable to procure it in Europe. Accordingly, in July, 1856, the Viceroy issued a decree by which he agreed to furnish labourers to the company. In that decree it was stipulated that the labourers so furnished should be duly cared for by those who employed them; that they should be housed, provisioned, and their welfare properly attended to. For some time these labourers were regularly paid by the company. It appeared, indeed, from what he had heard, that the payments were even made in advance; still, those who were set to work worked very unwillingly, and large numbers, having got their money, ran away. To avoid such a state of things, the company came to a resolution not to pay the labourers in advance, but at the end of their labour. That went on for some time, when it was asserted that payment on the part of the contractors had ceased altogether. That he must say, in justice to M. Lesseps, was denied by him; however, the Government had received reports that last year the contractors no longer paid the men themselves; that the payments which ought to have been made directly to them were partly made to the sheiks of the villages, and that a large amount of that labour being furnished by the Viceroy himself, as stated by the noble Lord who had given them so much information in so modest a manner, it was passed to the account of the Pasha, who, as they knew, was very largely interested in the works as a shareholder.

That statement was confidently made on the one hand, and as confidently denied on the other. But it was admitted, that the contractors had entered into agreements with Greek firms at Cairo and other places, who contracted to furnish labourers, receiving a certain allowance per head. This was a state of things which led to great misery. There was no doubt that the labourers worked against their will, that they were torn away from their villages and families, and underwent great hardships and suffering. The noble Lord had stated that many of those men had to walk 100 miles to receive their miserable pay. Now, when it was considered that they did not work more than a month of twenty-eight days ; that when discharged they received no more than 6*d*. a day, if they ever received that small sum, and that they had to walk 100 miles to get 14*s*. for their month's work, it might easily be conceived that that state of things produced great misery and discontent. But he regretted to say that many of these men came from even a greater distance than 100 miles. So high up as the First Cataract they were found by Mr. Colquhoun in boat-loads on their passage down to the Suez Canal. As these forced levies were made at all times of the year, in seed time and in the harvest time, great hardship and suffering were inflicted, not only on the men themselves, but on their wives and children. It was stated by the noble Lord that the company admitted they were employing 26,000 of these labourers ; they denied they were employing 40,000, but, in fact, if they were ever employing 26,000, 52,000 peasants would be constantly abstracted from the population, because the men were replaced monthly, and time must be allowed for the change of gangs. All he could say was, that such a state of things must bring about very great suffering and misery in the country. He would not go into the political question, but would only add, that a very small portion of the work was executed, and one quarter of the capital had been already expended. As regarded the interpretation of the treaties between this country and other Powers in respect to the employment of forced labour in Egypt, no answer he could give would throw any light on that subject.

Then, as regarded the question of the hon. Member for Horsham (Mr. S. Fitzgerald), on the subject of the Guatemala road, he had complained bitterly of the Government entering into contracts with foreign countries and incurring the expenditure of large sums of money without the consent of Parliament. The attacks of the hon. Gentleman, and of those who acted with him, reminded him of a rocket which was sent out to the Crimea to be tried against the Russians—it went off with a tremendous hiss; but when it got a certain length, it suddenly turned back and burst over our own ranks. The hon. Gentleman seemed to forget that the convention referred to was entered into and ratified by his noble Friend the Earl of Malmesbury, when the hon. Gentleman filled the post of Under Secretary. It was rather hard that he (Mr. Layard) should have to defend the noble Earl as well as those with whom he had the honour to to be associated ; but, nevertheless, he would defend them, and he was happy to say the case was better than it had been made to appear. In his statement on that subject his hon. Friend had omitted one or two rather material facts. The history of the convention with Guatemala was this : —Sir Charles Wyke was sent out from this country to negotiate a treaty with the republic of Guatemala, some important questions of boundary then remaining unsettled, and more particularly of the boundary between the Republic of Guatemala and the British possessions in Central America. Those questions were intimately connected with matters bearing upon the Clayton-Bulwer Treaty, entered into between this country and the United States. Sir Charles Wyke took out the draught of a treaty which he was instructed to negotiate with the Government of Guatemala, but considerable opposition was offered on the part of that Government to the terms he proposed for the settlement of the boundary question. In return for certain concessions, they asked for an equivalent ; that equivalent was for some time discussed, and at length the Guatemala Government demanded, as the equivalent which they desired, the construction by the British Government, at an expense to be shared between the two Governments, of a road from the city of Guatemala to Belize, connecting the Pacific with the Atlantic. It was very important to the Government of Guatemala to have a road by which to keep up their commercial intercourse with the Atlantic ; and they stated, that if that concession were made, they would accept the terms that had been offered them. Sir Charles

Wyke felt it to be so very desirable to get the boundary question settled, both as regarded our relations with the Republic of Guatemala and with the United States, that he undertook, on his own responsibility, to introduce an additional article into the treaty for the construction of the road; and the treaty containing that additional article, accompanied by his explanatory despatch, arrived in England just a few days before the Earl of Malmesbury went out of office. The Earl of Malmesbury, however, was so anxious to complete the settlement of the question—thinking, and no doubt thinking rightly, that it was of great importance that matters constantly threatening difficulties to this country should be set at rest, and that it would be a feather in the cap of his Government to have achieved that result—that he immediately sent to Sir Bulwer Lytton, then at the head of the Colonial Department, to ask him whether the treaty was one that should not be ratified; and although a grant of public money was involved, and the convention consequently required the sanction of Parliament, yet, without that sanction being obtained, Sir Bulwer Lytton returned an answer to the effect that the ratifications should be exchanged. The order for the ratification was at once given by the noble Earl, although the actual execution of the order did not take place until after he had left office. Thus the entire merit of that treaty belonged to the Earl of Malmesbury and his hon. Friend; and certainly, although the proceeding was somewhat novel and not quite justified by strict Parliamentary precedent, yet the late Government deserved credit for what they had done, because since that day very important questions, which at one time threatened to create misunderstanding between England and the United States, had never again been raised, the matter of the boundaries had been arranged, and this country was now entirely at ease in respect to her relations with that part of Central America. He should like to have been able to claim the credit of this result for the present Government, but it fairly belonged to the Government of his hon. Friend, and he would not seek to rob them of it. That, then, was the history of the Guatemala road. When Mr. Mathew was sent out a few months ago to bring the question to a final close, he received instructions to communicate with the Guatemala Government on the subject, the road not having yet been commenced. Political events since his arrival there had prevented him from doing so; but Her Majesty's Government hoped soon to hear from him on the subject, and then they would be able to give his hon. Friend information relative to the condition of his own child.

With respect to the question asked by his hon. and gallant Friend (Colonel Sykes), he did not know that there would be any objection to publishing the despatches referred to. He would not now enter into the political question, but his hon. and gallant Friend would have ample opportunity of bringing the subject of the Taepings before the House; and when a formal debate arose upon it, he should himself be prepared to take part in the discussion. He would at present merely state that what had been done at Shanghai met the entire approval of Her Majesty's Government, and that they had every reason to believe that the steps which were being taken would lead to the final settlement of that important question.

MR. SEYMOUR FITZGERALD was understood to say, in explanation, that the treaty with Guatemala was not ratified till the month of August, 1859.

THE CURRAGH OF KILDARE.

SELECT COMMITTEE MOVED FOR.

COLONEL DUNNE said, he rose to move for a Select Committee to inquire into the circumstances under which certain arrests (stated to be illegal) were made for trespass on the Curragh of Kildare, and into the powers possessed by the Civil and Military Authorities for enforcing their orders and Regulations within the Camps on that Common, while such Camps continue to exist. In 1853 a camp for the instruction of the troops was formed at the Curragh of Kildare—a plain which had long previously been used as a common, over which the inhabitants of the surrounding districts enjoyed rights of pasturage, and on which races had been held at least ever since the reign of Charles II. The proposal to establish a camp there at first awakened the jealousy of the persons who had enjoyed rights of pasturage, and who were interested in the races; but the Government entered into an engagement that no encroachment should be made upon the privileges of either of those classes. An engineer officer had been at that time sent to the Curragh, and a line was drawn on the map of it made for the purpose, which marked the boundary of the grounds to be allotted for the camp, and the ground reserved for the training and racing purposes. This arrangement had been made and signed by the late Lord Waterford on the part of the turf club, and by Captain Laffan on that of the Government. Since then, however, disputed questions of legal right had arisen in this matter. There could be no doubt that the Curragh was a common, and it had been dealt with as such in old Acts of the Irish Parliament, in which it was expressly called a common. The fact of disputed titles, it was well known to every magistrate, would oust the jurisdiction of justices of the peace in respect to trespasses upon the land, and any punishments inflicted in the exercise of such an assumed jurisdiction were consequently illegal. Punishments of that nature had, however, actually been inflicted on certain persons by a stipendiary magistrate sent to that part of the country by the Government. Not only had the stipendiary magistrate inflicted fines, but he had committed persons to gaol; and when they were brought up before the bench of county magistrates handcuffed, these magistrates had dismissed the cases for want of jurisdiction, and in every one the stipendiary magistrate was liable to an action for false imprisonment. The local magistrates referred these cases to the Government of Ireland for the opinion of the law advisers of the Crown, and after months of delay and evasion were at last informed that the arrests made by the stipendiary magistrate were illegal, and that they had no jurisdiction. This was a stretch of authority doubly objectionable when practised, not by an ordinary justice of the peace, but by a paid agent of the Central Government. Another complaint might be fairly urged by those possessing rights of pasturage against the acts of the Government. The Curragh was capable of affording pasturage for 30,000 sheep, but the number at present did not exceed 20,000, so that there was a loss to the people of feeding for 10,000. He also had to complain that soldiers were sworn in as special constables, and employed permanently in police duty. He doubted whether it was legal to swear in soldiers for such a duty; and, at all events, as the very name imported, when any disturbance induced magistrates to add to the ordinary constables, they had the power to swear in householders, to act as such for the special purpose; but they never were kept permanently on duty, as some of these soldiers were; and he should like to know by whom or by whose authority these soldiers were sworn in, and whether the Government would assert that their employment was legal. Nearly 2,000 persons, the Secretary for Ireland had asserted, had been illegally arrested for trespass, and sent to prison; but when brought before the magistrates, they had been discharged from custody. Although he (Col. Dunne) believed the number exaggerated, the real number was sufficiently monstrous. Such proceedings would not be tolerated in England. Was it right that the Government should set an example of outrageous illegality and violence to the people of Ireland? It might be said that the aggrieved persons might appeal to the law for redress; but they were too poor to do so, and the House was bound to institute an inquiry. The law officers of the Crown had admitted that arrests could not be made for trespass; and although it was proper that measures should be taken for securing the discipline and privacy of the camp, still it was essential that everything should be done in a legal manner. There could be no doubt that a series of illegalities had been committed, and he hoped the Government would grant an inquiry.

Mr. SPEAKER said, that the hon. and gallant Member could not conclude with his Motion, because the House by a division had affirmed that "the Speaker do now leave the chair" should stand part of the Question.

Sir ROBERT PEEL said, that even had the Motion been before the House, he should have been obliged to resist it. The hon. and gallant Member had entirely failed to make out a case. Four instances of illegal acts had been given, and he believed that three were the cases of prostitutes, and one the case of a thief. There was no special Act for the Curragh, as there was for Aldershot; and the hon. and gallant Gentleman, from his experience in military matters, must know that for the sake of discipline it was necessary to keep the hordes of prostitutes and thieves who pressed round the camp outside its limits. He could not see how acts done by a stipendiary magistrate could be more illegal than acts done by unpaid magistrates. The hon. and gallant Gentleman said, that whereas formerly there were 30,000 sheep, the number was reduced now to 20,000. Would he like the camp to be removed? The benefit of the camp being there, independent of the facility it afforded for military operations, must be considerable. The hon. and gallant Member had moved for Returns, and they had been given. General Larcom wrote,

> "As to Colonel Dunne's Motion on the Curragh arrests, a Committee can ascertain no more that the Returns already given."

He would therefore appeal to the hon. and gallant Member, whether any good could result from an inquiry into the variety of persons who frequented the camp.

MR. MORE O'FERRALL said, that as one of the Members for Kildare he begged to return his thanks to the hon. and gallant Gentleman for bringing the question before the House. The complaint was that the camp interfered with an ancient right of way, and that it had been stopped without any authority. In the case of Aldershot a similar complaint had been remedied. The right hon. Baronet, who was usually very ill informed about Irish matters, had given a singular instance of it that night. It was not true that the parties molested on the Curragh were, as alleged by the right hon. Baronet, thieves and prostitutes. In one case, a child nine years of age was kept some days in prison, taken before the county magistrates, and dismissed. Labourers, and, he believed, one farmer, had been arrested for using the public way, and instead of being admitted to bail to appear at the petty sessions, they were sent to gaol until the next day, when, being brought before the county magistrates, the case was dismissed. The stipendiary magistrate set himself above the county magistrates. Gentlemen in the commission, who had resided in the county for years, and enforced the law in a proper manner, would not strain the law, or commit an oppressive act. The stipendiary magistrate had exceeded his duty in sending a man to gaol for a common trespass, instead of taking his own recognisance to appear at the sessions. There was no wish to interfere with Her Majesty's troops. All that was required was that the rights of the public should not be extinguished except by Act of Parliament.

SIR THOMAS BURKE said, he regretted that the Government was unwilling to grant the Committee moved for by the hon. and gallant Gentleman. He believed that every one in the neighbourhood was agreed that the stipendiary magistrate had far exceeded his powers.

MR. COGAN said, he held that, on the showing of their own law officers, the Government had no right over the ground upon which people were charged with trespassing. He was sorry to hear a Gentleman who held such high office in the Government as the right hon. Baronet express approval of acts which were admitted to be illegal. Even if there were nuisances connected with the camp which ought to be put down, the law ought not to be overstepped for that purpose. He thought there should be a Committee of Inquiry.

SIR GEORGE LEWIS said, that the hon. and gallant Gentleman, who possessed considerable talents, had spoken for a long time upon the subject without conveying to the House any clear idea of his meaning, or the precise point of his complaint. The clear object of his Motion might, however, be gathered from what had fallen from the hon. Member for Kildare. It apppeared that there was a dispute as to a right of way over the Curragh, but that involved a point of law which could not properly be determined by a Committee of the House. If the Committee did pronounce an opinion on the subject, it would not be binding upon any parties, and would have very little effect in terminating the dispute. Another ground of complaint was, that there was a difference between the county and stipendiary magistrates; but that was a matter for the consideration of the executive Government. If any difficulty arose from the absence of special legislation with respect to the camp at the Curragh, it was for the Secretary for War to look into the question; and if it were brought before him in the proper manner, he would give it his best consideration.

MR. MONSELL said, he was not surprised to hear the right hon. Gentleman say that the speech of his hon. and gallant Friend opposite was one of which he found it difficult to catch the purport, because, if he were correctly informed, the right hon. Gentleman was not in the House while the speech was being delivered.

SIR GEORGE LEWIS said, he heard the first sentences of the speech and the conclusion; indeed, nearly the whole of what the hon. and gallant Gentleman said.

MR. MONSELL said, that if the right hon. Gentleman introduced a special law to meet the existing state of things, the magistrates and the public of Kildare would meet him half-way; but, in the mean time, he thought that the Government ought to pledge themselves distinctly that the stipendiary magistrates would be restrained from violating the law in future. It was of the utmost importance, especially in Ireland, that the law should be strictly observed; and if the principle were admitted that an officer of the Government might violate it with impunity, serious injury to the country would be the result.

NORTHAMPTON CHARITY TRUSTEES.

QUESTION.

MR. HUNT said, he rose to ask Mr. Attorney General, Whether he will state at whose instance, and upon what ground, he has struck out of the List of Persons unanimously recommended by the Town Council of Northampton to fill the vacancies in the number of Charity Trustees for that borough the names of four gentlemen professing Conservative opinions, and has substituted others in lieu of them; and whether he will undertake to restore the original names to the List to be submitted to the Lord Chancellor? He begged leave to shortly state the circumstances of the case to the House. There were two public boards in Northampton—the one connected with the Church charities and the other with the general charities, the latter being by far the most important. It was obvious that such charities ought to be administered without the slightest suspicion of party influence, and the boards had been so constituted as to prevent any such suspicion arising. Ten years ago, when the Liberal party had the predominance in the town council, they themselves assented to the principle upon which it was determined that the office of trustees should be filled up—namely, in such a way as to leave the two parties equal, there being on the Church charities board a majority of one Conservative, and on the more important general charity a majority of one Liberal. Such equality was particularly desirable in Northampton, where, as he could testify, party spirit ran so high; and in 1859, when the first re-appointment of trustees took place, the Conservatives, if they had felt desirous to depart from the original principle laid down with respect to the appointment of the trustees, would have had a most favourable opportunity of doing so, seeing that there was a Conservative Government in power at the time, and that the Conservatives had then a majority in the town council. They, however, did nothing of the kind, but left matters precisely as they were before, with a majority of one in the general charity board against them. A second appointment of new trustees had recently been rendered necessary as well by the removal of some of the most influential of the trustees of the two boards from the neighbourhood as from the death of others. A committee was therefore appointed to draw out a list of names for the appointment, and it was arranged that the Conservative vacancies should be filled by Conservatives, and Liberal vacancies by Liberals. No objection was made to the Conservative list, but there were some substitutions in the Liberal list made by themselves. When, however, the list was sent back from the Attorney General's office, it was found that the resignation of the Conservative non-residents was accepted, and their places filled up by Liberals, whereas that of the Liberal non-residents was not accepted, but their names were retained on the list, the effect of which was to give to the liberals a majority of eleven on the Church charities board, and a majority of fourteen against seven on the general board. Such a proceeding had of course led to no little indignation, particularly as it was understood that the chiefs of the two parties in the borough concurred in the recommendation of the committee of the town council. He quite acquitted both the hon. Members from any participation in such an extraordinary proceeding. There was great curiosity in the town as to what secret influence had been brought to bear on the Attorney General in this matter.

THE ATTORNEY GENERAL said, he was not in a position to follow the hon. Gentleman into the account he had given of the politics of the town, which appeared to have been unfortunately mixed up with the question. He did not admit that a law officer who had to discharge the duty of appointing new trustees to a charity ought to be dictated to by any party. It was his duty to obtain the best information in his power, and then to nominate, regardless of politics, the party appearing to be best qualified to discharge the duties of the office. The question here appeared to belong to the general charity.

MR. HUNT: To both. We say two Conservatives have been struck out of each list and two Liberals have been substituted.

THE ATTORNEY GENERAL said, he was not aware that any objection had been made to the Church list; nor was he aware, till he saw the question on the paper, that there was any objection to the general list. The trustees of the general charity were twenty-one in number, reduced by death and other circumstances to fourteen. Under those circumstances two lists were sent into himself as Attorney General to be submitted to the Court of Chancery—one a joint list prepared by the surviving trustees and the town council, and the other a list framed by the town council alone. Both these lists contained nine names, but there were only seven vacancies to fill up. He took the list submitted by the town council; and as that list was in excess by two, that number was struck off. He (the Attorney General) adopted five of the remaining names; and that left two to be supplied. The name of the Rev. Mr. Gedge, the incumbent of All Saints, whose predecessor had been one of the trustees, having been mentioned to him, he thought he was a fit person to appoint, and the other name he selected from the original joint list sent in by the town council and surviving trustees. The duty of the Attorney General was merely to submit the names to the Judge in Equity, who appointed; it being open to the town council or surviving trustees to appeal to him against any of the names submitted, and to take his opinion upon them. As to any one having been at his ear, or his having acted from any improper motives, all he would say was that, acting in a judicial capacity, he had obtained the best information that he could get, and had formed his opinion upon it.

MAJOR EDWARDS said, that it was to be regretted that the selection made by the Attorney General had destroyed that equality which had hitherto pretty generally been maintained, and his selections of Liberals only, instead of taking Liberals and Conservatives fairly, had occasioned very great dissatisfaction in Northampton.

THE CIVIL SERVICE CHARGES.

OBSERVATIONS.

MR. AYRTON said, he rose to call the attention of the House to the manner in which the Charges for the Civil Services are increased, and to ask Mr. Chancellor of the Exchequer whether it is expedient to make any change in the mode of conducting business to enable the House to exercise a more effectual supervision over the progress of measures which tend to that increase. In consequence of a communication which he had received from the right hon. Gentleman, it would not be necessary for him to trouble the House at any great length, but merely to explain the object and purport of his question. There was a growing feeling in the country, and even in that House, that the amount of the public expenditure was a question of the greatest importance, and the notice-book of the House had during the Session contained notices of an unusual number of Motions tending in the direction of retrenchment. If any proof were wanted of the growing importance of the subject, it might be found in a debate which took place not long since, and one striking feature of which was a disposition to make the House of Commons responsible for the great increase of the public expenditure of the country. It was not his object at that time to discuss the causes which had led to the increase in the civil expenditure, which had been both of long duration and of large amount. During the fifteen years which succeeded the peace the civil charges of the country were, under the persistent economy of a Conservative Government, reduced from £4,500,000 to £3,900,000. Since the passing of the Reform Bill, such had been the unceasing activity of the House of Commons in effecting charges of one kind or another, that they had increased from the last-named sum to £9,800,000, exclusive of the cost of collection, and the charges for protecting the revenue. To inquire into the measures which had occasioned that increase would be to discuss all the measures which had been passed for the last thirty years, but it was important to notice the manner in which that increase had taken place. The civil charges might be divided into three general heads; first, the increase resulting from the action of the Government; next, from great public works; and thirdly, from Bills passed through the House. No sufficient opportunity was afforded of considering the acts of the Government which led to the increase of public expenditure. It might be said there can be no increase without an estimate being first placed upon the table and a vote being taken in Committee of Supply; but he denied that the practice of voting money in supply afforded to the House of Commons a sufficient opportunity of expressing its opinion upon acts of the Government which lead to increase of public expenditure. That was illustrated in a remarkable degree by what had occurred in the present Session with regard to the expenditure on education. A sum of money was voted year after year for education, but in truth it was only giving money to pay the bill for proceedings which the Government undertook. No Resolution was put before the House on which it could express any decided opinion; the only alternative open to it was to refuse or to grant the money. Let them take another illustration. An hon. and learned Friend of his endeavoured to obtain the opinion of the House on a project relating to military expenditure, but he found himself completely baffled in his attempts to take the sense of the House on that question, and was ultimately obliged to assent to the vote demanded. In the case of great contracts leading to large expenditure, the House was never asked whether it wished to embark in those undertakings; its opinion was only asked when matters had reached the second or third stage, and when it had become impossible or exceedingly difficult to arrive at an impartial decision. Two years ago an hon. Friend of his, no longer a Member of the House, obtained the appointment of a Committee to consider whether it was possible to reduce the public expenditure. That Committee examined the First Commissioner of Works as to the mode in which the business of his department was conducted, and came to the remarkable conclusion that it was desirable to have a permanent Commissioner of Works, who should undertake all the responsible duties of the office, and a political Commissioner, who should sit in the House and enjoy all the honour and dignity connected with the office. That partnership scheme, however, was not received with much favour by the House, and he was glad to think that it had not since been carried out by the Government. The Committee in that case did not touch the source of the evil; in fact, their recommendation would rather have had the effect of withdrawing the department more completely from the cognizance and deliberate judgment of the House. Many of their subordinate recommendations on the subject of audit and account were important, but precautions in that direction only fulfilled the old maxim of locking the door when the steed had been stolen. Nobody supposed that the money was embezzled by the Ministers of the Crown; the real point for consideration was, how had the House been originally drawn into expenditure greater than they ever foresaw, and led to vote such enormous sums? That subject of inquiry was about to be illustrated that night in a remarkable manner. An idea existed in the public departments of the necessity of what was rather vulgarly called "doing the House of Commons." That process consisted in beginning large enterprises as if they were very small ones, in getting the House of Commons to commit itself to something from which it could not recede, on financial grounds or from a natural feeling of self-respect, and then year by year presenting to the House something more and something more again, until at last the House found itself involved in an undertaking of enormous magnitude, and attention was arrested and the matter became the subject of discussion or perhaps of division. Every effort of independent Members was frustrated by the stereotyped answer, "The work has been begun, and you must go on, or what has been already expended will be lost, and you will incur the censure of never knowing your own minds from Session to Session, and of having no consistent course of action." If the House of Commons wished to improve its position, and fully to undertake the responsibility now cast upon it of that expenditure of £9,800,000, it must examine the question—how was the House to have full satisfaction regarding the nature, extent, and ultimate result of any project when it was originated? The question was painfully pressed on their attention by the proceeding of the present Session. In no former Session had works of such magnitude been presented; it was difficult to say how many millions they would cost before they were accomplished. He was within the mark when he said that the works proposed to be paid for out of the public resources would involve an expenditure exceeding £5,000,000. If hon. Members were to ask themselves what steps they had taken to satisfy their own minds of the nature and extent of that expenditure, they would be compelled to answer that they had taken no sufficient steps at all. They accepted the measures which were proposed, but they did not challenge any expenditure in the first instance. The third head of increase was from Bills passed in that House. By way of illustration, he might refer to the measure for the establishment of County Courts. It was begun in the other House of Parliament, not as a Bill of expenditure, but as one to improve the administration of justice. The House of Commons was asked to consider it carefully, with the view of securing that the income from those courts should not produce large profits to be devoted to the payment of enormous salaries. Those institutions were to be sources of profit rather than of expense to the country. However, after sixteen years of experience, during which there had been various changes, what had been the result in reference to the County Courts? Why, that this measure alone had added £260,000 a year to the civil charges of the country. That was the sum which they had to pay annually to make up for the deficit between the income of the County Courts and their expenditure. He believed it was quite possible to make any County Court pay its own expenses; but the County Courts were used as a collecting machinery, and, as a consequence of these operations, they had to support persons in gaol while their wives and children were maintained at the expense of the parish. Then there was the Bill to set up industrial schools or reformatories. That had been introduced as a benevolent measure, which was to create no charge; but, in consequence of changes made in the Act as originally passed, it had created heavy expenses which the people were obliged to pay; and if justices could be got to go the lengths to which benevolent persons would wish to see that measure carried out, £100,000 a year might easily be added to the public expenditure in giving further effect to its provisions. The House was drawn into those things because they had not before them a financial statement of the probable results—because they had not a Minister of the Crown who made himself responsible for the financial effects of the Bills which Parliament was asked to sanction. A plan for accomplishing some object was laid before the House, and they directed one thing or another to be done; but the Bill containing the plan also contained a clause providing that the charges should be borne out of any sums which Parliament might hereafter think fit to vote. There was at that moment on the table a Bill framed on that basis which he believed would involve an expenditure of £1,500,000. Under the reformed Parliament they had brought up to £9,800,000 charges which under the unreformed had amounted to only £3,900,000 annually. Formerly, when a Bill was sanctioned, the tax which it created was also sanctioned—the expenditure was estimated and provided for in the first instance; but under an improved system of finance, they had separated the raising of money from its expenditure. It was not for him to say how the evil should be remedied, but he would suggest for the consideration of the House whether by shortening their proceedings on Bills they had not also limited their opportunities of examining into financial results. Formerly a Bill was read a second time in Committee; and he was not sure that second reading in Committee would not be a convenient stage for going into financial explanations. Another mode might be, that a Minister of the Crown should be charged with the duty of laying before the House an estimate of the expenditure to be incurred in reference to the measure brought forward. The question as to the best mode of altering the existing state of things was a complex one; and rather than make any proposition himself he preferred to ask the Chancellor of the Exchequer, who had paid so much attention to that and every cognate subject, whether he could suggest any means by which the House could discharge the duty of pronouncing a deliberate judgment on every act that tended to increase the public expenditure of the country.

Sir JOHN SHELLEY said, he concurred very much in what had fallen from his hon. Friend, but he wished to say in reference to the Public Works Committee, of which he was a member, that evidence was given before that Committee of Works contemplated, and almost begun, by one Commissioner, and then that the whole arrangement had been reversed, on a change of Government taking place. The Committee were, consequently, of opinion that the Public Works should be placed under some responsible Commissioner, who should not necessarily go out of office on a change of Government. The Committee, also, thought that it would be well if the Commission had a political representative in the House; and the idea was that one of the Junior Lords of the Treasury, who had very little to do, might undertake that office. Another point which was raised was in reference to the audit of the accounts. The Committee thought that there should be a *bonâ fide* audit, but that the audit conducted as at present was in reality no audit at all.

The CHANCELLOR of the EXCHEQUER said, he did not wish to commit himself to the particular opinions of the hon. and learned Member for the Tower

Hamlets, but at the same time he would confess that the hon. and learned Gentleman's speech showed that he was amply justified in calling attention to that important subject, and that Parliament would do well to consider whether some practical measures of improvement could not be adopted. The hon. and learned Gentleman had contrasted the period before the Reform Bill with the period since the Reform Bill, describing the former as a period of economy, and the latter as a period of activity and extravagance. [Mr. AYRTON: Not of extravagance.] At all events, of undue augmentation of the public expenditure. He did not think it liable to that charge, while he admitted that the Government and Parliament of the period just before the Reform Bill deserved great credit for the exertions they had made to obtain economy. But the thrift and good husbandry applied to the administrative system under the Duke of Wellington were, he thought, confirmed and extended by the Administrations which held power after the Reform Bill. New purposes of civil government had, however, come into view, which it was impossible to meet without increased expenditure, and thus the progress of economy had been arrested. If they took the period from the passing of the Reform Bill down to the Russian war, he did not believe there would be found in any portion of our history a more honest and judicious economy. During those twenty-three years the increase of civil charges was exceedingly small, although the wealth and population of the country had largely augmented, and although new views had been recognised in respect to education, civil establishments, prison discipline, and the amusement and comfort of the people, which had led to increased expense. He doubted, however, whether, since the period of the Russian war, there had been an equally good and judicious stewardship of the public revenue. The two principal modes in which public expenditure was introduced to the notice of the House were by Estimates and Bills. He was not sanguine in his belief that much remained to be done by any mere rules to be laid down relative to Estimates; and he demurred to the hon. and learned Gentleman's proposition that the great and rapid increase in the Education Vote supplied a proof that the control exercised by Parliament over the Estimates was not effectual. That increase had taken place with the entire concurrence of Parliament and in conformity with its views; and when, at the commencement of the present Session, the Vice President of the Committee of Council proposed certain changes, which in their basis and spirit were, he thought, beneficial, yet, inasmuch as they raised great doubt and scruple in the minds of persons in the country, no difficulty was found in insuring a full discussion of the subject in that House. If Parliament had been to blame, it was not for want of good rules. It was well understood that when any novel undertaking was submitted to Parliament, and when a Vote, however small, was taken, it was always accompanied by a full statement of the ultimate charge. There was not so much to be gained, therefore, by new rules as by a more vigilant spirit prevailing among private Members and the Government. The Estimates, however, were in some cases connected with Bills, because if Bills passed clandestinely through the House, it was absolutely necessary that the charges they imposed should appear on the Estimates. With respect to Bills, there were various modes in which they entailed charges on the public, by the appointment of public functionaries, with a train of clerks and subordinate officers. That was, however, one of the easiest branches of the question, because he could not see why some definite estimate of these charges should not be submitted, either when the Bills which imposed them were introduced, or upon the second reading. There were also other modes in which Bills affected the Estimates, as, for example, in the construction of public works and the adoption of various social and reformatory regulations, such as those affecting children of a certain class, &c. That description of expenditure was of a character that ought to be the subject of precise Estimates, and a careful consideration of what could be done for the improvement of the present practice was therefore desirable. The House had also to consider the modes in which legislative measures imposing new charges were brought before the House. Some of these Bills came down from the House of Lords, some were brought in by private Members, and the rest were introduced by the Government. Measures from the other House imposing new charges upon the public and those originated by private Members were under the especial guardianship of the Speaker. With the most important of the hon. Gentleman's proposals he entirely agreed. The practice which had grown up of introducing particular provisions by which Estimates were created and the faith of Parliament pledged to the payment of "monies to be provided by Parliament," amounted to an entire evasion and nullification of those excellent and honourable securities which the House had provided against itself. On the other hand, the mode of preventing the abuse, or of checking the danger, was a very serious matter. It was very difficult to do so, except by calling in the aid of the executive Government; and that certainly ought not to be done under pressure brought to bear by the Government itself, but ought to be the free and spontaneous offspring of the deliberate will and judgment of the House. Then, with respect to the charge imposed by Bills brought in by the Government, the hon. Gentleman said that a rule might be established to make some one Minister responsible. That sounded very well, and, as far as it went, it might be held in theory that at present the Finance Minister was responsible. But, after all, responsibility of that kind was very vague and indefinite, nor could it form a sufficient guarantee to the House, unless Parliament armed the department of the Finance Minister with powers which would enable it to make that responsibility efficient. He did not wish to press any opinion of his own upon the House, but his opinion, in general terms, was this—that the controlling functions of the Treasury were eminently useful, and that there was very little danger to be apprehended from any extension of those functions, but that as regarded the direct expenditure of public money by the Treasury, the Treasury had quite as much need to be controlled and watched as any other department of the Government. There was one important feature in the constitution of the executive Government of this country which was deserving of notice, and it was this—there was no department that was supreme over all the other departments. It was quite true the First Lord of the Treasury was the head of the Cabinet, and the Cabinet could give any order, which it would be the duty of the departments to obey; but it was not at all true that that order would become part of our executive or administrative system. On the contrary, it died with the Cabinet which gave it birth, and it would be for the Government which followed to revive it or not as they might think fit. There were two classes of charge with respect to which the Treasury stood in a very different kind of relation. It was in the power of the Board of Treasury to issue instructions to the Office of Works, for instance, or to the Post Office, and it was the duty of those departments to conform to the instructions. But most of the departments, and particularly those of the Secretaries of State, were not under any control of the Treasury whatever, excepting in regard to certain charges in their administrative capacity. In regard to the introduction of charges in Bills submitted to Parliament, there was nothing in our administrative system to prevent a Secretary of State from presenting any charge to the House without control on the part of the Treasury. And though the discretion of the Secretary of State might prevent the frequent recurrence of such a state of things, yet it had happened from time to time that charges of the kind he had referred to had been introduced in Bills, the department having particular objects in view, and the financial consideration being to them a secondary matter. Now, it was not in the power of Government to afford an effectual security against that practice. That security must be obtained by some rule to be laid down by the House itself, and that very point was the upshot of the speech of the hon. Gentleman. That was a matter which evidently required great consideration, and that consideration should be given by the House itself. An authority appointed by the House, assisted, of course, by the Government, ought to review the whole matter, and consider what recommendations should be given to Parliament. Her Majesty's Government, having had an opportunity of considering the subject, were of opinion that it would be very desirable—if it could be done at present, but, at all events, as soon as a sufficient number of the most experienced Members of the two Houses were free for the purpose—to go over the various points, and to take into view the various considerations which bore upon the matter. He had great hopes that the Report of such a Committee would be creditable to the House and conducive to the public advantage. It was therefore his intention, on the part of the Government, to propose to the House on a convenient opportunity that a Select Committee should be appointed for the purpose of investigating those matters to which the hon. and learned Member, with very great judgment and propriety, as well as with great ability, had directed the attention of the House.

Main Question put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

House in Committee.

Sir WILLIAM DUNBAR in the Chair.

Motion made, and Question proposed,

> "That a sum, not exceeding £150,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for constructing certain Harbours of Refuge."

MR. BAXTER said, he rose to move that the Vote be reduced by £90,000, the sum asked for Alderney. It was not his intention to trespass long on the attention of the House, as he had last year stated his reasons at considerable length for objecting to the Vote for Alderney. He had not yet met a single Gentleman who in private conversation was prepared to defend this wasteful expenditure; and he felt confident that the Gentlemen sitting on the Treasury bench would rejoice at the success of his Amendment. The real difficulty in connection with the matter was, that neither the Government nor the House of Commons had yet had the moral courage to confess their original blunder by blotting the Vote out of the Estimates. The Duke of Somerset had made a remarkable statement in his place elsewhere—namely, that there were no fewer than fourteen plans for Alderney, and that not one of those plans provided it with a good harbour after all. He (Mr. Baxter) had no means of knowing what those plans were, but from the evidence taken before the Select Committee which sat in 1860 upon the miscellaneous expenditure it appeared that there were five plans, the first of which was in 1848, and was to have cost £620,000. In 1850 a second plan was proposed, at an estimated cost of £880,000. In 1854 the parties engaged in the plot against the public purse proposed an extension which was to have cost £1,300,000. In 1857 the plotters against the public purse had enlarged their scheme to a cost of £1,850,000. And in 1859 their expanding views culminated in one grand scheme that was to have cost no less a sum than two millions sterling. Would the Committee believe that of all these plans—whether fourteen, as stated by the Duke of Somerset, or five as was stated in evidence before the Select Committee—only one plan, and that the smallest and the cheapest, was ever submitted for the consideration of the House. They had already expended £330,000 more than the original Estimate; and whatever might be the consequence, he totally objected to spending any more money upon these useless works. But until the House of Commons indicated in a very distinct manner their opinion of that gigantic folly—namely, by refusing to vote the money—they would never adopt any proper means for putting an end to this expenditure. No doubt, they would be told, that if they did not vote the money, all the expenditure which had hitherto taken place would be thrown away; but he did not suppose that any one would object to some small Supplementary Estimate for the purpose of bringing any little necessary work to a conclusion. He was informed that they were to be told that night that there were certain rocks to be blown up, certain shoals to be removed, and breakwaters to be finished; but he put it to the Committee whether that was not the old story. It was merely the hackneyed excuse by which engineers and contractors managed continually to filch money out of the pockets of the taxpayers of the country. As he had stated before, it was entirely a misnomer to call Alderney a harbour of refuge. In point of fact no vessels took refuge there, excepting one class of vessels, and that class consisted of French revenue cruisers, the officers of which laughed at the unintentional complaisance of our Government in providing them with a harbour at a cost of a million sterling to this country. Last year the Vote was carried by a majority of only fifteen, and even that result would not have been accomplished had not the late Sir James Graham brought all his influence and rhetoric to the rescue, and yet that right hon. Gentleman could use no other argument in favour of the works at Alderney than that the scheme, when first proposed, had received the approval of the late Duke of Wellington. The Committee ought, however, to bear in mind the enormous changes which had taken place in naval and military warfare since that approval was expressed. The noble Lord the Secretary to the Admiralty admitted that last year, but, feeling bound to find some shadow of excuse for the Vote, the noble Lord contended that, in the event of war, Alderney would be of considerable value as a defensive outpost, and as a station for vessels watching the coast of France; though he wished to guard himself from being considered one of those who would have advised the original construction. Now, was there any military authority in the House prepared to defend the works at Alderney as defensive works? He was informed that successive Governments had been in possession of a report from engineer officers to the effect that the best thing that could be done, in the event of a war with France, would be to blow up the works altogether; and as for making Alderney, at a great expense, an out-station for watching the coast of France, there could be no doubt that a submarine telegraphic communication would be both cheaper and more effective. All he could say was that when he asked an eminent engineering authority whether he was not right last year in moving the rejection of the Vote, he was told that he was wrong, because he ought, at least, to allow a sum of £10,000 to be voted for the purpose of buying gunpowder to blow up the works. He moved that the Vote be reduced by £90,000.

Sir JAMES ELPHINSTONE said, the outpost of Alderney, if it was required at all, was inferior in importance to many other questions in connection with the national defences. He was old enough to recollect four reconstructions of the navy; and considering the altered circumstances in which naval matters had been placed during the last few months, and with a further reconstruction of the navy staring us in the face, he could not consent to waste a single shilling in the works at Alderney. He should therefore support the Amendment.

Lord ROBERT MONTAGU said, it would be well for the Committee to know the real amount of the Vote for which they were asked. That given in the Estimates was only the apparent amount. The apparent amount of the present Vote was £150,000 only; but there was also a very large balance in hand. He found by a Return of this year (No. 195) that, according to an account brought up to the 1st of April, 1862, there was a balance in hand, in respect to Dover, Alderney, and Portland, of £134,000. This was seen to be the case if the sums certified up to March 31, 1862, were subtracted from the sums already voted. The sum £134,000, added to the £150,000 now proposed to be voted, made a total of £284,000. For Holyhead and Portpatrick harbours, the sum of £101,221 which was voted a few days ago, together with the balance in hand, amounted to £132,622, so that the sum which would be actually placed this year in the hands of Government for harbours of refuge amounted to £416,622. Now, how was the work done? By contracts, limited to a few large firms, who had a monopoly of them, not only by the possession of large capital, but from an acquaintance with that mode of procedure familiar to those who have the advantage of Government employment. Take the works at Holyhead. There a pier had to be constructed on a foundation of rock thrown into the sea. When the road from the mountain, and the first 100 yards of the pier, and a tramway on it for the purpose of carrying the stone, had already been constructed, it would naturally be expected that the contract for the second 100 yards would be less than for the first. On the contrary, it was larger. He mentioned Holyhead as an instance of this class of works, merely because he was acquainted with the place. The rest were similar. The check on the amount of work done was unsatisfactory, and even the responsibility for the works themselves was not confined to a single department. It was divided between the Admiralty and the Board of Works. When the responsibility was thus divided, it could not be effectual. He had the other evening asked the noble Viscount two questions: first, whether he intended to transfer such undertakings to the Board of Works (to which he received no answer); and secondly, whether he would act upon the other recommendation of the Committee, and appoint a permanent Commissioner. There ought to be a permanent Commissioner of Public Works, who would be more familiar with the business of the department than the Chief Commissioner could be under the present system. To this suggestion the noble Viscount had on a former evening objected, that with a permanent Commissioner there would be no one in the House whom they could attack. But he (Lord R. Montagu) had never for a moment desired there should be no one responsible for the department in the House of Commons. One of the numerous officials in the House should be responsible to the House. He would now ask the Committee to consider what were the sums that had been already voted for these works. The total amount during the fifteen years, from 1845 till 1859-60, voted for such works, was £3,718,000; the sum voted for Holyhead was £1,188,000. From

1860 to the present year inclusive, the sums voted were £680,922; making a total voted until this present year of £5,586,922. For this enormous sum did they get value received in the actual work done? Do we pay for value received? Let the House now bear in mind the enormous sums which have been voted, and then hear the evidence of Colonel Greene, the Director of Works. He—

> "thought himself placed in a very unsatisfactory position with reference to harbours of refuge; he did not see what check or control he could possibly have over the work in question, &c."
>
> Q. 1858. "Therefore there is no real check or control?—Not the most remote."

On being asked (Q. 1860) if the Estimates are usually laid before the Board of Admiralty, he says—

> "Not to my knowledge. I never see one; nor ever have, from first to last."

Then (Q. 1911), referring to a payment of £381,000 to which the Accountant General had objected, and being asked what steps had been taken with regard to it, he said —"None that I know of." So much for the system, which applies equally to all the harbours. An enormous and growing expenditure, without the slightest detailed estimate, or even professional examination of the works executed. As to Alderney itself, it was not a harbour of refuge, for their trading ships would not take the opposite side of the Channel—that side, namely, which is furthest from our shores. Nor yet is it valuable for purposes of war. Would any one risk an engagement to save Alderney as a naval harbour? Besides, Captain Denman, the commander of the Queen's yacht, stated, in his evidence, that the works would not answer the purpose for which they were planned, and that the object for which so much money had been spent would be wholly unfulfilled; that the harbour would not hold one line-of-battle ship; and that the works, as works of defence, were decidedly not worth the money expended on them. He should support the Amendment of the hon. Member for Montrose.

COLONEL BARTTELOT said, that having examined the harbour of Alderney, he thought, if it was intended for large ships, that the part of the new works extending the breakwater to the point where the sea was deeper must be finished. If that was done, there would be water enough in the harbour for large ships. The foundations were laid, and if the House determined that the works should be stopped, those foundations must be blown up, otherwise no vessel could enter in rough weather. It was within twelve miles of the French coast, and the only harbour on that side of the Channel. For military purposes they should consider whether it was not worth while to finish the works. He thought the Government should, before the Vote was taken, lay upon the table a detailed statement of plans and expenditure; and if the latter were moderate in amount, he should be disposed to grant the money.

LORD CLARENCE PAGET observed, that in the existing temper of the House it was a difficult task to defend Alderney harbour. But he wished to impress upon them the inexpediency of leaving in an unfinished state a work that would in time of war be extremely valuable for our fleets in the Channel. In 1859 the present Government, immediately after accepting office, inquired narrowly into what had been done. They found that the late Government thought so highly of Alderney, that the right hon. Gentleman the Member for Droitwich had proposed that a considerable extension of the breakwater should be made. The present Government, however, having ascertained to what extent the foundations of the breakwater had been laid, came to the determination to finish the breakwater to that extent, and to that extent only. There remained 1,000 feet of the breakwater to be completed. However prejudiced they might be against Alderney, the Committee should consider that over the unfinished foundations there was at low water only a depth of twelve feet, which was positively dangerous, and would lead to some great disaster to vessels which might attempt to make the harbour in a gale, if matters were not improved. The 1,000 feet must be completed, or the works should be blown up, and he thought few would hesitate to admit that the Government ought to complete the breakwater to the extent he had mentioned. That was all the Government proposed to do. If it should be the pleasure of Parliament that the eastern arm of the breakwater should not be proceeded with, the Government would not press the matter. He, for one, should not originally have advised the formation of the harbour; but he thought, that having begun it, they ought not to leave it in an unfinished state—that would be a disgrace to the country. Without entering into the value of the harbour in time of war, he would remark that our recent experience had rather tended to produce a strong opinion of the value of defensive forts. Guns of almost any size could now be made, and a few of those enormous guns would keep an enemy's fleet from entering the harbour. The money now asked was not required for fortifications, but simply to complete the breakwater. The noble Lord opposite had alluded to a large sum in hand for the purposes of Alderney harbour, but since the date of the return large sums had been paid away. There was also a sum of money payable to the contractors which was kept back to insure the satisfactory completion of the contracts. As to the absence of check supposed to be said by Colonel Greene to exist, he could only say that every waggon of stone thrown into the sea was weighed and checked; and, moreover, the engineer measured the work done periodically, so that every possible precaution was taken to protect the public interests. Bearing in mind that the sudden stoppage would entail great expense for compensations to contractors and others, to say nothing of the waste of the money already expended, and considering the limited extent to which the Government proposed to continue the works at present, he earnestly entreated the Committee to grant the Vote.

Lord HENRY LENNOX (who was greeted with cheering from the Ministerial benches) said, he could understand the derisive cheers which were heard from behind the Treasury bench when any independent Member rose to show that there had been wanton expenditure. The House was too accustomed to the gentle pathos of his noble and gallant relative who had just sat down to pay much attention to his pathetic appeals. It was a question of hard common sense which was before them; and the most remarkable fact was that the matter had, on different occasions, been put forward in fourteen distinct shapes, and recommended upon almost as many grounds. Last year the Government said it was not a harbour of refuge, but a harbour necessary for military purposes; and his noble and gallant relative changed the venue, spoke of it as a harbour of refuge, and now implored them to remove that dreadful sand-bank which was going to prove a most fearful instrument of destruction to unhappy ships tempest-tossed in the Channel. His noble and gallant relative said that the harbour would be most useful in the event of a war with France, because it would be a place of shelter for our ships; but whilst England remained mistress of the sea, Alderney in a strategical point of view would be of no value whatever. The report of the Defence Committee stated that fixed forts could not stop steam-ships going past wherever there was a free passage, and enemy's iron ships could pass these fortifications, leaving cooped up there 8,000 British troops who would be most useful upon the main land. It was said that the Duke of Wellington had approved of these fortifications; but when he did so, iron-plated ships and rifled guns were not in use, and Martello towers were confidently relied on as a sufficient defence. The original estimate for the works was £600,000, but already £900,000 had been spent, and £300,000 more would be required. The right hon. Gentleman (Mr. Disraeli), carrying out a policy announced at the beginning of the Session of 1856, had recently made a speech deprecating our enormous expenditure, and breathing sentiments of peace and patriotism. That, then, would be a good opportunity for the right hon. Gentleman, if he were in earnest, to make an effort to relieve the taxpayer from some portion, at least, of the present inordinate outlay.

Mr. PEEL said, that the question before the House was not whether the construction of the harbour should be commenced. Alderney was not intended as a harbour of refuge; it was a harbour of defence—one in which, in time of war, our shipping in the Channel could be protected. The late Sir James Graham and the Duke of Wellington were both of opinion that these works would be of great service to this country in a military point of view, and he hoped that the Committee would come to a similar conclusion. The objection that the expenditure upon them was uncertain as to its amount might have had force at one time; but since 1859 the present Government had determined to what extent the harbour should be carried, and had fixed a point for the extremity of the pier, so that the estimate had never since then undergone any change. The length of the pier was a mile. The construction of the pier had been finished as far as the base was concerned, and also as regarded three-fourths of the superstructure. There only remained one quarter of the superstructure to be finished, and he contended that suddenly to abandon the undertaking, when it was so near completion, would be unwise even upon economical grounds. It was surely better to spend £200,000 in order to save nearly £1,000,000 of money, rather than abandon £1,000,000 in order to save £200,000. The harbour might not be worth the total expenditure laid out there, but it was worth the small additional sum now asked for its completion. Besides that, engagements had been incurred with contractors; and if the works were suddenly stopped, there would probably be a large amount of claims in the shape of compensation.

MR. BENTINCK said, he wished to say a few words as to what had fallen from the occupants of the Treasury benches. He denied that the Motion was an attack on the present Government, for it was equally an attack on former Governments. It was now admitted that the harbour of Alderney was not a harbour of refuge, but it was said that it was a harbour of observation; they had not, however, learnt what could be observed from it. He ventured to say nothing—certainly not Cherbourg. It was also represented as a harbour of shelter; that it was not, for no man in his senses would run into it. It seemed to him, that grave as would be the cost of the work, it was a much more serious consideration that it would lead to the establishment of a fortification which would require 5,000 men to garrison it; and he should like to know how, in the event of a war with France, that number of men could be spared?

MR. HENRY SEYMOUR was understood to defend the Vote, and to declare that the harbour was useful as a harbour of observation, more especially with regard to Cherbourg.

SIR STAFFORD NORTHCOTE said, he wished to be informed if the £90,000 was for the purpose of completing the work, or whether any further Votes would be asked.

SIR MORTON PETO said, he thought the whole sum spent at Alderney was wasteful and useless. It was therefore time they should stop, more especially after the statement made by the noble Lord the Secretary to the Admiralty, that he would not have been a party to proposing the original Vote for the commencement of the works. If England remained mistress of the Channel, it would be of no additional advantage to her to have a fortress at Alderney; if not, the works would be in the possession of an enemy in twenty-four hours. With an ultimate expenditure of £2,000,000 staring them in the face, the House of Commons should now come forward and say, "Thus far shalt thou go and no further."

VISCOUNT PALMERSTON: Sir, I do entreat the House to consider this question with calmness, and not only with regard to the nature of the question but the condition in which we now stand. I can quite understand a difference of opinion as to the desirability of the construction of any works at all at Alderney. For my part, I think the fortifications there and the harbour were a wise expenditure of public money. Other persons may entirely differ from that opinion. I do not mean to put my opinion as more entitled to consideration than that of my hon. Friend who made the Motion. But, on the other hand, we have the recorded opinion of the Duke of Wellington—a pretty good judge, it must be admitted, of military considerations. My hon. Friend who made this Motion says, "We are now living in the year of grace 1862; the Duke of Wellington expressed that opinion many years ago, and things have altered since then." Well, the instruments of war vary from time to time, but the great principles on which war is carried on are pretty much the same in all periods of history. And I believe that the grounds on which the Duke of Wellington thought it advisable, in case of war, that we should have as tation on the one side of the Channel, like Alderney, to communicate with and support a station on the other, like Portland, hold just as good now as at the time when the Duke propounded them, and that the execution of that recommendation is as important now as it was then. But not only have we the deliberate and well-considered opinion of the Duke of Wellington on the subject; we have also the continued stream of action of Government after Government. The present Government are not now proposing for the first time to incur a great expense on a plan which they have originated; they are only carrying on works which were begun years ago, and have been prosecuted by preceding Governments composed of Members on both sides of the House, acting on their own responsibility, after a full consideration of its value and utility, and determined to go on more or less extensively with the undertaking now under discussion. It is said it has been admitted that this is not a harbour of refuge. Well, primarily, it is not a harbour of refuge, but a harbour of military defence combined with Portland, and intended to give us a position in the Channel of the utmost importance in time of war. But no doubt it would to a certain extent, be a harbour of refuge—not, indeed, if left in its present condition, but if completed so as to make it a safe haven for ships entering it. As my noble Friend (Lord C. Paget) has already stated, it is not the intention of the Government to carry this work beyond the point for which the foundations are now laid. Then the proposal of my hon. Friend would but leave the work in its present unfinished state, so that those foundations would remain a source of danger for a quarter of a mile under water. I can quite understand that in the case of a structure on land anybody may say, "Here you have erected a work which is either a deformity in point of taste or useless in point of application, and we think it better to leave it incomplete than to finish it." In taking such a course you would only be doing that which might possibly expose you to observation and criticism. But in dealing in that manner with a work under water you are doing infinite mischief, and perpetuating a source of danger instead of completing what might prove a source of safety to all who frequented it. The question, therefore, which the House has now to determine, is this:—Here is a work which, whether hon. Members may or may not think it expedient that it should ever have been begun, has been deliberately commenced, has been prosecuted by successive Governments, has been sanctioned by the highest military authorities, and executed to a certain extent. It is now left in a condition in which the part that is unfinished would not only be useless, but be an absolute source of danger; you are asked to provide a moderate sum to complete it to the limited extent which I have pointed out; and I really think the good sense of the House of Commons, whatever may be the opinion entertained by hon. Gentlemen on questions of economy in expenditure or of military and naval skill and science, will lead it, on calm consideration, not to refuse the Vote now required for a purpose connected with the defence of the country in the event of war.

Mr. BAXTER in reply said, the speech just delivered by the noble Lord was much the same as they had for years past listened to from every Minister who had spoken on the subject. The original estimate for the work was £620,000, whereas £950,000 had already been spent, and he had come to the conclusion that the Government themselves did not know what they are about in the matter. He trusted that the Committee would, on that occasion, have the moral courage to disregard the hackneyed excuse which had been repeated that night for a useless expenditure, which in the end would probably not fall short of £2,000,000.

Lord CLARENCE PAGET said, the hon. Member must have been alluding to the plan of the late Government for enlarging the harbour of Alderney. The notions of the present Government were much more modest.

Mr. LAIRD said, the Committee did not really know what they were about to vote the money for; but, with the information he possessed, he was certainly inclined to support the hon. Member for Montrose. A plan of the harbour ought to be laid upon the table, showing how far the Government intended to go, and what would be its true cost.

Viscount PALMERSTON said, that such a plan had been laid before Parliament over and over again.

Mr. MONSELL said, the House had had four different plans presented to it, each of them accompanied by a different estimate of the expense. The real question before them was this—Was there any Minister in his senses who, in the event of a war with France, would take the responsibility of leaving 5,000 or 6,000 men in Alderney, with the certainty that any fleet there could be destroyed by the enemy, if he had the command of the Channel?

Motion made, and Question put,

"That the Item of £90,000, for the Harbour of Alderney, be omitted from the proposed Vote."

The Committee *divided*:—Ayes 130; Noes 138: Majority 8.

Original Question put, and *agreed to.*

House *resumed.*

Resolution to be reported on *Monday* next; Committee to sit again on *Monday* next.

House adjourned at half after
Twelve o'clock, till
Monday next.

HOUSE OF LORDS,

Monday, May 19, 1862.

MINUTES.]—PUBLIC BILL.—3ª Register of Voters.

DIVISIONS OF THE HOUSE.

MOTION FOR SELECT COMMITTEE.

THE MARQUESS OF BATH, in rising to move the appointment of a Select Committee to take into consideration the present mode of taking divisions in their Lordships' House, observed, that he felt rather embarrassed by the notice which his noble Friend the Chairman of Committees (Lord Redesdale) had given of a Resolution on the subject. Some noble Lords might be of opinion that the subject would be better dealt with by a Resolution; he thought, however, that the preferable course would be to appoint a Committee upstairs to consider the question. In order to show the importance of caution and deliberation, he might refer to what had taken place the other evening, when a Member of the House (the Bishop of Winchester) having gone into the wrong lobby with the "Contents," instead of, as he had intended, with the "Not-Contents," it was resolved to follow the practice of the House of Commons, and to ask the right rev. Prelate whether he had heard the Question put, how he had voted, and how he intended to vote, and thereupon his vote was recorded with the Not-Contents; and the noble and learned Lord on the Woolsack, in apologizing to a noble Duke (the Duke of Buccleuch) for the question he had put, said that he had acted in the same way as the Speaker of the House of Commons was accustomed to act under similar circumstances. He had found, however, on reference to the Journals of the House of Commons, that in April, 1856, an analogous case had occurred, when it was ruled that a Member having gone into the wrong lobby his vote was recorded there, although he stated in reply to questions put by the Speaker that he had intended to vote on the other side. The Resolution, then, on which they acted the other evening was precisely the reverse of that followed by the House of Commons. There were other points which it might be useful to investigate in a Select Committee, such as the mode of putting the question—whether, as in the Commons, it might not be advisable to allow two minutes to elapse after the bar was ordered to be cleared, and before the Question was finally put; and whether, when the Question was put, those Peers who had been in the lobbies, and not technically "within the House," were entitled to vote. He thought the adoption of that rule would conduce very much to the order and regularity of their proceedings. If a Select Committee were likely to be productive of expense to the country, or to make too great a demand upon the time of its Members, there would be many objections to it; but he was convinced that it would be able, in the course of two or three days, to investigate the subject, and make a satisfactory Report to the House. He would move—

> "That a Select Committee be appointed to take into consideration the Resolution of the House regulating the Mode of taking Divisions, and to report whether any Improvement can be effected in the same."

EARL GRANVILLE said, he did not think the noble Marquess had made out a case which called for the appointment of a Select Committee, as the Resolution on the paper which was to be presently proposed by the noble Lord the Chairman of Committees would remedy the inconvenience which might arise from the recurrence of a recent irregularity. He did not think the House of Lords called on to adopt the practice of the Commons with regard to the time given between calling for a division and taking it, and ringing a bell in the interim. In the House of Commons it was necessary to give notice of coming divisions to those Members who might be sitting on Committees in distant parts of the building; but the reason which made such a practice necessary with regard to the Commons did not exist in their Lordships' House. If the Resolution of Lord Redesdale did not answer its purpose, a Committee might afterwards be appointed.

Motion (by leave of the House) *withdrawn.*

DIVISIONS OF THE HOUSE.

RESOLUTION.

On the Motion of Lord REDESDALE, it was *resolved*—

> "That if any Lord shall have by Mistake gone out with the Contents or Not-Contents (as the Case may be) having intended to vote on the other Side, he shall wait until the other Lords in the same Lobby shall have passed out, and on presenting himself to the Tellers desire that he may not be counted by them, he having entered that Lobby by Mistake; and the Tellers shall there-

upon come with such Lord to the Table and inform the House of the Circumstance, and the Lord on the Woolsack or in the Chair (as the Case may be) shall ask the said Lord whether he was in the House when the Question was put, and, if he shall reply in the Affirmative, whether he desires to vote Content or Not Content on such Question; and the Vote of the said Lord as then declared by him shall be taken by the Tellers in the House, and recorded by them accordingly."

House adjourned at a quarter before
Six o'clock, till To-morrow,
half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, May 19, 1862.

Minutes.]—New Writ Issued.—For Kidderminster, *v.* Alfred Rhodes Bristow, esq., Chiltern Hundreds.

Public Bills—1° Unlawful Oaths (Ireland) Act Continuance.

2° Local Government Supplemental.

3° Customs and Inland Revenue; Peace Preservation (Ireland); Retiring Pay, &c. (British Forces, India).

CHURCH RATES.—QUESTION.

Sir JOHN TRELAWNY said, he would beg to ask the hon. Member for North Wilts, Whether he proposes to take any steps in this House in pursuance of the Motion recently carried with reference to Church Rates?

Mr. SOTHERON ESTCOURT: My answer, Sir, on this subject must be looked upon as the answer of an individual Member; but I consider that I have entered into an engagement with the House of Commons, individually, for the Resolution which was adopted at my suggestion last Wednesday, and I shall do my best to induce the House to affirm some principle upon which legislation may hereafter proceed. Accordingly, on Friday next, I will give a notice on the subject, unless I hear from the Government meanwhile that they are disposed to take up the matter, which I think they should do.

CUSTOMS AND INLAND REVENUE BILL.

[BILL NO. 109.] THIRD READING.

Order for Third Reading read.

Mr. DISRAELI: Sir, the mode in which taxes are now submitted for our consideration, although it may successfully assert the privileges of this House as regards the interference of the House of Lords, has also the effect of curtailing those privileges, and that must be my excuse for again calling the serious and earnest attention of the House to the state of our finances. This is a subject which requires some discussion before it is thoroughly understood by many hon. Members, who with regard to it have only that general acquaintance which under ordinary circumstances is quite sufficient, but who may not be always prepared to give that close attention which is required by the present state of the public finances unless discussion is sometimes repeated here. It is for this reason, that having made a few observations to the House upon the second reading of this Bill, I now wish again to call attention to the subject. The state of our finances is one which cannot engage the consideration of this House at a more fitting moment than when a Bill is submitted imposing an immense amount of taxation upon the country, and imposing it only for a year. There is also, I frankly admit, another reason why I wish to trespass upon the House for a short time this evening, because I know that some of my friends—for whom I entertain the most sincere respect—are of opinion, that with the expenditure of this country are necessarily associated the security of our shores and the maintenance of our empire. Now, I think that those objects are far above all financial considerations, and should be secured at all costs and at all hazards. But those who—perhaps through not having given all the investigation which is necessary to this subject—associate these important objects with our expenditure, should take care lest they err in so doing, and lest, in the present condition of our finances, they should sanction an expenditure which is not required for the perfect defence of our country and the complete maintenance of our empire. It is unnecessary that I should, except with extreme succinctness, remind the House of our financial position—no surplus; enormous and continuous deficits for the last two years; utter exhaustion of all extraordinary aids; and, after having experienced a relief of £2,000,000 per annum in the shape of interest paid to the public creditor, an ordinary revenue resting in a great degree upon our financial reserve, those very taxes a portion of which we are asked to pass to-night. Now, I look upon that as the most alarming feature in our financial position. Reviving trade and a good harvest may supply a deficiency, and may create a surplus; but it is difficult to see that those means can materially change a financial system in which we find our ordinary expenditure mainly depending upon sources of income which should form our financial reserve. Her Majesty's Government have told us, that this is not a wholesome state of finance. They have told us so in this House more than once. They have told us so in the country. But the most remarkable thing is, that a Government which informs the House of Commons that the state of our finances is not healthy, should take no step to bring back the salutary condition which is wanted. The only thing more surprising would be a House of Commons who, after such an announcement had been made, and after such neglect had been experienced from the Government, should think that it was not their duty to inquire into such a serious state of affairs, and should, under such circumstances, remain silent and uninterested. I wish to-night to call attention to that great branch of our public expenditure which is occasioned by our military and naval forces. The first point in such an investigation is to ascertain practically and temperately what really has been the increase of our expenditure in this respect. Generally speaking, when these subjects are brought under the consideration of the House, reference is made to the Government of the Duke of Wellington or to the Government of Sir Robert Peel; our expenditure is contrasted with that which existed under those Governments, and an abstract Resolution is moved, which, in nine cases out of ten, is defeated by an immense majority, but which is sometimes accepted by an adroit Minister, who knows that when the abstract Resolution has been accepted he will hear no more about retrenchment or reduction from the House of Commons. Who can deny that the arguments offered by a Government under such circumstances are quite irresistible? Who can deny that the circumstances of the country when the Duke of Wellington and Sir Robert Peel were in office differed from those of the present day, and that it is quite impossible to draw any practical conclusion from such a contrast? As my object in this discussion is, if possible, to lead to some practical result, I will take for a starting-point a period at which we may fairly compare the naval and military expenditure with that which is now going on—a period when the expenditure was incurred under similar conditions to those which prevail at present. The Duke of Wellington and Sir Robert Peel were Tory statesmen, and were never unmindful of the traditions of Tory policy practised by Mr. Pitt—namely, that in a time of peace economy to a nation is a source of strength. But the practice under the Duke of Wellington and Sir Robert Peel cannot really guide us, because they had to deal with a state of affairs totally different from that of which we now have experience. I therefore propose to take a period with which every one is familiar, when the conditions under which the expenditure was incurred were, I think, perfectly similar to, indeed identical with those now existing. I propose to take the year 1858 and the five ensuing years, including the Estimates of the expenditure now on the table. In the year 1858 I was myself responsible for the administration of the finances, and I am therefore familiar, I hope, with the financial details of that year. It is my object to place a fair statement before the House. I will therefore erase from the last three years all the Votes of Credit for the China War which do not apply to the preceding years. I will also deduct from the year 1862 that sum of £730,000, an equivalent for which the Chancellor of the Exchequer, under the new arrangement, expects to receive from India. But I will do more than this. The House has been reminded by the Chancellor of the Exchequer that the expense of wars like that in China is not merely to be measured by the Votes of Credit the House has granted for it. That war has had an indirect effect on the military Estimates, and in making any comparisons of the expenditure of the different years I will so frame them that I trust the House will admit they are made fairly. I will even go further. No doubt there has been a great increase in the expenditure of the army, occasioned by the measures adopted for improving the physical and elevating the mental and moral condition of the soldier. With respect to that expenditure, I think there cannot be two opinions in the House. From the highest motives, we should, on both sides of the House, sanction that expenditure; but I should support it even on the lower, but equally powerful, ground of economy. I have therefore reckoned under rious heads the increase in the Estimates that has been occasioned by these measures, and I shall at the proper period make the necessary deductions in consequence. I hope, therefore, the House will agree with me, that I have placed the case fairly before it. All I would require from it in return is, that it will give it its earnest and serious attention. Now, in stating to the House the amount of our expenditure for the army and navy in the year 1858, let me first remind it that the expense of the packet service is comprised in it. In 1860 there was a change in that respect and the packet service was then and is now voted separately. But in order to give a just account to the House, I have, in the last three years, added the amount of the packet service. The House will therefore understand that in stating the amount of the Estimates for those years the expense of the packet service is always included. Now, in the year 1858, the expenditure of the army and navy amounted to £22,297,000. I need not remind the House of the circumstances under which the Government of the Earl of Derby acceded to office at the commencement of 1858. At that time considerable irritation existed between the Governments of France and England. Steps were immediately taken which, certainly as far as France was concerned, removed the cause of that misunderstanding; and after that representations took place between the two Governments which went on for some time, the result of which was to establish between the two Governments a thoroughly good understanding; otherwise Her Majesty's Government would not have advised Her Majesty to make that visit to Cherbourg which I dare say most hon. Gentlemen can remember. We took office in the month of February, 1858, and I would allude to this to show that the disposition of the Government was not in favour of unnecessary expenditure. Early in March the Estimates were laid on the table. In those Estimates there was some—though not a considerable—reduction, amounting to £300,000 or £400,000. Shortly after that I had the honour to propose the Budget for the year. It was a peace Budget. In that year the income tax fell to *5d.* in the pound, and Her Majesty's Government were of opinion it was of great importance that the amount of the rate of the tax should not be increased. They hoped that if peace were maintained, and there was an average degree of prosperity in the country, the Chancellor of the Exchequer might in 1860 be in possession of a surplus, which, with the £2,000,000 of terminable annuities then falling in, might accomplish that wise and statesmanlike measure, the extinction of the income tax, planned by the right hon. Gentleman. But in 1859 clouds arose. Europe, which had been so tranquil, was suddenly agitated. There was in Germany an excitement, that almost equalled the ferment of the revolutionary year 1848. There was a united sentiment throughout Germany, and that sentiment was directed against any Power suspected of an intention to disturb the peace of Europe. We had Austria at the head of an immense army, supposed to be in the highest state of discipline and efficiency—an army that had not, indeed, reaped any laurels in the Crimean war, but neither had it suffered any of its exhaustion. We had France undisguisedly preparing for a contemplated struggle, whether it was to arise from aggression on her part or in her own defence. Under these circumstances Her Majesty's Government had to consider what measures it was their duty to recommend to Her Majesty. It has been said that the Government at that time was under the influence of panic. But what was the condition of England at that moment in regard to its defence? It was not so complete as I am proud to recollect it afterwards became, but it was considerable. The regular army was, of course, the main source of our defensive power; and at no time when we were in office was the army in the United Kingdom less than 100,000 men. We had in addition a well-organized militia, and we had a Channel fleet. We certainly had not that great domestic arm, which I trust will be as permanent as it is effective—I mean our Volunteers; that force was in its infancy, its organization being effectively aided by the gallant General near me (General Peel). The Volunteers were not then to be counted on as an effective means of defence. But with the regular army, at that time exceeding 100,000 men, in a perfect state of organization, with the militia and with the Channel fleet, no Ministry could have felt apprehension for the security of our shores or the safety of our homes. But what was our state generally with regard to that great arm on which the safety of our commerce, the security of our colonies, and the general maintenance of our national power depends? The navy of England was obsolete. That was not then discovered; it had engaged the attention of our predecessors, and we were endeavouring cautiously, and with a gradual expenditure, to supply what was wanting. But in this alarming state of affairs it was for us to consider whether a great effort should not be made at once. It was our opinion that it should. It was a policy which Parliament sanctioned, which public opinion ratified, and, after all that has passed, it appears to me to have been a wise and sound policy. The consequence of adapting to sailing vessels the scientific inventions of the day was, of course, very expensive. At the time it was suggested that the expense might be defrayed by a loan; but Her Majesty's Government were of opinion that that was not a legitimate mode of providing the means. I am speaking from memory, but I believe the extra expenditure under that head was about £3,500,000. After we quitted office upon another matter there was a further increase in the military expenditure of the year, by our predecessors, but of no great amount. The result was, that the expenditure for the army and navy, which for the year 1858, when we came into office, was £22,297,000, became ultimately for the year 1859, £26,308,000, being an increase in round numbers of £4,000,000. Now, I will ask the House to consider the state of Europe at the present moment. Is it the same as it was in 1859, when Her Majesty's Government proposed this increase in our military expenditure? Is there any great agitation throughout Europe? Is there any united feeling resulting in warlike determination throughout Germany? Is Prussia about to declare war? Is Austria meditating the invasion of Italy? Is France recruiting her army, calling in her reserves, and making preparations which we know forebode a conflict? On the contrary, all the circumstances which exist are diametrically different. Germany was never more tranquil and never less united. Prussia is thinking of anything else than of declaring war. Austria has retired to her stronghold, and has even ostentatiously declared that her future policy is to be defensive. France is reducing her armaments, and must reduce them, because the state of her finances renders it absolutely necessary. Well, Sir, the first question which I wish to ask the House is, how is it that when all the circumstances which occasioned the great expenditure of 1859 have disappeared, the Estimates still remain at the same amount? We have heard a great deal of late of "exceptional circumstances." We have had "exceptional expenditure" vindicated by Her Majesty's Government on the ground of being occasioned by "exceptional circumstances." I have always failed in obtaining from Her Majesty's Government any definition of what is meant by "exceptional expenditure," or "exceptional circumstances." But I think all will agree with me that the circumstances which produced the expenditure of the year 1859 were exceptional. They were circumstances which suddenly arose and suddenly disappeared, and which do not at the present moment exist. It may be a fair question whether the increased expenditure which we recommended in 1859 was a wise or an unwise policy; but that does not affect the facts before us—namely, that unquestionably that expenditure was occasioned by extraordinary and exceptional circumstances, and that those exceptional circumstances no longer existing, the expenditure does exist. I have shown that between 1858, the last starting-point, and 1859, you have an increase of your naval and military expenditure to the amount of £4,000,000. But, Sir, that is not the most remarkable or the most alarming feature in our position. The expenditure for the army and navy, which, increased by £4,000,000, was £26,308,000 in 1859, became in 1860 £29,218,000, and became in 1861 £29,443,000. But I do not wish to carry on any comparison between the increased Estimates of 1859 and those of 1860 and 1861; and I will tell the House the reason why. In the first place, there was unquestionably in those Estimates that indirect influence of the war in China to which the Chancellor of the Exchequer called our attention the other night, and justly so. There was also in 1861 the expenditure suddenly occasioned by the expedition to Canada. I am not prepared to say that these were legitimately and clearly exceptional circumstances, but, for the sake of argument, I will admit that to-night the question may come with even extreme fairness before the House. I will not, therefore, compare 1859 with 1860 and 1861. I will omit them from the calculation. I will take the year 1862, of which we have not the realized but the estimated expenditure given us within a few weeks by the Chancellor of the Exchequer. The expenditure for the army and navy in 1859 was £26,308,000; but it became in 1862 nearly £28,000,000. Now, Sir, the increase between 1858 and

1862 will be nearly £5,700,000; but from that year and 1862, the estimated expenditure of which is before us, I intend to deduct a considerable sum. I will deduct every item that has been expended on what may be called the comfort of the soldier, under the head of clothing, provision, fuel, light, civil buildings, barracks, education, &c. In 1859 the expenditure for these purposes was £3,276,000, and in 1862 the expenditure was £4,070,000, being an increase of about £793,000. I therefore intend, in addition to all other deductions, to deduct from the expenditure of the army and navy in 1862 that sum of £793,000, and then it will be found that the increase of our expenditure between 1858 and 1862 amounts to about £4,900,000. Therefore the result is that between the expenditure of the army and navy in 1858 and in 1862 there is nearly an increase of £5,000,000 after making every deduction for the indirect influence of the Chinese war, and that large and wise increase of expenditure which has been occasioned by studying the comfort of the soldier. I say that is a very grave result, and the House is bound to consider it. I certainly hoped that Her Majesty's Government would have thrown some light on this state of affairs. I hope the House now clearly apprehends what the real increase for the army and navy, after making all the omissions to which I have referred, has been in the course of five years; and, if so, I think they will be disposed to inquire what is the cause of this great increase. The Chancellor of the Exchequer will not assist us. I thought at the beginning of the Session he had an intention of that kind. He seemed pensive and disquieted. The right hon. Gentleman expressed himself now and then in ambiguous words, which gave relief to some and caused alarm to others. He unhesitatingly denounced the condition of our finances as unsound and unwholesome, both in the House and out of it. But, after all this, the Chancellor of the Exchequer returned after the holidays, threw no light whatever on the subject, but accepted his share of responsibility for the expenditure and for the policy which occasioned it, and, as far as I could understand, gave no further hope to the House that he should interfere in the matter. I must say the Chancellor of the Exchequer seems hardly to approve of any other person attempting to explain or investigate the circumstances of the case. If you maintain that there is no surplus, he says, the man who makes that remark must be influenced by a feeling of personal animosity. Only state, as I have been obliged to do, in the present position of our affairs, that we have had several years of continuous and enormous deficit, and the Chancellor of the Exchequer throws at your head a shower of second-hand sarcasms and stale *tu quoques*. But merely enlarge upon the fact that all your extraordinary aids are exhausted, and that a great reduction in the interest of the national debt still leaves you with your ordinary expenditure mainly dependent on your financial reserve, and all the Chancellor of the Exchequer tells you is, that you tried once to establish a party on the principle of Protection. Now, what I may have done has nothing to do with the present question. Indeed, the present question is of such importance that it is really beginning to be little matter what the Chancellor of the Exchequer has done. The question is, what we are to do. And as to forming parties on the principle of Protection, I certainly did not think we should hear anything more about that in this House and from such a quarter. There was once a great party formed on the principle of Protection who turned out of office the Whigs because they proposed certain moderate measures for ameliorating the tariff, and we know what was the fate of the great party who thus entered office. I should have thought that a devoted adherent and pupil of the master who, in consequence of that change, for some time ruled this country, would never have dwelt unnecessarily upon the folly of attempting to establish a party on the principle of Protection. This, however, I will say, that although the Chancellor of the Exchequer would not throw any light upon the question, the noble Lord at the head of Her Majesty's Government, with that frankness which is his characteristic, has unhesitatingly informed us what is the cause of our great expenditure. The noble Lord has told us there is no disguising the fact that France has for a long time been labouring to equal, and even to surpass, the naval power of England. Now, I agree with the noble Lord, that if France is contemplating such a result, and has been for a long time working for that end, it is a ground for armaments on the part of this country far greater even than those which we are now creating. But the noble Lord, after making this announcement, tells us in the same breath that he finds no fault with France for pursuing that policy. There I join issue with the noble Lord. If France is really attempting to rival or excel the naval power of England, I say I do entertain great objection to that policy. What does such a policy mean on the part of France, with whom we are in cordial relation? It means that France, which has, compared with England, a very small foreign trade, which has no transmarine possessions demanding the services of a great part of her fleet, is arming in a manner which must occasion great disquietude and distrust among us, and must of necessity seriously augment the burdens of the taxpayers of this country. Can we accept a Power which behaves in that manner as a friend and ally? Can we cherish cordial relations with her? I repeat, if France is acting as the noble Lord says, it is a cause of grave distrust and jealousy on the part of England—nay, more than that, it might even justify this country, pressed by increased taxation, and disquieted by these feelings, if the opportunity offered, in declaring war against France. We heard the other night something of servility to France; but what shall we say of the Minister who, believing that France is pursuing this policy, announces to the House of Commons that he sees no reason to object to it, but that, on the contrary, he has the most cordial and confidential relations with France? It is not servility which describes such conduct—it is submission. I think the question stands thus:—If France is clearly attempting to rival the naval supremacy of England, then we ought not to have an intimate alliance with France; but if, on the other hand, France is not pursuing that course, what is the necessity for our extraordinary armaments? Well, then, I ask, is France following this line of policy? That is a most important question for the House of Commons fairly to consider. In speaking of the year 1858, I referred to the communications which then took place between the Government of England and the Government of France, and which resulted, as I believe, in a mutual feeling of cordiality and friendship. At that time the policy of France with regard to her naval power was very frankly and distinctly stated. The Emperor of the French, without any impeachment on the valour of his seamen or the skill of his officers, was not satisfied with the conduct of his fleet in the Crimean war. He found that navies as then organized were in arrear of the scientific invention and skill which were developing themselves in warfare, and which have since produced such remarkable results; and he determined, to use a phrase well known in this House, to "reconstruct his navy." The Emperor formed an estimate of what he believed to be the naval power required by the country with regard to the protection of its coasts, the guardianship of its commerce, and even to those military movements which might occasionally be required. His estimate was formed both as to the amount and character of the force which he held France ought to possess, and the English Government was frankly informed of that determination. Certainly there was in it nothing, to use the language of the noble Lord, to which we could object. It seemed to me, it seemed to all of us, that the plans of the French Government were neither irrational nor extravagant, but such as the necessity of the case sanctioned. No secret was made either of the amount of force which France intended to establish, or the time which it was contemplated the work would occupy. But that communication to this country was coupled with another. The French Government said—"Although we freely acknowledge that it would be a subject of distrust, jealousy, and suspicion on the part of England, if after this communication we exceeded this force, do not suppose there will be any such feeling on our part if we find that you are greatly increasing your fleet; we do not wish to place any limit to the amount of naval power which you may possess. Looking to the position of the two countries, we conceive," said they, "that the fleet of England is to be placed in comparison with the army of France. We have an immense extent of frontier, to be counted not by hundreds but almost by thousands of miles; and we can communicate with all Europe by our armies. You have vast transmarine possessions; and as you are in an island, you must communicate with them by ships. You have an immense foreign trade, quadrupling ours, and require for its preservation a force which we have never contemplated; but as we expect no jealousy from you on account of the amount of our military force, so you will experienc none from us on account of your naval force." That was a fair and temperate statement of the question. A plausible representation, some may say; but has it been acted upon? I have investigated the subject as well as I can. We have some of the documents of the French navy, and some authentic information from other sources. As far as I can form an opinion, the French Government have not yet realized the programme which was put before the Government of England in 1858, and which justified the visit of Her Majesty to Cherbourg. The French Government have not yet completed their programme. The noble Lord takes a different view of the case; but the House will agree with me that this is a question which must be decided by facts. The noble Lord gave us the other night a comparison of the forces of England and France. He said that France had four times, and might have six times, the amount of force in her country that we have in ours. I hardly need dwell upon that. France has a frontier of at least 1,500 miles, covered with fortified places, which must be filled with troops; she has a number of great cities, which all have garrisons; she has a capital, which has a colossal garrison. She has plenty to do with her troops, and I think that, as to forces at home, we are probably as well off as France; but that is a matter of which every hon. Gentleman can form his own opinion. Let us come to the navy, because that is the real question. The noble Lord says that not only has France a great military superiority over us, but that she has more iron ships than we have, and is building more. Sir, I must protest against any reference to iron ships as a practical test of the relative naval power of England and France at this moment. The building of iron ships is much too green, too much in its infancy, to be adduced as a test of the relative naval power of the two countries. But, as the noble Lord has made that statement, I will express my impression, that if our relative naval strength is to be decided by armour-plated ships, we have more armour-plated ships and better ones than the French have, that we are building more armour-plated ships than they are, and that of the class of vessels upon which, when these inventions are developed, it is probable that naval war may mainly depend — not great ships, such as the noble Lord referred to, but gunboats and floating batteries—we have a very considerable force, and France has a very small one. But I deny that that is the proper way to test this question. I will not even remind the House that we have double the number of seamen and treble the number of ships that France has. That is not the point. It is by these details that the public mind has been misled, and the real issue has been obscured and clouded. The real question for the House and the country is this:—There is no doubt that we must retain the supremacy of the sea. There is no sacrifice that we ought to hesitate to make to secure that object. There is no doubt that of every real improvement in naval warfare, of every sound application of scientific discovery that may conduce to our strength, we must without hesitation avail ourselves. But the real question, which has never been fairly put to the country, and which has always been hidden under this critical controversy as to details, is this—Are these preparations and improvements to be made by England on the assumption that France is her friend, or on the assumption that France is her enemy? On the assumption that France is our friend, these preparations will be made gradually, considerately, with due caution, and in a spirit of temperate expenditure; and you will reap the reward of such qualities—you will obtain efficiency. But on the assumption that France is your enemy, what do you have? Panic, precipitation, extravagance, wastefulness, squandering, blundering, and—inefficiency. You get the worst article at the greatest cost; and that is and must be the inevitable result of the policy of the noble Lord—a policy as regards France, as I have shown you to-night, the most inconsistent and incoherent that can animate a man or regulate the conduct of a Minister. Here is a Minister who comes and tells you, "France is our cordial ally; there are between the Governments of the two countries the most friendly and confidential relations; but France, it cannot be denied, is aiming, not only at rivalling, but at surpassing the naval power of England. France can have only one object in establishing that mighty naval power. She has no colonies, she has comparatively little trade; yet I entirely approve her policy. I see no cause of objection (to quote the noble Lord's own language) in that policy. She is our ally; she is pursuing a policy dangerous, perhaps fatal, to this country, but she is our cordial ally, and all that I will do under the influence of these feelings is as fast as I possibly can to prepare to meet her upon the ocean." Well, if we examine facts, in my opinion this is a great bugbear. It does not appear, that France has, as far as her navy is concerned, even deviated from the policy of 1858, has ever questioned our right to have treble the naval power which she possesses, or that in the conduct of France there is anything to justify extraordinary armaments on our part. I want to know what there is in the conduct of France to justify on our own part a greater expenditure than that of 1858. That is a practical question. I have such an opinion of the noble Lord, his great experience, talents, and sense, that I cannot believe that he can be deceived upon this point. It is impossible that the noble Lord, who has had his eye upon Europe for so many years, who has had such immense experience in public affairs connected with our external relations, could be less informed upon the subject than the great majority of the Members of this House. And I am the more inclined to adopt this opinion, because I have always found the noble Lord pursuing this policy. I said the other night that all this is done under the name of exercising moral power. But I remember when it used to be done under another name. It used to be done under the pretext of keeping up our prestige. We all remember the case of the Chinese war. I do not suppose that there are now two opinions upon that subject in any assembly of Englishmen in the world, except perhaps among the members of the present Cabinet. In the Chinese war we expended more than £10,000,000, because the Government chose to defend the blunder of a presumptuous subordinate. That was nothing; that would only be a financial mistake, and would only contribute to the financial embarrassment from which we are now suffering. But the political blunder of the Chinese war was greater, because we enfeebled a Government which was already too weak, and which we are now obliged to recognise as the only machinery for governing in China. However, upon that question the noble Lord dissolved Parliament; and I remember that after that triumphant return, when he was at the very height of his power, a very extraordinary circumstance occurred, which I think will throw considerable light upon our naval and military expenses, and upon the necessity for the Bill the third reading of which is now under the consideration of the House. If there be an occasion in her modern history in which England has especially distinguished herself, I think it was by her conduct during the Crimean war. Never was a Government supported by a people more cheerfully or with a higher spirit, and never were taxes paid by a people with greater readiness. I need not remind the House how great an amount those war taxes reached. I will, at the present moment, confine myself to one illustration, that of the income tax, which is now before us. The House will recollect that during the Russian war the income tax was raised from 7*d.* to 16*d.* in the pound. The war income tax was 9*d.*, giving to the Government nine millions per annum as a war tax. In the Act by which that tax was imposed the Government asked that it should be levied for a year after the termination of hostilities, and the House, entirely sanctioned by the public voice, made that liberal donation to the Government. I say that it was an act of high spirit to vote such heavy taxes, and to agree to bear them for a year after the termination of hostilities. The Act by which the income tax was imposed was by a technical error so drawn that after the termination of hostilities nine millions of war income tax might have been levied for two years. When this became known, in the year 1857, there was considerable anxiety about it. The noble Lord decided upon levying that war tax for the two years. He said that he wanted the nine millions for the armament of the country; that those armaments were not in a proper state, and that he wanted the nine millions to strengthen them. The people of this country, who had during the war displayed so much spirit, were sadly soured; there was great discontent upon the subject during the autumn, and when Parliament met — on the very night on which Parliament met — I called the attention of the House of Commons to the general principles upon which the foreign policy of this country was conducted. I showed the House—at least, I adduced facts and arguments to show the House—that the noble Lord pursued a policy which, although it gave to this country peace, deprived it of the fruits of peace, deprived it of the enjoyment of peace, and that because in a time of peace the noble Lord would have war armaments. I illustrated that position in a variety of ways, and, as the practical consequence of those observations, I gave notice that on the earliest available day I should bring forward a

Motion calling upon this House to declare that the nine millions of income tax for the second year after the termination of hostilities should not be levied. When the day came, the noble Lord and the Government yielded; the nine millions were not levied, and the armaments of the country remained as they were. None of those nine millions was expended upon our armaments, but we did experience a very beneficial result of another kind, for in the year 1857-8 we had a great monetary crisis in this country, which pulled down some of the leading houses; but, though it occasioned the greatest distress, the revenue never fell, because the consuming power of the country was stimulated by that very remission of £9,000,000 of taxation. The noble Lord still pursues the same policy that he did in 1857, and which I have described to the House. But then the noble Lord can say, if those are your views, why did you let the Estimates pass? Well, I think that a very futile observation. When the Civil Estimates are before the House, it has the power as well as the right to investigate, to criticise, to amend, or to reduce them. The circumstances under which these Estimates are framed are as well known to Members of this House as to Her Majesty's Ministers—in some points possibly they are even better judges, and therefore they can give their opinions upon them with effect. But the Military and Naval Estimates must be voted as an act of confidence in the Government, or, if opposed, that confidence must be challenged. Now, what would have been the effect of challenging the naval and military expenditure at the meeting of Parliament? I should probably have obtained very slight support. I put out of sight the inexpediency of interfering with the Government at that particular moment. I do not wish to find refuge under any recollections of that sort. But a Motion of the nature I have adverted to ought either to fail or to succeed. If it failed, it would give a great triumph to the Government—a great triumph against those principles of reduction which the Motion would seek to establish as necessary and expedient. If it succeeded, what would have been my situation? It is not at all impossible that the vote would have been accepted by the Government as a condemnation of their policy, and they might have been so gracious as to have resigned their seats and to have recommended Her Majesty for the third time to ask a body of gentlemen to carry on the business of this House in a minority. Although I would never shrink from the responsibility of any act of my own, I do not think I am bound to seek a division of that kind unnecessarily. And the observation of the noble Lord, I repeat, is perfectly futile, that because neither the Opposition nor any Member of this House challenged the Military and Naval Estimates—that is to say, because they did not challenge the whole policy of the Government—they are thereafter, during the Session, to be debarred from giving their opinions on our financial condition, or upon the expenditure to which they object. But that is not the case, nor by any means the whole case. I admit that the naval and military expenditure of this country depends, and should depend, on political, and not financial, causes; and therefore these Estimates are framed and brought in and passed before the Chancellor of the Exchequer delivers his financial exposition. But though, in the primary instance, these Estimates depend on political reasons, and you cannot challenge them unless you think you have a chance of carrying an opposite policy, still, in a secondary sense, they must depend on your financial condition. And what was the financial state in which we found ourselves after these Estimates were passed? Although we have reason to suspect that the political causes of these Estimates were not sufficient, we have positive evidence before us that our financial condition is one which renders economy on our part—all the economy that is consistent with the great object of military and naval armaments, the defence of our country, and the maintenance of our empire—not merely a duty, but a necessity. Considering, therefore, that the noble Lord, when these Estimates were brought forward, did not take the course which he adopted in 1857, when the £9,000,000 of income tax were remitted, of bringing them forward himself and expounding his policy; and considering that they were passed almost, he will allow me to say, in silence by the Government, we find ourselves in this position, that it becomes our duty—our urgent duty—notwithstanding we may have omitted at the moment to challenge the propriety of that expenditure at the commencement of the Session, now to call the attention of the House seriously to it. In what way has attention been directed to this subject? We have not brought forward any Motion hostile to the Government. Having passed the Estimates, and being prepared, I have no doubt, to pass the Ways and Means, the Government on this occasion has a right to expect great forbearance. But it is not less the duty of the House of Commons, if they believe the expenditure is not justified, to place their views before the Government, and to appeal with confidence to the Government to reconsider its position. If the Government does not reconsider its position, it will be time enough for the House of Commons to see what is the course it should adopt. But I hope it will be a practical course. I hope these discussions—which must lead to beneficial results in time, because they are founded, I trust, on sound argument and certainly on actual facts—will be followed by practical results, and not by some abstract Resolution which, perhaps, it may be even convenient for the Government to adopt. I hope, and more than hope, that the Government, in the present position of the country, will do that which the Government has done before—reconsider its expenditure, and adapt our charge more to the state of our revenue. Before I sit down, there is only one topic on which for a moment I wish to dwell, and I do so with regret, because it is about myself. But I really do it out of respect to the House. The other night I made a statement illustrative of the relations that existed between the Governments of France and England with regard to America. I was then urging upon the House that it was inconsistent with our cordial relations with France to hear the Prime Minister and the Secretary of State for Foreign Affairs inveigh against our ally; but I said I thought, at the same time, that if there were any place where France and England had a common object, and should have a common course of policy, that place was America; notwithstanding which, I regretted to add, it had reached my ears that there was the same want of accord between the representatives of the two Governments there which we find in other places. I did not say much on the subject; it was a delicate one. I might have said a great deal more. But I said that there was a sort of constant management, an attempt to obtain rival influence, which, considering that they were accredited to the President of a republic, and were in direct communication with the Minister of a republic, seemed to me quite out of place, and more in keeping with the intrigues round the capricious tyrant of a Divan. I said that; I could have said much more. I refer to a past debate, with the permission of the House, because this is a personal matter. The noble Lord, when he replied, contradicted me on that head in terms which, allow me to say, were neither social nor Parliamentary. The noble Lord said the statement was false. Well, I did not interfere at the moment, because, to tell the exact truth, I really was so pleased to see the noble Lord at the end of a long debate disporting himself with so much vigour, that I could not bring myself to interrupt him by an interference, which, though it would not have been angry, would have been serious. But I also thought probably this House would believe that one filling, however unworthily, the position which I now occupy, would not have made a random statement on such a subject. I knew the matter would keep, and therefore, being here again, I must tell the noble Lord that I believe the statement that I made was most accurate; and although, from its particular character, it is not capable at this moment of mathematical proof, before very long, perhaps, there may be even on the table of this House, but certainly in a form scarcely less authentic, sufficient proof of that statement. And, as I am speaking in the presence of a great many gentlemen who are fortunately what are called young Members of Parliament, I may be permitted to state that this is not the first time that the noble Lord has contradicted statements that I have made, in a manner equally peremptory and equally fallacious. Some years ago there was a debate in this House of a dry and diplomatic character, the merits of which depended a great deal upon the guarantees which England had given to foreign Powers. The noble Lord was then Secretary of State, and I asked him how he would meet the guarantee which England had given to Prussia for her Saxon provinces. The noble Lord, immediately interrupting me, said there was no such guarantee in existence. Well, Sir, I mentioned the treaty which contained the guarantee; and, as treaties are no longer merely manuscripts, it was thought convenient that this one should be brought into the House of Commons. Even while it was being sought for, the noble Lord more than once contradicted me; and such is the attractive audacity of the noble Lord, that his contradiction was received with cheers. But the treaty was brought in, and the guarantee was found in it. As regarded my assertion that there was such a guarantee, the matter might not have been of much importance; but it was a matter of some moment that a noble Lord who for so many years had been the Foreign Secretary of this country should not have been aware of an important guarantee, remembering that during that long period he must continually have been called on to give his advice in respect of circumstances of which he could form no just appreciation if he were not aware of the existence of that guarantee. In more modern times—I think it was in 1857—when I had occasion to refer to and criticise some proceedings at the Conference of Paris, I spoke of a secret treaty by which France had guaranteed to Austria her Italian provinces. What did the noble Lord do then? After I sat down he addressed the House in that peculiar style with which the House is so familiar. It is not wit. No one pretends to say it is wit. A Secretary of State who sat in this House once wrote an essay on humour. I defy any person to arrange the noble Lord's style under any of the heads in that essay of Mr. Addison. But I will tell you what the noble Lord's style is. It is what in the 18th century was known as "banter," but which in the 19th is described by a monosyllabic term which has not yet found its way into our Parliamentary vocabulary. What did the noble Lord say on the occasion when he thus contradicted me? He said that in the days of my youth I had been distinguished for imagination, and had written some works under the influence of that fine quality; but that I had never before invented such a romance as this treaty. The noble Lord was scoffing, gay, and airy, and described me as sauntering along the Boulevards and catching *canards*. And, Sir, of course there were loud cheers and laughter. All I had to do on that occasion was that which I now do, in reference to what I said a few evenings ago—reiterate the statement, and tell the noble Lord that he was very ill served by some of those who acted under him if he were really ignorant of the existence of this guarantee. Well, after ten days—and the interval must have been a very uncomfortable one for the noble Lord to pass through—the noble Lord was obliged to come down to this House and make a recantation. I must say that he swallowed the leek with a grace peculiarly his own; for, with as much coolness as if he were merely moving the adjournment of the House, he informed us that he found there was such an instrument in existence, that it had been executed, and, in fact, that everything which he had previously stated on the subject was entirely erroneous. But this is the Minister so distinguished for his knowledge of foreign affairs! For the possession of which invaluable speciality Reformers resign reform, and Economists relinquish retrenchment! Rightly is the noble Lord the head of the Liberal party; for their only remaining title to that once illustrious epithet is their lavish expenditure of the public money.

VISCOUNT PALMERSTON: Sir, the first duty which, under present circumstances, I feel it incumbent on me to perform is to assure the right hon. Gentleman, that if on a former occasion I stated that the assertion which he made, not on his own authority—of course, he could know nothing about it—but upon the assertion of some one else, as of course it was—did not accord with the facts, nothing could have been further from my intention—I should be ashamed of myself if I had any such intention—than to impute to the right hon. Gentleman that he had stated anything which he did not himself believe to be perfectly true. I am surprised, in fact, he could have supposed that I meant anything of the kind, because, if my memory serves me rightly, I went on to say that the right hon. Gentleman must have been deceived by some information which he had received, and I cautioned him not to trust to the same source in future, inasmuch as that information was totally devoid of foundation. To the latter part of the right hon. Gentleman's speech I may be allowed to refer in the first instance. He stated on a former evening that Washington was the scene of intrigue between the English Minister and the French Minister. He has again stated that they are undermining each other by their intrigues, and that it is a struggle between them for influence. That assertion I denied when the right hon. Gentleman made the statement on a former evening, and I repeat the denial now. Every one who knows Lord Lyons knows that a man like him, who is a mirror of honour and frankness and straightforward dealing, would be incapable of intriguing and planning against a colleague in any country to which he is accredited.

I have not the pleasure of knowing M. Mercier personally; but I have watched his progress through the many diplomatic missions which he has fulfilled, and I believe him to be a man as incapable as Lord Lyons of doing anything which a gentleman and a colleague could not manfully avow. Therefore I must again assure the right hon. Gentleman that he has been totally misinformed, with regard to the assertion which he has made. At the same time, it is certain that there are persons who by the extreme simplicity of their character are led away—are induced to believe easily and hastily that which is told to them by individuals whom they supposed to be possessed of accurate information. Whatever the right hon. Gentleman may think of former assertions, I again assure him that he is completely mistaken as regards our Mission and the French Mission at Washington. Lord Lyons and M. Mercier, I am happy to say, are in constant and friendly communication—neither of them has done anything without communication with the other. There has been no concealment; there has been what I may call joint action. The two Ministers have worked and co-operated almost as if representing the same Government; and they have exhibited the most perfect good faith towards each other in their negotiations with the Cabinet of Washington.

The right hon. Gentleman has referred to a former assertion of his, and to a denial which he says I gave to that assertion. At this distance of time I forget what I said on the occasion in question with reference to the treaty of Vienna. I must, however, say that it was strange if I or any other gentleman forgot one of the guarantees in that treaty, because there were only two of them—one a guarantee to Prussia of her possessions in Saxony, and the other a guarantee of the integrity of the Helvetic Republic. The other statement of the right hon. Gentleman is as to a secret convention by which France had guaranteed to Austria her possessions in Italy, at, I think the right hon. Gentleman said, the special request of the British Government. The knowledge of that treaty must not have been very general, if, as the right hon. Gentleman says, it took us more than a week to find out whether it was in existence. It appears, however, that France made war with Austria, and turned her out of most of her Italian possessions; and a recollection of those circumstances is not a very complimentary one to France, according to the view of the right hon. Gentleman—that France had guaranteed to Austria territories of which she deprived Austria by war. The right hon. Gentleman takes his starting-point in 1858, and says the relations established between the Government of which he was a Member and the Government of France present a striking contrast to the insecurity and suspicion now existing in the relations between the two Governments. But does the House recollect what led to the change of Government in 1858. The Government of which I had the honour to be a Member proposed a measure eminently calculated to conciliate the good-will of the Emperor of the French and of the French nation as far as they were attached to him. I mean the Conspiracy Bill. And who was the main instrument in rejecting that Bill? Certainly the right hon. Gentleman opposite. [*Cries of* No!] Well, when I moved for leave to bring in that Bill, I was strongly supported by Gentlemen on that side of the House, and I had every reason to suppose that they would give the Bill a steady and unflinching support. But the moment that a Motion aimed at the measure was made from below the gangway on this side of the House, they seemed to think that by throwing their weight into that scale they might strike a fatal blow at the Government; so they broke their pledges, and departed from the principles which a fortnight before they had proclaimed. They had given leave to bring in the Bill with the most cordial zeal; with unmitigated hostility they resisted the second reading. No wonder that circumstance created ill feeling on the part of France towards the Government of England. Naturally the French Government said, "Why, here is a party coming into power which took a stand upon refusing that which we think a just and fair protection to our Sovereign against murderous conspiracy in England—and they have turned out a Government which proposed a measure of protection." But what did the right hon. Gentleman say afterwards? Did he not tell us that when he came into office we were within a day, if not an hour, of war? Well, then, that was the starting-point of the friendship, cordiality, and mutual confidence of which the right hon. Gentleman boasts, and that was the position in which his Government stood with respect to the Government of

France. But soon after they came in—the year after—he admits they deemed it right to increase the armaments of the country, and he instituted a comparison between the year 1859 and the present year. He admits that the excess of expenditure now, as compared with 1859, is only £1,600,000. But then, he says, there were peculiar circumstances in 1859. Well, what were those circumstances as far as they regarded this country? There was a war breaking out in Italy between France and Austria. Was it likely to involve us, through the Government of that day, in a war on the side of Austria against France? If that was at the bottom of their thoughts, then, undoubtedly, as far as England was concerned, it was an exceptional year, and the same reason for expenditure does not apply in the present state of things. We have no intention of asking the country to go to war to prevent the freedom and liberation of Italy. Well, then, Sir, where is the force of the arguments of the right hon. Gentleman with regard to our present scale of expenditure as compared with that which his Government, upon full deliberation, thought necessary at a time when England was at peace—for evidently there could be no obvious danger of war with France, unless England was the aggressor, because France was not likely to quarrel with England at a time when she was engaged in a great struggle with Austria? The difference between the expenditure of 1859 and 1862 is only £1,600,000. But are there no circumstances at present, having reference either to periods just gone by, or to the possibility of future events, which may account for this difference? Why, on a former occasion, it was stated that there was still a claim on account of the China War, that we still were incurring expenditure on account of the disturbances in New Zealand, and on account of the despatch of troops to Canada. Well, no doubt, Sir, it is quite possible to suppose that any Government, for its own sake, if not for the sake of the country, would be anxious to reduce expenditure whenever a fair opportunity arose. We have this year cut off about a million of our army and navy expenditure; and, if next year we should find that any portion of the expenditure now going on could be dispensed with, I am sure it is not taking any credit to ourselves, but only stating what any men in our situation would do, when I say we should most cheerfully avail ourselves of the circumstances to make any reduction that it was consistent with our public duty to propose. But the right hon. Gentleman says, "You ask me why, if I entertain those opinions—that your army and navy are too great, that your establishments are too large—why I did not come down and say so when the Army and Navy Estimates were before the House?" The right hon Gentleman says, "It is a futile question." I admit it is a futile question, because the answer is sufficiently obvious. In fact, the right hon. Gentleman has given the answer himself, because he said, "Questions about museums, education, the fine arts, science, and matters of that kind are things upon which every one can form an opinion;" and certainly we have had the advantage of a variety of opinions upon these subjects. Many men think themselves as competent to judge as the Government which proposes the Vote. "But the question," he says, "as to the amount of your military and naval establishments is a question involving political considerations, considerations which must be known better to the Government of the day than to Members of this House; and therefore the House reposes a sort of confidence in the Government of the day, let that Government consist of whom it may, in not objecting to the amount of force which may be proposed." Well, that is not an invariable rule, because we had this Session a Motion by my hon. Friend the Member for Brighton (Mr. White), proposing to diminish the number of the army by 10,000 men; but it did not meet with much support. Perhaps the right hon. Gentleman foreseeing the fate of that Motion did not wish to be the twelfth in that division. But the right hon. Gentleman gave a very satisfactory reason why he himself made no Motion of this kind. He says, "That Motion would have been successful or it would have failed. In either case the result would have been deplorable. If it failed, it would have given strength to the Government which I oppose; if it succeeded, by displacing the Ministry it would have produced the calamitous consequence of bringing in a Government in a minority and thus necessitating an appeal to the country. Between those two evils I have had no choice but to remain silent." I quite appreciate the motives which led him to that conclusion. Of course he would have had the joy of a better division than that of the hon. Member for Brighton ; but if I am not mistaken in my recollection of very recent events, I think he would not have carried with him many of those hon. Gentlemen who repose their confidence in him, and are supposed to follow him whenever any elasticity of opinion will enable them to do so. Now, Sir, with regard to the army, I have never heard those on that side of the House, more especially the right hon. and gallant Officer who was at the head of the military department (General Peel), say that the force is too large. On the contrary, he found fault with us from time to time last year for not making sufficient provision for the force which we proposed to maintain —in fact, he said our expenditure was not adequate to our wants. Well, that is not an objection which at all meets the view which the right hon. Gentleman has this evening propounded. I think, before he comes down to propose to us a diminution of our military establishments, he had better settle that question with his right hon. and gallant Friend ; and then, when they agree both as to the amount of force and the amount of money requisite for that force, they will be in a better position to bring their views before the House. The right hon. Gentleman said that the military force in the United Kingdom in 1859 during the administration of the late Government was only 100,000 men. Well, our force was just about that number before we sent 8,000 men to America. Having sent 8,000 men to our Canadian Provinces, it follows that we have now in the United Kingdom a smaller force than what the right hon. Gentleman and his friends thought no more than adequate for the protection of our shores and the maintenance of our empire. The right hon. Gentleman has also adverted to our naval forces, which he thinks too great. There again is a question very difficult for the right hon. Gentleman to settle with his late colleagues ; because not only did the right hon. Gentleman the Member for Droitwich (Sir J. Pakington) propose, when in office, a reconstruction of the navy—an alteration necessarily accompanied with very considerable expense—not only did he begin to turn sailing vessels into screws, and then again to substitute iron ships for wooden ships, according to his own plan, but last year, somewhere about this time, the right hon. Gentleman came down and made a great flourish about information which he had received, and which he thought it a reflection on the Government not to possess. But we did know all about it all the time. The right hon. Baronet came down with information which he had derived from Admiral Elliot, showing the extensive preparations which the French were making in the construction of iron vessels, taunting us with not keeping pace with those preparations, and urging us to accelerate our movements by increasing the number of our vessels, whatever the cost might be, and placing ourselves upon a footing of equality with France. This, I am sorry to say, we have not yet quite done. The right hon. Gentleman says that when his Government were in office they had a communication with the French Government ; that the French Government gave them a programme, to which they did not object, of the amount of their forces; and I understood him to say that the French Government have not even yet exceeded or even completed that programme. If the Government of the right hon. Gentleman were content with that programme, why are we to object to it? The right hon. Gentleman says, "Either you are friends of France or expect to be her enemies. If you are friends of France, you need not mind any amount of armament she is preparing. If you are enemies, you should not simply object, but should declare war to compel her to stop." That is going rather farther than some of those hon. Gentlemen who seem to concur with him are likely to agree to. It is, certainly, much farther than I am prepared to go. The right hon. Gentleman says, "You have said you have no objection to these armaments—you approve of them." I have never said anything of the kind. I never said we did not object to them. It is because we objected to them that we proposed to this country to increase our own. What I said was that we had no right to make an international objection to them, that we had no right to dictate to France the amount of naval force which it was necessary for her own purposes to maintain. France, the right hon. Gentleman says, has her own shores to defend, her own commerce to protect. Her interests are in every part of the world ; and France has a right to judge what amount and what kind of naval force it suits her purpose to keep up. But we have the same right ; and it does not follow, because we are on good terms with France, and hope so to continue, that we should on that account allow her, exercising her own freedom of choice, to become stronger at sea than ourselves. The right hon. Gentleman says we ought to maintain our naval supremacy at any cost, and that it is our national interest to do so. He might have said much more than he did on this point, but he said enough, and he showed that whatever kind or description of naval force France may have, we are bound, without anticipating hostility, without saying that we look upon her as intending to be our enemy—it is a matter of necessity and national interest, according to his own statement—that we should be not only equal, but superior to France in naval power. There are obvious reasons why it should be so. We have possessions all over the world, our commerce floats on every sea, and we are vulnerable in hundreds of places where we can only be protected by our naval forces. It is, therefore, obvious that, whether for domestic security, the protection of our commerce, or the safety of our possessions abroad, it is essential that we should be as strong at sea as any other Power that may be at war with us. Then are we expecting that France will be our enemy? Well, no! we do not expect France to be our enemy—provided always that we are able to defend ourselves. The Government of France is on friendly relations with England, but, at the same time, Frenchmen are but men. The Government of France consists of human beings, and it is not in human nature, if you are placed in a position in which you are likely to have collisions of interest with another Power, not to take occasion of superior strength to obtain superior advantage and to coerce the weaker Power. And therefore I say, because I wish this country to remain at peace with France, and because I wish the alliance between the two countries to be lasting, for that very reason I would not tempt France or any other Power with which we wish to be on a friendly footing, by allowing them to obtain such an evident superiority, both by land and sea, as to place this country at the mercy of the forbearance of that Power.

The right hon. Gentleman seems to deride the military superiority of France. We do not pretend to rival France in her military preparations. But what is the fact? Before these 8,000 infantry and artillery went to Canada we had in this country about the force which he says existed during the time of his Government —namely, 100,000 men. What is the military force of France? On the 1st of January last France had 446,000 men, under arms. She had, in addition, 170,000 men of reserve, liable to be called back to the ranks at a fortnight's notice. Besides that, she has upwards of 200,000 National Guards. Therefore her regular forces under arms or liable to be called on at a fortnight's notice are 616,000 men to our 100,000. The French Government have since determined that towards the end of the year 31,000 of the 446,000 shall be transferred from the active army to the reserve, making no difference in the amount available, but diminishing the expense without diminishing the eventual efficiency. I should say that, besides the 616,000 men, there are 70,000 of the conscription of the present year, who might be called out at any moment if necessary. The right hon. Gentleman says the French have fortresses and garrisons. So they have. They have the garrison of Paris, and he omitted to say, but I allow, that they have a force in Algeria—all making a certain amount of diminution in their disposable force. But, allowing for all this deduction, and then assuming, first of all, that anything arose likely to cause a serious collision between England and France, and that the events of the war should be such as to give France a superiority at sea—then tell me whether France will not be likely to land a force on our shores much greater than it would suit our army to encounter. Therefore it comes to this, that besides the limited and reasonable amount of military force which we may think proper to maintain, it is necessary for the interest and safety of the country that we should have a navy—be it of wooden ships when sailing ships were employed, be it of screws when screws were employed, or be it of iron now that iron-clad ships are most likely to be employed—it is absolutely necessary for our purposes (and I quite agree with the right hon. Baronet the Member for Droitwich) that we should be at all events equal, and, if possible, superior to the French in our naval armament, of whatever description it may be. Well, Sir, but this cannot be done without considerable expense, and each successive improvement in naval warfare brings with it additional expense. A screw line-of-battle ship was more costly than a sailing ship. The old rule was that a 100-gun line-of-battle ship cost £100,000. When we built screw line-of-battle ships, or lengthened others and fitted them with the screw, they cost £150,000. Then, as soon as you resort to iron-clad ships the expense is increased; and as the cost of each individual ship is increased, so for the time you increase the Naval Estimates. The alternative, therefore, is between a temporary increase of expenditure or leaving yourselves in a condition in which your peace and tranquillity, and all the blessings which they bring with them, depend upon the forbearance and goodwill of a great Power that may be tempted by a hundred different causes to place you in a situation in which you will have no choice but to acquiesce in submission. Well, then, I appeal to the right hon. Baronet (Sir J. Pakington) for a justification of that portion of our naval expenditure which has been necessary for the purpose of beginning the reconstruction of our navy. And what is the condition of our navy? I will talk now of iron ships. I am aware that we have a greater number of wooden line-of-battle ships than the French. But we were told not long since in this House that the days of wooden ships have gone by, and that no wooden ships would stand against such vessels as the *Merrimac* or the *Monitor*, and that war at sea henceforward must be determined by iron ships alone. It may not be amiss to mention, in passing, that the *Monitor*, in its passage from New York to the scene of action, was as near going to the bottom, by the sea breaking over her and going down her tower, as was possible without actually sinking. Then, what is our relative position? The right hon. Gentleman says the French Government gave him their programme, and that it has not been fully carried out. The number of French iron-clad ships either built or building—some of them launched and some going to sea—is thirty-five or thirty-six. [Lord Clarence Paget: Thirty-six.] The number we have either built or building is twenty-five. So that France is already ahead of us by eleven, and their programme, according to the right hon. Gentleman, is not yet fully carried out. I do not know what that programme was. If they gave a statement to the Earl of Derby's Government, which that Government acquiesced in, it is rather too late for us to make any formal representation to France; and, moreover, I do not know, when we consider France as a great Power, having great naval interests and liable to be brought into conflict with other States—I do not know that we could reasonably say to France, "You ought to stop where you are, and wait till we get ahead of you." But, we being eleven ships behind the French, I think there is no ground for stating that in regard to our naval, any more than our military establishments, we are going beyond what the true interests of the country require. I shall not trouble the House with any further statement, except to say that I think the right hon. Gentleman judged wisely in abstaining from asking the House to do that which he says would have been tantamount to a vote of want of confidence—namely, to determine for itself the necessary amount either of our military establishment or of our naval establishment. We shall be ready next year, when the circumstances of the time will be patent to all mankind, and of which, with his peculiar knowledge, the right hon. Gentleman will be well able to judge, especially if he does not trust too implicitly to those sources of information of which I have already spoken—we shall then be ready to discuss with him what may be the proper amount of our naval and military establishments; and I can assure him and the House, that if by a change of circumstances it shall appear that any considerable reduction worth offering to the House can be made in our establishments, we shall be too happy to avail ourselves of that opportunity. We can have no interest in enlarging establishments and in increasing expenditure, and imposing thereby charges and burdens on the people. Nothing makes a Government more popular than diminishing burdens. Perhaps it is a wrong thing for me to say this, because the attempt made by my right hon. Friend the Chancellor of the Exchequer last year to diminish the burdens of the country by repealing taxation did not make him very popular with some classes in this House. Nevertheless, that attempt was by the country at large fully appreciated; and, not intimidated by these reproaches, nor daunted by the reception which the reductions proposed by my right hon. Friend met with from some persons in this House, I can assure the right hon. Gentleman opposite and the House that it will be our duty, as we shall feel it also a pleasure, to avail ourselves of any change of circumstances which might enable us by reducing our establishments to diminish in any degree the burdens bearing on the people.

Mr. LINDSAY observed, that the noble Lord, when he stated that France had, built and building, thirty-six iron-clad ships, and that this country had only twenty-five, ought to have mentioned the size of the ships, for that was an important point. Taking the case of *La Gloire* and the *Warrior*, the latter was equal to two of the former; so that if the twenty-five iron-clad ships of this country were in like manner double the size of the thirty-six French (though he did not think that France had at this moment so many, built and building), England would have practically fifty ships to the thirty-six of France. He conceived that the noble Lord had not answered the statement of the right hon. Gentleman; for it was extraordinary that during the last three years the expenditure of this country had been increased, because it was said that France was adding to her military and naval armaments, and did not intend long to maintain her friendly relations with England. He had all along contended that France did really mean to remain on friendly terms with England, and of this intention she had given convincing proof in joining her armaments to those of England in the Crimea, China, and Mexico. Last year, too, when England got into trouble with the United States, the French Government again came forward in a friendly way, and the despatch of M. Thouvenel did quite as much, or more, than all the preparations made by the British Government to obtain the release of the persons seized on board the *Trent*. The right hon. Gentleman stated that he had reason to believe that this country was not on such friendly terms with France in respect to American policy as might be desired. He could confirm substantially all the right hon. Gentleman had said on that point; and the noble Lord was not justified in giving a flat denial to the statement of the right hon. Gentleman. Before long, the country would find that the right hon. Gentleman's representation was substantially correct.

Sir HENRY WILLOUGHBY said, that the difficulty which a preliminary exciting discussion, like the one just terminated, threw in the way of those who really desired to address the House on the subject of the Bill before it, was very great. The Bill itself was the most voluminous tax Bill ever submitted to the House. In his opinion, the attempt to combine together in one measure various separate matters of taxation only caused great inconvenience, and rendered it almost impossible fairly to consider the subjects of taxation. He wished to ask the Chancellor of the Exchequer whether there was any Supplemental Estimate to be brought forward, or any Vote of Credit for the expenses of the China war. If so, he should question the propriety of that proceeding, and perhaps submit a Motion on the subject. With regard to the Bill under consideration, he felt great objection to the manner in which the income tax was to be collected, but the difficulty of discussing the different points of an *omnium gatherum* measure like the present was almost insuperable. He also wished to direct the attention of the Government to the necessity of issuing some instructions directing the surveyors of the Inland Revenue Office to adopt a less vexatious system of collecting the income tax. The fact was, that if an income tax payer wanted to know the law, he ought to be an attorney, and a very sharp one too—so many Acts of Parliament had to be referred to. He wished also to call the attention of the Chancellor of the Exchequer to another point. The Commissioners of Inland Revenue were, he found, empowered to appoint collectors under the Bill and to take security, but they might also make the appointments without security in the event of their not being able to find anybody to undertake the responsibility. Now, in his opinion, security ought to be required in each case, as was the case in Scotland by virtue of a special law. It was universally felt to be a great hardship that parishes should pay twice over because collectors made default; and by altering that practice a sense of being unfairly treated would be got rid of. The two evils to which he had drawn attention could, he believed, be remedied by the action of the Executive alone. He regretted that the House did not seem to pay that attention to matters referring to oppression upon the taxpayer which was their first duty. He was prepared to discuss foreign politics at the proper moment, but he thought that it was an extremely desirable opportunity for discussing those special matters that pressed upon the people in reference to taxation under this Bill.

Mr. HUNT said, he thought that the right hon. Gentleman (the Chancellor of the Exchequer) could not be at all aware of the ill-feeling that existed in the county which he (Mr. Hunt) represented on account of the overcharges which had been made. It was almost wholly an agricultural district, and it was next to impossible to get up an agitation upon any subject; but still the whole country round was in a state of ferment in consequence of the vexatious proceedings to which the taxpayers had been exposed. The subject had been brought under his (Mr. Hunt's) attention, not only by taxpayers, but by the Commissioners themselves; and having made inquiries at Somerset House, he had drawn up the form of the Return which had been laid before the House in concert with one of the heads of departments there. The right hon. Gentleman stated the other night that the Return did not give a fair statement of the operations of the surveyors, and that might be very true; but then, upon the other hand, it did not give a fair statement of the grievances of the taxpayers. His Returns, however, in fact, showed all that it was intended to show—how many persons had been brought up on appeal by the action of the surveyor, and how many had been unwarrantably brought up; and if he had moved for a Return in reference to what had been done by the local assessors, it would have shown a still greater amount of hardship. The right hon. Gentleman had told the House that 3,248 cases had been wholly omitted from charge by the local assessors; but having spent some time at the department which had the control of these matters, and pursued investigations there, he (Mr. Hunt) could say that in many of these cases the fault of the assessors was only a technical one, for many of the persons omitted from charge were people who were not liable to be taxed. He had ascertained that in 1,229 of these cases the persons were not liable to the tax. It was very true that the assessors ought to have brought them into the assessment, and then they ought to have stated their exemption; but it was very difficult to make people who were not liable understand that. He would admit that in 1,876 out of the 3,248 cases the surveyor had done his duty by bringing them under assessment. The right hon. Gentleman also mentioned that there were 2,720 cases where the surveyor had charged persons in excess of the amount charged by the assessors; but he (Mr. Hunt) had ascertained from Somerset House that 477 of these persons were not liable to be charged at all; and in the remainder there might be many cases in which the overcharge was so small that it was not thought worth while to appeal. In the three divisions of Northampton. Wellinborough, and Kettering, which fell under the supervision of one surveyor—962 appeals had been heard against the assessments under Schedules A and B—he was not speaking of the number entered—and that out of that number the charge had in 337 instances been reduced, while in 409 it was wholly disallowed. In the district of Kettering there were most complaints. Under Schedule A there were 272 appeals against the surveyor's charges, which were confirmed in only 38 instances, they were reduced in 92, and in 142 the parties were discharged. Under Schedule B there were 185 appeals, and in only 14 were the surveyor's charges confirmed; in 46 they were reduced, and in 125 they were wholly disallowed. These circumstances, he considered, fully justified the ratepayers of Kettering in signing that declaration in which, while expressing their readiness to make all reasonable allowances for the officers in question in the discharge of their duties, they stated that they naturally felt that it was not just they should be put to the expense and inconvenience which those appeals involved. His complaint resolved itself into two heads, that of speculative overcharge made upon persons who were liable to pay something; and the other, the cases of small occupiers who had been charged, but who were not liable at all. As to the latter class, he must lay some part of the blame on the right hon. Gentleman himself; because he believed it to be an indirect consequence of his financial policy. It had hitherto been the practice, when a new assessment was made, for the surveyor to meet the parish assessors and go through the rate books; and if the assessors were satisfied that any small occupiers had not sufficient income to render them liable to the tax, the exemptions were allowed without troubling them to appeal. It was true the claims for exemption ought to be made; but it was very hard that from a technical omission persons should be put to the inconvenience of appealing. At Kettering, hundreds of persons had to attend for three days; and when their cases were heard, their appeals were at once allowed. The excuse given was, that the Act of last Session passed at so late a period, and the tax was wanted so quickly, that there was not time to consult the parish assessors. He believed that it was the present hand-to-mouth financial policy which had caused the necessity for this hurried collection, by which such great inconvenience had been caused. He also believed, that if the balances in the Exchequer were such that they could give the taxpayers more time, and if the quarter's tax had not been wanted immediately after the passing of the Act, the taxpayers need not have been put to so much inconvenience. The subject was one of importance to many persons, and he hoped the right hon. Gentleman would turn his attention to it.

MR. BONHAM-CARTER said, that his information to a great extent confirmed the statement of the hon. Gentleman; but he thought that much weight was due to the observation of the Chancellor of the Exchequer, that a great deal of the inconvenience had arisen from the fault of the local assessors. A very considerable number of the Commissioners were in favour of the assessment being more under the control of the Government; and he himself could speak from personal experience of great inconvenience being caused by there not being sufficient control over a young surveyor. He thought that considerable improvement might be effected by giving to those who had to make returns a notice which should be a little fuller and clearer.

THE CHANCELLOR OF THE EXCHEQUER: I must take the liberty of telling the hon. Member for Northamptonshire, that I think two of the steps taken by him in this matter are very inconvenient. In the first place, he has, unfortunately, caused to be laid upon the table a Return which is wholly fallacious, and which gives unjust and inaccurate expression of the case. Any one would suppose from that Return, that the surveyor had had to deal with some 900 cases, in the majority of which he had been wrong. I must again remind the House that the surveyor, in consequence of the total break-down of the local machinery, was called upon to go down and to deal with 6,000 cases. Of that number in only one in six were there appeals. In only one out of eight of those cases was the surveyor's judgment at all declared to be wrong, and in one out of fifteen only was he declared to be entirely wrong. I must again express my sincere regret that the hon. Member, in discharging the duty which it was quite right for him to have undertaken, has taken such insufficient means of bringing the truth before the House. But I must also venture to say, that nothing can be more inconvenient —not for the Government, but for the public—than to bring such cases before the House without previously making an appeal to the executive Government. The consequence of the hon. Member's mode of proceeding is, that I never heard of these cases until they were brought to my notice by the paper that has been laid upon the table. I would again suggest, that according to the usual and almost universal practice of hon. Members, in the first instance, when any complaint is made of the collection of taxes, the facts should be made known to the responsible Minister, and he then will have a full opportunity of inquiring and of forming his judgment upon the facts. If that judgment is dissented from, of course the appeal to this House still remains; but then the time of the House is only occupied in considering the real points in dispute. I have no doubt that many of the parties referred to have suffered great inconvenience, but it is only upon the most particular statement that I can take any useful step. The particulars of individual cases would enable me to judge whether there has been any excess in the conduct of the surveyor, but I cannot gather from this paper the particular facts. If the hon. Member will give me the particulars of any case which he thinks will illustrate the complaint he makes, I will examine into them, and give the proper instructions. It is impossible for us to have a staff of officers all over the country adequate to discharge their own duties and also the duties of the local officers. Their proper business is to check the local officer. If, however, the local officers fail so egregiously as in the case before us, I am afraid great inconvenience must ensue. As to the connection between these grievances and the financial policy of the Government, I may say that the financial policy of the Opposition had as much to do with it as ours, because the hon. Gentleman will recollect that the Bill was, I think, three months in this House in consequence of questions that were raised upon it. I do not wonder at his laying the blame upon us, but we say that the Opposition is equally culpable. There is no doubt that with the new assessment there was considerable pressure at the close of the year, in order to bring into the year the revenue that legitimately belonged to it. As to the points raised by the hon. Baronet (Sir H. Willoughby), I agree that nothing can be more hard than that persons should be called upon to pay a second time on account of the default of collectors in cases where the parishes have not availed themselves of their legal remedies. In 1854 a Bill was introduced to give the Government the power of appointing collectors where proper securities had not been taken. I could not gather from the hon. Baronet the precise suggestion he makes for the improvement of that Bill; but if he will be good enough to send it to me in writing, it shall receive my best attention. The hon. Baronet asked whether there would be any Supplemental Estimates this year. It does sometimes happen, as last year, that Supplemental Estimates are necessary, and in the last Session there were two Supplemental Estimates amounting to £180,000 for expenses which were more or less in view at the time the Budget was brought forward, and which the surplus then proposed was sufficient to cover. At present we have no surplus, or nearly none; for I cannot speak positively as to how many persons will export hops to claim the drawback; but it would have been dishonest if, in bringing forward a budget without a surplus, I had been aware that Supplemental Estimates would be required. I refer, of course, to matters of new and considerable charge. As far as I know, no such charges are likely to be brought forward during the present year, though, of course, I cannot pretend to foresee what may occur. With respect to the Vote of Credit on account of China, that is a mere point of form. I believe it will not be necessary to ask the House for a Vote of Credit; but a sum of £500,000 must be paid on account of the China War; and if it be found that legal authority is requisite for the payment of that sum, the question will, of course, come before the House of Commons.

MR. WHITE said, that the noble Viscount had alluded to his Motion for a reduction of the army by 10,000 men. He would admit that on that occasion he was not very well supported, as only eleven Members voted with him. But he had since received assurances from a number of Members expressing great regret that they had not voted with him in that division. On another occasion, when the opinion of the House would be tested again, the numbers would therefore be much more considerable. He could assure the noble Lord that, in consequence of what he had said, and of the promises of support which he (Mr. White) had received, should he have the honour of a seat in that House next Session, he should feel it his duty, if the Army Estimates were upon the same scale of magnitude as they were that year, to move a reduction not of 10,000, but of 20,000 men; and he thought he could safely prophesy that he should be supported by more than double the minority he had upon a late occasion. He might be permitted to add, that so curiously constituted was the House of Commons, that although on that occasion only eleven gentlemen went into the same lobby as himself, the House, on the very next night, affirmed an abstract Resolution which, if carried into effect, would have led to a reduction of 20,000 men, and to a diminution in the annual expenditure of £3,000,000 sterling. The right hon. Gentleman the Member for Buckinghamshire had said that abstract Resolutions, or declamatory declarations of opinion, with regard to economy and retrenchment, were of no use; and he had given evidence of the sincerity of his wish to abridge our enormous expenditure, by joining those who were opposed to spending more on the fortifications at Alderney. If the right hon. Gentleman were now in his place, he (Mr. White) should have told him, that if in the changes of parties he should happen again to come into power, he (Mr. White) and his friends would support him if he only persevered in the course now indicated. They would forget and forgive, and offer the right hon. Gentleman's Government no factious opposition if only they would keep down extravagant expenditure. He (Mr. White) and his friends might deplore the foreign policy of the right hon. Gentleman as one not consonant with their opinions, and as one which nine-tenths of the people would repudiate; but, as regarded domestic policy, the differences between the two sides were unimportant; and if the right hon. Gentleman would diminish the public expenditure, he would certainly meet with no factious opposition. At the same time, he (Mr. White) should be glad to have some test of what the right hon. Gentleman intended to do. The hon. Gentleman the Member for Rochdale had shown that the Government of this country could be carried on, without any diminution of its prestige, at a cost of £10,000,000 less than was now spent. Be that as it may, he (Mr. White) believed that a very important reduction could be made; and he had a strong opinion that at least £5,000,000 per annum might be saved without any diminution from our prestige.

If the right hon. Gentleman could make such a reduction as that, he would gain a fair hold on the sympathies of the country.

Mr. NEWDEGATE said, that he only wished to say one word. He was one of those who had never been in love with the income tax; he considered it oppressive in its nature, and the cause of extravagance in the Government and Legislature. It should be considered rather as a subsidy than as a regular source of revenue. In anything he said he did not wish to be considered as commending the tax. He merely rose to express a hope that in any arrangement the Chancellor of the Exchequer might make with reference to the assessment of the income and property tax he would be careful to strengthen the local machinery—to assist, but not to supersede it. He had received information that alarm had been occasioned in the country by the belief that the tax would be assessed by the Government officials. It was thought that this would be a denial of appeal, as the appeal would be from the Government assessor to the Government. At present it was from the local assessor to the officer in immediate connection with the Government, and that was satisfactory. He hoped, therefore, that the local machinery—which was, perhaps, somewhat rusty—would be rendered more effective rather than be superseded by central authority.

Bill read 3°, and *passed.*

BRITISH MUSEUM BILL.

SECOND READING.

Order for Second Reading read.

The CHANCELLOR of the EXCHEQUER: Sir, I stated generally in introducing this Bill what was its general character and purport; and, in point of fact, the object and the justification of the measure will be best gathered from the papers laid upon the table. These papers show in what manner the Government and a large majority of the trustees have arrived at the conclusion that it is necessary to separate the collections of the British Museum; and, taken in conjunction with other papers, they also show what are the collections which the trustees and the Government have, upon the whole, deemed it most expedient to remove from the present site to one at a considerable distance. As respects the measures which are intended to be taken for this purpose, the Bill itself completes, in the main, the necessary explanations. The site to which it is intended to remove is perhaps the only one which would occur to the minds of those hon. Gentlemen who are prepared to contemplate the removal at all—I mean, South Kensington, that being the only desirable place in or about London where it is possible to have the necessary command of land at a moderate price, combined with the means of effecting almost any expansion, which can be required for the Museum in the lifetime of any person now living. I promised that on the second reading I would state briefly the views of the Government respecting the expenditure likely to be incurred in consequence of the measures now proposed; and it will be a mistake on the part of the House to imagine that this is not a very important measure in regard to the demand upon the public purse to which it will give rise. It is not practicable to keep collections like the British Museum without a very heavy charge. The present establishment, although not less economical than other public establishments, involves an expenditure which, combined with that for additions to the collections, will convey some notion of what the cost of providing accommodation for such an establishment will be. But the Government think it would be absurd, at the point which things have reached, to propose to this House any half measure. There were, indeed, differences of views as to the amount of additional space which would be required, and that is, perhaps, the point upon which it is most easy to suppose that differences of opinion may arise in this House. But we have thought it best to follow what appeared to be the highest authority—that of Professor Owen, backed by precedents and illustrations which he has adduced from the practice of other countries—and these convince us that it is impossible to regard as a sufficient provision for the wants of the Museum any less space than five acres of ground, with a capacity of further expansion hereafter. The extension, of course, must remain vague, and incapable of minute inquiry till further progress has been made in the execution of the plan. This, therefore, is the basis of the plan proposed; and we ask the House for the means of finding five acres of ground at the least—probably somewhat more—and in a place too, where, in case of need, there will be a possibility of some extension. A committee of the trustees have investigated the question of expense, and they state that the cost of five acres of ground, near the site of the present Museum, will be in round numbers £50,000 per acre; the cost of the necessary buildings to be erected on that site will be £100,000 per acre. The total cost of the ground, therefore, will be £250,000, and that of the buildings £500,000. The estimate of the committe was, indeed, somewhat greater, but these sums may be taken as the amount in round numbers. The estimate for the building, however, does not include any charge for fittings; nor for enlarging the present buildings, to which considerable additions will have to be made. As to the readjustment of the present buildings, it will be better to keep that out of view, as the expense of that rearrangement will be about the same, whichever plan is adopted. At South Kensington the ground can be obtained for £10,000 an acre; this, on the five acres required, will be a difference in favour of the public on the South Kensington site of £200,000. Besides this difference, another item ought to be taken into view. I have examined the plans, and I am able to give a conjectural estimate of the probable cost of covering the ground with buildings, but I must not be considered as offering more than a reasonable conjecture. It appears to the Government that the cost of the building at Kensington will be from 20 to 25 per cent less than the cost of building on the site of the present Museum. The reason is, that on the latter site the style of the new buildings would be fixed by that of the existing edifice; whereas, by building at Kensington, we shall be able to employ a lighter style, with a greater amount of window space, and secure a cheaper and more convenient structure. The present building is in many departments extremely inconvenient from the deficiency of light, while a considerable portion of the collections require an abundance of light. The whole difference of cost in favour of the Kensington site will be £200,000 on the ground, and £100,000 on the building, or £300,000 altogether. As to the readjustment and enlarging of the present Museum, the alterations are described in the papers before the House; the effect of them will be to add largely to the available space. From 60,000 to 70,000 feet will be gained to the Museum by the removal of the natural history collection, and about half that amount, or altogether not less than 100,000 feet, by a readjustment of the present site. The plan of readjustment is regarded as a necessary consequence of the removal of the natural history collection; and it is a plan by which a very large amount of additional space will be obtained at a cost comparatively very small. If am correctly informed, the readjustment will add at least 40,000 feet of available space to the Museum, at a cost of about £120,000, or at the outside of £130,000. Summing up the whole figures, whichever way the question is viewed, it is a matter of considerable public outlay. The whole of the charge for the purpose at Kensington will be from £670,000 to £680,000. But, if the same amount of accommodation is provided at the present Museum, the charge will be about £960,000 or £970,000. It is a great national undertaking. The national collection is one of the ornaments and treasures of the country, and both the Parliament and the country will readily recognise the duty of keeping it in a state of efficiency. After the long delay that has occurred, and the urgent demands made for complete facilities for exhibiting the collections, I think it would not be wise in the Government to ask the House for means of extension less than will be thoroughly sufficient for a long period of time. It is for a long period of time, therefore, that these plans have been framed and submitted to the House. A space of one, or perhaps two acres, in the immediate vicinity of the Museum, would cost less than the five acres at Kensington; but that would not meet the exigency of the case. The structure would hardly be completed before the demand for a fresh extension would be revived. We believe, therefore, we have proposed what will secure the largest amount of extension at the most economical rate.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. GREGORY said, he felt exceedingly sorry that the right hon. Member for Buckinghamshire (Mr. Disraeli) was not in his place, because in the remarks which a few minutes before he had made upon the finances of the country he had observed upon the great discrepancy of opinion with regard to the expenditure in our museums; and if he had been present, would surely have reiterated those statements, and would have been of opinion that the time had come to make a stand against the enormous expenditure proposed in the scheme of the Government. He (Mr. Gregory) was not one of those who had opposed in the abstract the removal of the natural history collections from the British Museum, or who had insisted upon the necessity of works of nature and works of art being exhibited under one roof. Upon the whole, he thought that the diffusion rather than the concentration of the national collections should be their object. But his objections to the removal of the natural history collections from the British Museum were threefold. He objected to the removal, first, because of the central position of the building and its accessibility to the lower and middle classes, among whom these collections were extremely popular; secondly, because the alterations contemplated would be a kind of patchwork which would bring discredit upon the country; and lastly, because it would involve an expenditure utterly disproportionate to the object in view — an expenditure entirely disapproved by every man of science with but one exception. Professor Owen seemed to be the person upon whose sole authority the outlay of £700,000 or £800,000 was to be justified. But the Professor had stated to the Committee that he wished the collections to remain at Bloomsbury, if he could only obtain the requisite space. His expression was, "Not that I love Bloomsbury less, but that I love space more;" and he was the advocate of the abstract principle of retaining the collections of art and science under one roof, for he signed a memorial in 1858 against the removal in which was contained this passage—

> "Her Majesty's Government, we trust, will never yield to the argument, that because in some countries the products of nature and art are exhibited in distinct establishments, therefore a like arrangement must be copied here. Let us, on the contrary, rejoice in the fact that we have realized what no other country can boast—a vast and harmonious collection of art and science, round a library which illustrates part of each branch of knowledge."

With regard to the second objection—that it would lead to patching the Museum, by the formation of certain rooms for the sculpture—it was obvious that it would be, if he might use the phrase, a mere avoirdupois arrangement—not systematic or chronological, but one in which the statues would be placed according to weight, and the rooms most capable of sustaining the greatest pressure devoted to those of the largest size. Upon this point he quoted last year the opinion of his hon. Friend the Member for Southwark (Mr. Layard), and he would quote it again, as an opinion in which every man who cared for the artistic reputation of England must concur. The hon. Gentleman said:—"In the British Museum we have erected a building without reference to its purpose, and which is the very worst of its kind for the exhibition of works of art;" and in the plan now proposed the object seemed to be the mere gaining room, without taking into consideration in the slightest degree to what collections the space was to be devoted, or in what manner the collections ought to be exhibited. He had always advocated a plan which was inexpensive and which was approved by all the artistic feeling of the country—namely, that the second floor of the Museum should be given up to natural history, and the sculpture placed in cheap galleries capable of continuous extension westward. They had evidence that the expense of such an arrangement would not amount to one-half the expense of the plan now proposed, which would provide both for natural history and antiquities. The House must remember that on the assumption that the present plan of the Chancellor of the Exchequer provided for natural history, there would still remain a heavy outlay for the arrangement of the antiquities; both which objects would be obtained at a comparatively small expenditure by the plan he recommended. The last and not the least objection was upon the score of the cost, and that turned on one thing—whether the House was prepared to adopt the plan of Professor Owen, or whether it was prepared to adopt the plan of the other scientific men who were examined before the Committee. They had on the one side, and standing alone, Professor Owen and his ten-acre scheme, and on the other all the other scientific gentlemen, who were perfectly unanimous in condemning the plan of Professor Owen as being utterly useless and bewildering. Amongst those gentlemen were Professor Maskelyne, Mr. Waterhouse, Dr. Gray, Sir R. Murchison, Mr. Bell, Professor Huxley, Dr. Sclater, Mr. Gould, and Sir B. Brodie. In his letter to the Trustees, of the 10th of February, 1859, Professor Owen said—

> "Due regard being had to the utmost economy, he should require for the proper exhibition of the collections of his department, and the accessions likely to accrue in thirty years, a building of one story covering more than ten acres, or a building of two stories covering five acres."

The questions of the hon. Member for

Hertfordshire (Mr. Puller) proved that Professor Owen had not fully considered his plan, because his hon. Friend pointed out, that if he could not do with less than a ten-acre building of one story, a five-acre building of two stories would be quite inadequate, inasmuch as through the spaces which it would be necessary to leave for the lighting of the two-storied building, there would be a considerable loss of room. To give the House some idea of that gigantic plan, he might mention that a part of it consisted of galleries of 850 feet in length for the exhibition of whales. The scientific men examined on the subject one and all disapproved of that plan *in toto*, and they advocated what was technically called a "typical" mode of exhibition—that was, a system by which all the genera, the species, and the striking varieties, and, in short, everything calculated to attract attention or be useful to the public, should be shown, without distracting and bewildering the spectator with innumerable specimens of every description, resembling each other so nearly that even the most experienced person could not detect the difference between them except by holding them in his hand and closely examining them. When asked whether, as a scientific man, he thought it for the interest of science that there should be the immense collection contemplated by Professor Owen, Sir Benjamin Brodie replied that he did not believe it to be at all necessary, but thought the whole thing might be done in a very much smaller space. One of the witnesses examined argued that the House of Commons would more readily vote £160,000 or £180,000 if split into two and divided between two different establishments than if asked for in one sum for one establishment. The witness was perfectly right, because nothing in the world was easier than to bamboozle that House. Sir Benjamin Brodie, however, gave it as his opinion, that looking to the state of the finances, the public would not approve the House of Commons being so lavish in these matters as it had been, and in that view, he must say, he (Mr. Gregory) himself entirely concurred. What the Select Committee proposed was that there should be an exhibition of all objects of general interest and utility, that there should be drawers in which all other specimens should be kept, and that there should be studies to which scientific men could resort for the purpose of comparing and examining those specimens. Common sense must point out to every man, save the mere enthusiast, that that was the proper course to adopt. And certainly it was astounding that a conscientious and honourable man like the Chancellor of the Exchequer, who went itinerating about the country to lecture and denounce the extravagance of the House of Commons, should, with all his professions respecting economy, venture to propound a scheme of the kind before the House, the first cost of which would amount to £790,000. Why, the calculation had been made that any person visiting the projected Natural History Museum, if he wished to inspect the whole of the glass cases from beginning to end, would have to traverse no less a distance than five miles to accomplish it.

He next came to the estimate of the expense, and here he was glad to find himself in such entire accordance with the Chancellor of the Exchequer. His own estimate of the cost of Professor Owen's plan, without any architectural front, amounted to about £720,000 ; and in that estimate the Committee over which he presided generally coincided. The Chancellor of the Exchequer's estimate for the building at Kensington was £680,000; but the right hon. Gentleman had not allowed anything for the new library, for which it was proved before the Committee that a sum of £30,000 more would be requisite. Then there was also to be taken into account the probable charge for new fittings and glass cases, which Mr. Smirke, the architect, stated in his evidence last year would amount, under Professor Owen's scheme, to about £80,000. These various sums, in round numbers, would give a total of £800,000 to be expended, and they must remember that the expense of the library was continually increasing, and that the cost of transferring that immense collection to Kensington would be very great. Now, it was a financial age, and they required to look a little closely into these things. The annual expenditure on the British Museum was now £98,000—a very large sum indeed. The time would come, although not in that Session, when he should pull in pieces that item, and when the House must deal with the enormous expenditure upon that establishment. He found, on examining the Estimates of the year, that, taking away the Natural History Collections from the Museum, all they could expect to gain in the diminished expense of that institution was not more than about £12,000 a year. In that estimate he had debited the Natural History Department with half the cost of the staff of the Museum; therefore there would remain an annual charge of some £86,000 to be met for the British Museum deprived of natural history, and there would also be the heavy annual cost of the new Natural History Museum, together with the enormous outlay of £790,000 as a first estimate upon Professor Owen's scheme. And then let them look at the large staff which they would have to employ at the new Museum at Kensington. The old stereotyped phrase on the Treasury Bench was, when undertakings were commenced, that since they had begun, they must go on, and carry out their scheme; but they had not begun the proposed scheme, and he hoped the House would take care it was not begun. He would express no opinion as to the removal of the collection of natural history, but that it should be removed at such expense in the present state of our finances was, if not an insane proposition, one which, at least, he could not understand. Dealing with scientific men, they might rely on this—when they said they wanted a very small space for the exhibition of their collections, they might place confidence in them; but if they encouraged them to set to work in order to contrive what they might consider desirable, they would have to excavate another Serpentine for an aquarium, or build another crystal palace for butterflies. He had very grave objections to the Bill. The general artistic feeling was that the drawings of the great masters should be placed with the national pictures, that artists might have the opportunity of studying the original designs; but the Bill provided that while the pictures were in the National Gallery, the prints and drawings should remain at the British Museum. He had no objection that the prints should remain in the British Museum—they were more in the antiquarian line of research; but that the drawings should be classed among the objects that should not leave the British Museum was, he thought, something monstrous. There was another blot in the Bill which, if it stood alone, would be sufficient to condemn it. He meant the proposal to transfer to the new institution at Kensington a form of government which had been disapproved of by every witness who had been examined. The trusteeship was to be carried down to Kensington along with the natural history collection. He could understand that there might be objections to break up a system which had lasted so long; but that they should extend to a new institution a system which had been condemned as involving every fault that could be imagined, surpassed his comprehension. They should rather have taken advantage of the present opportunity of getting rid of that noxious system, which had been condemned by all Committees and Commissions. He even claimed the right hon. Gentleman opposite (Mr. Walpole) as an authority on his side—that to transfer a trust to look after the natural history collection, when many of the members constituting the trust rested their sole claims on the fact that some of their ancestors had contributed some statues or books to the Museum, was a most illogical proceeding. What he advocated, if the removal were determined on, was, that Sir Roderick Murchison and Sir Philip Egerton, together with five or six other scientific Gentlemen, should be appointed trustees, not as an executive body, but as visitors; the management being placed in the head of the department; and that a Government officer should be responsible for the Estimates of the Museum, and bring them before Parliament. In conclusion, he sincerely hoped that any observations he had made would not be imputed to pique on his part because the suggestions made by the Committee of which he was Chairman were entirely set aside. That was not the case. Yet he was bound to say it did appear extraordinary that every provision had been framed with the view, as it were, of contravening the decisions at which the Committee of last year had arrived. It appeared as if the trustees of the British Museum considered it quite beneath them to brook or tolerate any interference of the House of Commons, which annually voted £98,000 in support of that institution, which they conceived to be their own particular domain. He could only say, with regard to the removal of the natural history collection, if they found a suitable structure, in a suitable position, under suitable management, and at a moderate expense, he could have no objection to it; but he did, unquestionably, object to the enormous expenditure that would be entailed by the Bill for alterations in the Museum, which would be a discredit to the country, and were condemned by nearly every man of science. Influenced by such motives, he should give every opposition in his power to the passing of such a measure, not being one of those Members of whom the right hon. Gentleman opposite (Mr. Disraeli) said a short time since, that they showed their liberality by the reckless manner in which they advocated every attack on the public purse.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

MR. MONCKTON MILNES: Sir, it was the saying of an old wit that whenever there was a topic in vogue he went out of town, by which, I suppose, he meant that when there was any idea very prevalent in the minds of people it was apt to infect all their conversation and views on other subjects, to pervert in some degree their judgment and even to render them dull. Although the last malady has not overtaken my hon. Friend who has just sat down, he has allowed himself to be too much engrossed by the prevalent topic of economy. If subjects like this, involving great public interests, are converted into mere questions of economy, they are apt to sink somewhat in the respect of the public. Such matters are entitled to be judged on their own merits. I do not see, moreover, that the question of economy is very much affected by the Bill before us. It is intended to authorize the trustees to remove certain portions of the national collection to some other locality, but contains no reference whatever to the cost of the operation, or to the different plans which may be adopted. My hon. Friend has anticipated all those questions which may be brought legitimately before the House when we are desired to vote the money for the alterations. The Bill gives the Government no power to appropriate any money to carrying it out, and whatever the sum required may be—a million, or half-a-million—it can only be voted after full discussion on the Estimate. The object of this Bill is one which I have long had at heart, because I have always been of opinion that the British Museum ought to be divided, and that the proper method in which to carry out that division was to remove the natural history collection to some other locality. In this opinion I have had the support of the best officers of the institution and of almost every authority abroad. In no other country could the collection under one roof of this enormous and heterogeneous collection of articles have occurred, and in England it was not the result of any system of theory, but solely of accident. If the constitution of the British Museum had been other than it is—if that institution had been a great public establishment of science, literature, and art, somewhat of the nature of a college, where all those subjects might be studied with the assistance of professors, and where men of different pursuits might meet together, modify their opinions, and become acquainted with the limits of their knowledge, then there might have attached to the present state of things some advantages which would have given it permanence and strength; but the fatal constitution of the Museum seems to render it impossible that these collections can any longer remain united. The recommendations of the Commission which sat many years ago, and of which I had the honour to be a member, were, that the Museum should be separated into two great divisions, one including literature and art, and the other science; that these divisions should be under the superintendence, one of a first-rate man of letters, and the other of a first-rate man of science, and that at the head of the whole institution there should be some nobleman or gentleman of high social power and reputation. If that plan had been adopted, you might have kept all the collections under the same roof; but under the existing system of management by trustees, you will not much longer be able to keep them in the same locality. It will be impossible to retain the new establishment under the government of the trustees of the British Museum. Although it is very important that the natural history collection should be removed, it is equally important that it should be placed under such an administration as will render that removal most advantageous to the public. The two establishments in this country which have had the most complete success are the Observatory at Greenwich and Kew Gardens; and each of those places is under the sole management of a perfectly capable man, communicating directly with the Government and perfectly understanding what expense he will be allowed to incur. I trust that the natural history collection will, when it is removed, be placed upon a similar footing, and that the system of trustees will, if continued at all, be confined within the present boundaries of the British Museum. My hon. Friend went into great detail about the plan of Professor Owen, and produced several authorities to show that it is entirely objectionable. But those authorities did not object to the system of Professor Owen; they merely stated that they did not think it necessary for purposes of scientific demonstration or of public amusement. The question, how much is to be shown in the Museum, depends upon the further question, whether the Museum is intended for purposes of public amusement or of scientific demonstration. If you are to have a great first-rate museum of natural history, you must not have any strict limitation for want of space; you must allow the exhibition to be commensurate with the present state of science. The old idea of a museum of natural history was the exhibition of a whale, a tiger, and a few birds of Paradise, what are called specimens interesting to the public in general. Such an exhibition could not now be passed off as a museum. Every day science is becoming more and more clearly defined; every day distinctions, imperceptible to the public and even to well-informed men, open to the minds of men of science new regions of discovery and new realms of thought. Look at that great work, the publication of which last year formed the commencement of a new era of science in England—Mr. Darwin's work upon the *Origin of Species.* It is clear that a museum, to be complete, must include many specimens which, although of the greatest importance to the man of science, are of no interest to the mere visitors to the institution. I hope that whatever we do we shall do in a serious and scientific manner, and not establish a mere natural raree-show. What we want to do is to rival that magnificent establishment, the Jardin des Plantes; an establishment which has satisfied the aspirations of all scientific men, but which it never occurred to any Frenchman to unite with the Louvre. I know there is something to be said for the present state of the British Museum as a mere exhibition. It may amuse a great many people. The amusement of the people is a very important object; but I do not attach the same importance to the removal to South Kensington that some people do, because I think that too much weight may be given to the miserable moment in which we live, overlooking the time before us, when perhaps South Kensington will become the very centre of London. The main question is—is this to be a scientific institution or not? If it is, let the matter be treated with the liberality with which a great nation ought to treat questions of science, and do not let us be influenced by the fact that we have heard a capital speech in favour of economy in the early part of the evening. I do not understand that the right hon. Gentleman the Chancellor of the Exchequer is pledged to any particular details either as to space or arrangement, and so far from desiring to encourage extravagance, I gathered from his speech that he is taking the economic line; and that it is my hon. Friend, who, by desiring to keep all the collections in Bloomsbury, is the advocate of extravagance. There can be no doubt that the cost of building at Kensington is less than in Bloomsbury; therefore if you go for cheapness, you will go for Kensington. Any building to be erected on or near the present locality must be built to some degree in accordance with the style of the existing structure; but at Kensington we may have a building almost as light, although perhaps more permanent than that now occupied by the International Exhibition. If we leave the British Museum in its present state of congestion without trying to provide a remedy, I do not think we shall do our duty by the collection of science and art in this country. It behoves those who oppose this Bill to say what is to be done with our multifarious collections. If, some ten years ago, when the most distinguished men in the country concurred in opinion that a great museum of art should be formed at South Kensington, that plan had been carried out, great benefits would have been conferred on the public. I trust, now that a wise scheme has been matured by thoughtful men, that the House will not refuse to read this Bill a second time, but will reserve the discussion of details until we get into Committee.

LORD HENRY LENNOX said, he would not venture to give an opinion in direct contradiction to that of Professor Owen on the scientific question. His plan certainly seemed a very extensive one; but the House should remember that in this, and in most other cases, it was easy to obtain great authorities on either side of the question. There were two points included in the proposition before the House to which he wished to direct attention—the question of finance, and that comprised in the saving clauses of the Bill. He could not agree with the hon. Gentleman who had just spoken that the House was not entitled on that occasion to discuss the financial part of the subject.

True, the question of finance was not included in the Bill, but it formed the staple of the speech of the Chancellor of the Exchequer, and therefore the House was bound to take it into serious consideration. He confessed, for his own part, that he had heard with dismay the statement of the Chancellor of the Exchequer that the contemplated removal would cost about £600,000. Hon. Members could not have failed to remark that the Chancellor of the Exchequer refused to bind himself as to the amount of the actual expenditure required, contenting himself with submitting what he had called, in his own dexterous way, a "preliminary and conjectural" estimate. Now, the House ought by this time to be pretty wide awake as to the meaning of such a phrase. Not many years ago a First Commissioner of Works laid before the House a preliminary and conjectural estimate for the building in which they were then assembled. That estimate amounted to the modest sum of £700,000, but the actual expenditure up to that time might be stated at £2,400,000. In the face of this and other equally startling precedents, he could not help regarding with alarm, especially since a removal of some kind must take place soon, the "preliminary and conjectural estimate" of the Chancellor of the Exchequer. He supposed, that if there was to be a removal at all, the most economical site which could be fixed upon was South Kensington. [*Cries of* No!] Even among those who were opposed to removal altogether the opinion was almost universal that there was a considerable difference in point of expense in favour of South Kensington, and this opinion was strongly shared in by the hon. Member for Cambridge University (Mr. Walpole), who had thoroughly investigated the matter; and to his mind that site had this additional advantage—that, whatever the original outlay might be, there was so much available land that there could be no question of further removals. But the great and radical defect of the present Bill was the saving clause, which proposed to transfer to South Kensington that distinguished and mysterious body of trustees which had heretofore flourished in Bloomsbury. Only a short period had elapsed since the right hon. the Chancellor of the Exchequer, the right hon. Member for Cambridge University (Mr. Walpole), and the hon. Under Secretary for Foreign Affairs (Mr. Layard) acknowledged, that if they had to found the British Museum over again, the existing system of management was not the one which they would select. And yet six weeks had scarcely elapsed, and the House was called upon to vote £600,000 for a new museum at South Kensington, at the head of which it was actually proposed to put the very identical body of trustees whose mismanagement had been so often and so generally condemned. At the same time, he thought it a question whether the hon. Member for Galway should persist in his Amendment. It might convey to the country the impression that the hon. Member was opposed to any removal to South Kensington, whereas his real meaning, according to his speech, was that it was neither the time nor the place to vote so large a sum as £600,000, and that some change should be made in the system of management. This was an early stage of the Bill, and he should be sorry to give any vote which could infer hostility to the principle of removal, or to the site chosen; but if his hon. Friend should persist in his Motion, he should have his support, as he should feel bound to show his sense of the crude and unsatisfactory nature of the Bill, and of the arguments by which it had been introduced to the House.

Mr. HENRY SEYMOUR said, that if a foreigner had been listening to the debate of that evening, it must have struck him that it was, to say the least, a rather curious coincidence that a proposal to vote £600,000 for a new collection of birds, beasts, and fishes at South Kensington should have been brought forward on the very evening when the leader of the Opposition had made a speech denouncing their exorbitant expenditure—a speech, he might add, which was re-echoed by many Liberal Members in that House, as well as by the press generally throughout the country. The Government might be said to be employed at present in digging its own grave. The expenditure about to be made so recklessly was not one on which people were agreed. There were many who thought that the money might be more beneficially applied in other directions for the promotion of art. Far from thinking it desirable that the collections should be separated, he could not conceive a more fortunate circumstance than that they should be near one another, because they knew that a simply scientific mind was too apt to despise the works of imagination, and imaginative minds were too apt to despise the works of science; but by bringing the two classes together the faults of both were corrected. A great deal was said about educating the masses, but how were people in the south and east of London to get to Kensington? Moreover, who could answer for the vagaries of fashion? For his own part, he believed that its tendency would not be always westward, but towards some of the newer parts of London, either north or south, where the situation was more picturesque and the soil more favourable. Why did the Commissioners of 1851 wish to bring down everything to South Kensington? The National Exhibition of 1851 was intended for the good of the country, and the surplus funds ought to be applied in that sense. If it were determined to be for the public interest that the collection should be maintained at the British Museum, what right had the Commissioners to draw it down to South Kensington against the wish of the nation? The name of Professor Owen had been mentioned frequently. He had conversed with Professor Owen, and he had said that he did not care where the collection was placed, so that he had plenty of room. He would, however, of course, prefer being near the library of the British Museum.

Mr. SCLATER-BOOTH observed, that they had been many years employed in concentrating the public offices, but the Bill was one for separating a great department. The trustees of the British Museum had conducted the business in Russell Square very much through the hands of their secretaries; and if the management were to continue as hitherto, after effect had been given to the proposed removal, there would be a divided, and perhaps conflicting administration, which would lead to great expense and great uncertainty, and no one would be satisfied. He thought, therefore, before they consented to the second reading of the Bill, the House should understand that the trustees of the Museum had some plan for dividing the government, so that the department at South Kensington should not be interfered with, or be under the influence or control of the central department in Russell Square. If that were not so, constant complaints would arise, and dissatisfaction would exist between the officers of the Museum. In the event of the natural history collection being removed, it would be absolutely necessary to have a further large outlay for a library in connection with the department, as it would be impossible to separate that portion of the library from the Museum; and he had been credibly informed that such a library for South Kensington would cost many thousands of pounds.

Mr. PULLER said, he had listened with great astonishment to the speech of the right hon. Gentleman, which was one of the most remarkable instances of a *petitio principii* he had ever heard. His calculation that the expense of the collection maintained at Bloomsbury would be £980,000, while if removed to South Kensington, it would be only £680,000, proceeded upon the assumption that Professor Owen's plan was to be adopted. [The Chancellor of the Exchequer: I said so.] Yes; but his right hon. Friend treated that part of the case as if it was a thing about which there could be no question, and as to which it was not incumbent upon him to offer a single argument. From what did all the discussions upon the subject arise? Was there any pressure for the removal of the natural history collection? No. All the scientific men examined, with the exception of Professor Owen, stated that the more limited mode of exhibition was the best—part to be kept in drawers for the use and study of scientific persons, and part to be fixed in cases for public inspection. The unscientific visitors would only be wearied by having to pass along miles of glass cases, containing in one place several hundred varieties of rooks, in another several hundred varieties of pigeons, and so on; differing, indeed, one from another, but differing, for the most part, by such minute distinctions as would hardly be appreciable except by a well-instructed eye. On the other hand, a specimen shut up in a glass case was comparatively of little use to the naturalist. What he wanted was to take the skin of a bird in his hands, to examine it all round, to hold it up to the light, and perhaps to extend its wings and take accurate measurements of its different parts. Then, as regarded expense, if every species were exhibited, as proposed by Professor Owen, not only would there be a vast expense at first for the building and fittings, and for obtaining and preparing those species, such for instance as the whales, of which there were not at present any specimens in the Museum, but there would be a further and very considerable expense continually recurring for the renewal of the collections, if they were to give any true idea of the creatures as they existed in life. Because it was well known that the colours of many specimens, more especially those of delicate shells and the skins of the mammalia, entirely faded after a certain period of exposure to the light. He might mention as an instance the case of a valuable collection of differently-coloured kangaroos, presented a few years back, which after a short time were found to be all one colour. What they really wanted space for was not the natural history collection, but the collection of antiquities. There was at the Museum a large and continually-increasing collection of sculptures, many of them of great interest, which for want of room could not be exhibited at present, and which were now in a state that was really discreditable to the nation. The proposal of the trustees to find room for these sculptures in the present building by removing the natural history collections to Kensington, was open to various objections. All persons who were really interested in the study of antiquities would wish to have the remains of any one country and period brought together without reference to their size or weight, so that one object might illustrate another. But such a chronological arrangement would be impossible on the plan of the trustees. The lighter articles must be placed upstairs, the heavier sculptures must remain on the ground floor, where they could not have that sky light which the witnesses most conversant with matters of art considered so desirable for exhibiting them to advantage. Then as regarded the comparative expense. If the whole of the first floor at the Museum were given up to the natural history collections, it would be amply sufficient on the more limited plan of exhibition ; and the expense of adapting it for that purpose would not exceed the sum proposed by the trustees to be spent at the Museum. For the existing collections of sculptures ample accommodation could be provided, and with sky light to most of the rooms, by purchasing one acre of ground between the Museum and Charlotte Street and covering it with buildings on some such plan as that proposed by Mr. Oldfield. That would cost £50,000 for the ground and £100,000 for the buildings, or £150,000 altogether. On the other hand, it was admitted that for the building at Kensington more than £500,000 would be required ; and it must be remembered that by that plan, although the sculptures now at the Museum might be accommodated in the existing building, no provision was made for further additions to the collection of antiquities, so that they must sooner or later extend their buildings at Bloomsbury. With respect to the question of site, he did not lay much stress on the facilities which the position of the British Museum afforded for the visits of the labouring classes ; for, having regard to the extension of the metropolis, and the increased means of communication between the different points, South Kensington might perhaps become almost as convenient in a few years ; but in considering this question he would have regard to the convenience of scientific men. South Kensington would be an expensive place for them to live in, while the neighbourhoods north of Tottenham Court Road were comparatively cheap. Taken as an abstract question, he had no objection to a separation of the collection ; but if there was to be a separation, his feeling was that the sculptures ought to be taken to South Kensington, because they were a portion of the collection which possessed more interest for the persons who lived at South Kensington. He should like to hear the opinion of his hon. Friend the Member for Southwark (Mr. Layard) as to whether it would not be better to move the sculptures than the natural history collection.

MR. WALPOLE : Sir, as one of those who have taken some interest in the proposals before the House, perhaps I may be permitted to say a few words in support of the Bill of my right hon. Friend the Chancellor of the Exchequer. I do so the more willingly, because I believe it is known to those who take an interest in the British Museum that up to this time I have always been of opinion, that it would be better to enlarge the Museum buildings than separate the collection, and take a portion of it to another place. I wish to guard myself on this point, because I still think, that if it could be done, we ought to enlarge and extend the present Museum so as to keep the collection together ; but I shall presently bring before the House the reasons which have convinced me that we have no longer to deal with this question as a matter of choice, but as a matter of necessity. The House may judge, from the diversity of opinions expressed in the course of this debate, of the very great difficulty there is in dealing with this subject in a satisfactory manner. Of those who have spoken, no two Gentlemen have agreed in opinion. Some hon. Members are for one plan and others for another. Some are for having the collection arranged typically, some for exhibiting them in parts, and some are for the plan suggested by the most scientific man of the day in his particular line. It may be said, and, indeed, it has been said by Professor Owen —and it must come home to any one who wishes that this great collection should be available for all the great purposes to which it can be applied—it may be said, and it has been said, that the great object of having these collections together, and of exhibiting these specimens in the form and to the extent Professor Owen desires, is that we may show—to use his own words—the one creative principle extending and manifesting itself through all parts of creation. I do not presume to give an opinion upon that point; but this I do say, that when it has got the opinion of Professor Owen, the House will do well to hesitate before it decides against the opinion of such a man. If the present Museum is to be extended, we shall want a very large additional space. Professor Owen thinks that less than five acres will not suffice; and in order to gain that space around the Museum, it will be necessary to buy all the houses on three sides of the Museum, to pull them down, and construct buildings on the site to hold the entire collection. The cost will be £50,000 an acre, or £250,000 for the purchase of the land alone. By going down to South Kensington—and this is the great argument for removing a portion of the collection—the same quantity of ground can be purchased for one-fifth of that sum. That is a consideration which, when we are dealing with the matter financially, we ought not to lose sight of. Ten years ago, the trustees applied to the Government for the opportunity of extending the space of the present Nuseum. The Government replied, they were not prepared to sanction the extension of the old building. In 1857 the trustees, among whom were Earl Russell, Lord Macaulay, Earl Stanhope, Sir Roderick Murchison, and Sir Benjamin Brodie, came to a resolution, urging the Government to enable them to buy some of the houses to the north of the Museum, that they might provide accommodation for the sculpture then in glass sheds under the portico. The Government referred the matter to a Commission. Thus the trustees neither neglected their duty in 1851 nor in 1857; but

Mr. Walpole

the action of the Government, the appointment of a Commission, and the difference of opinion in this House, prevented the recommendation of the trustees from being acted upon. If their suggestions had been adopted, the gradual extension of the Museum would have been commenced ten years ago, new space might have been added as circumstances required, and one-half, if not the whole, of the ground required might have been by this time purchased. The refusal of the Government, however, the action of this House, and the inquiry by a Commission and a Committee, have prevented this great good from being achieved. What is our present position? At the present moment the rooms of the Museum are so crowded that neither the antiquities nor the natural history collection can be exhibited to advantage. That has been the case for the last five or six years. Let me ask the House, whether they would wish all these antiquities from Halicarnassus, Cyrene, and Cnidus to remain in glass sheds under the portico of the Museum, because they will neither grant the extension of the Museum on its present site nor allow the antiquities to be removed to any other spot? We have the finest collection in the world in natural subjects, as well as in subjects of art and literature; and the real way for the House to regard this matter is to take care that at the end of fifty years those who come after us may not look back with regret at the want of due accommodation for this magnificent collection. The question is, whether you can provide the additional space necessary for keeping the Museum where it is, or whether you are not driven by necessity to go elsewhere. If you reject this Bill, what do you intend to do? To purchase the houses around the Museum? If so, your expenses will be financially greater. Will you leave the objects where they are? If so, the trustees will every year be unjustly reproached for having a collection which they do not exhibit. If the House declines to adopt either of these alternatives, will any hon. Member get up in his place and say that we could find a better site for a portion of the collection than South Kensington? If no better site can be found—if nothing financially more economical can be proposed, the expense being diminished, moreover, by spreading it over a period of years, can we do a better thing than to pass this Bill? My noble Friend (Lord H. Lennox) says there is a saving clause that the trust is to remain with the present trustees, and the hon. Member for Galway (Mr. Gregory) reminds me that I have expressed an opinion, if the matter were *res integra*, in favour of having one responsible person at the head of an executive body. I adhere to the opinion that in every department of the Government the principle of individual responsibility in executive matters is the best. That is, however, no reason why you should intefere with a trust that has long existed, unless that trust has been mismanaged. I defy any hon. Gentleman to show mismanagement in the present trust. So difficult are these questions that when the hon. Member for Galway considers what would be the trust that he would substitute for the present, he creates a similar trust; for he would put upon it Sir Roderick Murchison, my hon. Friend the Member for Cheshire (Sir P. Egerton), and one or two gentlemen at the head of departments at South Kensington, to see that all is properly managed. That would be really a revival of the present trust in a more limited form. The real truth is, that the best management is by making the keepers of every department responsible for that department. They are always on the spot; they apply their minds to the subject of their collections, and it should be their duty to suggest to the trustees the additions that ought to be made, and the measures necessary to be taken. By that means you get an individual responsibility, and at the same time a superintending control. That is exactly what you have got now, and it is far better to continue the present management than to hand over the Museum to a new set of men, because that will only increase the expense instead of diminishing it. If, then, the removal or extension of the Museum is no longer a matter of choice, but of necessity—if the expenses to be incurred will be less by removing to South Kensington that portion relating to natural subjects, retaining at the Museum the collections relative to literature and art — I ask the House to pause before it rejects this Bill, unless it is prepared to agree to some plan that is preferable to the present. If I could have my own way, and could be sure that the House would consent, by purchasing the houses around the building, to make the present Museum the receptacle for holding the entire collection, I should be in favour of that plan. As, however, that course is not likely to be sanctioned either by the House or the Government, I trust that the House will agree to this Bill, and that when we get into Committee we may make provision for the proper reception of this collection, so that, in the words of the Act, it may "remain and be preserved for public use to all posterity."

MR. COX said, the Bill involved an expense of nearly £700,000. As the national expenditure was £70,000,000, and as the noble Lord did not hold out the slightest hope of reducing it, he hoped the House would not sanction a further outlay, for which no necessity whatever had been proved. Under present circumstances they might very well wait until they saw the result of the right hon. Gentleman's (Mr. Disraeli's) administration. When they had realized the reduction of the five or six millions per annum which the right hon. Gentleman had shadowed forth, it would be time to talk not about removing any portion of the Museum, but about adopting the plan which the right hon. Gentleman who had just spoken admitted that he should himself prefer, and having one great collection in one building. Besides, he (Mr. Cox) did not think the scheme proposed was the best that could be adopted, even if the division of the collection was really a necessity. After the experience they had had of the tens of thousands of persons who every holiday visited the Museum, they must be aware that the natural history collections were precisely those which afforded most amusement, and, he hoped, instruction to the masses. If, therefore, they must take anything to the West End, it should be not that which interested the millions, but that which interested the few. He must say he had been much struck with the phraseology of the schedules contained in the Bill. It was not stated what was intended to be removed, but what was "capable of being removed." Surely books and manuscripts and antiquities were as capable of being removed as the natural history collections. If the books were removed, they would be removed from a place where they could be generally used to a place where they would be used in a very minor degree, because they would be removed from a very populous to a less populous locality.

SIR GEORGE LEWIS: Sir, this subject is fortunately not new to the House, and I am certainly not desirous of occupying its attention more than a few minutes. The question has undergone so much consideration by different Governments, and has so frequently been brought under the notice of the trustees of the Museum, of whom I have the honour to be one—[*Ironical cheers.*] I confess I do not understand the meaning of that cheer. I have taken part in various debates on this subject, and have therefore acquired some knowledge of it, which, perhaps, other hon. Members of the House may not have obtained. This question has at different times been referred by the executive Government to the trustees of the British Museum, and I apprehend that nobody is so well qualified to form an opinion upon the interests of that institution, or the management of its collections, as the trustees, who are persons of all opinions, representing all departments of science and art. After many decisions, which I admit have been various and conflicting, they have ended by agreeing almost unanimously to the adoption of the plan which has lately been brought under the notice of the House. They say it has become practically impossible to maintain all the collections which are now united in the British Museum, that some separation has become a matter of necessity, and that some arrangement by which the natural history collection shall be provided for in some other building than the existing British Museum, is, on the whole, the most expedient. Now, an hon. Gentleman has told the House to-night that it is only the collection of antiquities and not that of zoology which is inadequately provided for. Now, to that statement I wish to give an entire denial; and if it is the wish of the House that that splendid collection now located at the Museum should be adequately accommodated, it has become a matter of necessity either to enlarge sufficiently the present buildings or to provide others elsewhere. The trustees have considered the propriety of purchasing land in the vicinity of the Museum. To that there are two objections—one that the land in the immediate vicinity of the Museum is more expensive ["No"]—yes, it is more expensive than land in a less central and more suburban position—and the other and most powerful objection is, that by attempting to combine large and miscellaneous collections in one building you prevent that efficient management which would be better secured if some of the collections were otherwise located. We have only to consider, then, where a site may be found. It may be proposed to obtain a site in the Regent's Park or some other place in the neighbourhood of the most frequented part of the metropolis; but the offer of the trustees of the Exhibition of 1851 to give the land at Kensington Gore at a moderate price, determined the trustees and the Government in favour of that scheme. And I cannot conceive a more wonderful scheme than that of the hon. Member for Poole (Mr. H. Seymour), that the trustees should give the land at a less price——

Mr. HENRY SEYMOUR said, the land would bring £10,000 per acre. What he proposed was that the Commissioners should give the land, which was half paid for by public money, that it should be sold, and the proceeds be applied to purchase land near the Museum.

Sir GEORGE LEWIS: That makes the case rather worse, because the hon. Member says that this land was bought by the public money. [Mr. H. Seymour: One half part of it.] The land was purchased by the Commissioners of the Exhibition of 1851. But then came another proposal from his hon. Friend in his zeal for economy.

> "——Medio de fonte leporum
> "Surgit amari aliquid."

There came out a plan for a great street, from Trafalgar Square to the British Museum, with a view to diminish the public burdens. Now, I should think, if we were to purchase all the land through the Seven Dials, Holborn, and that part of the town, the probability is that we should not pay the bill with less than £2,000,000. When hon. Members bore in mind that the plan had been carefully examined and ultimately agreed to by the trustees of the British Museum, the executive Government, and those most competent to form a judgment, they would see that it would be plainly out of place, upon the Motion for the second reading, for the House to resolve itself into a Committee to examine into the question of square feet, and of all the details involved in a plan of such magnitude.

Mr. BERNAL OSBORNE said, that he for one would accept the advice of the Secretary for War, and would confine himself in the few remarks he had to make, to criticising, not the details, but the outlines of the Bill; and he must say that in the speeches made in its support he remarked one singular omission. They had had an æsthetic speech from the hon. Member for Pontefract (Mr. M. Milnes), who, eschewing all notion of economy, seemed to have adopted the motto of Charles Surface, in the *School for Scandal*, and to say, though he did not actually use the words, "D—n the expense." They had also had two speeches from trustees of the British Museum, and he would warn the House not to be led away by speakers who spoke as trustees. He offered no opinion on the judiciousness of separating the collections, because that was a matter which stood on its own merits, and he did not intend to give his vote as to that part of the question; but he wished the House to consider the very important question "Where was the money to come from?" They had a Government who represented themselves to-night to be a purely economical Government, and anxious on the first occasion to make any retrenchment, for the very natural reason of gaining popularity, and here was their first essay in retrenchment. He would not complain of this, if there was a flourishing state of affairs in Ireland, if there was no distress in Lancashire, and if there was a surplus in the Exchequer. It might, then, be natural for the Chancellor of the Exchequer to come down and put forward a conjectural estimate of £650,000, which would involve an expenditure of a million and a half. The real position of the question was this—were this little estimate to remove a portion of the Museum to another place to be agreed to, where did the Chancellor of the Exchequer propose to get the money from? It was called a great national undertaking, and they might easily guess what the expense would be when the nation had to pay the piper. Therefore he hoped, in going to a division, that all trustees, and hon. and right hon. Gentlemen, and æsthetic Members of Parliament, would have some consideration for economy, and not vote the proposed removal at the present time, when there was no surplus in the Exchequer, and when there was great distress in the country. Let them not now undertake new, and, as he thought, most costly plans of building, and upon whose recommendation? Certainly, upon that of one of the most profound zoologists of the age—Professor Owen. But if hon. Gentlemen read Professor Owen's evidence before the Committee over which the hon. Member for Galway (Mr. Gregory) presided, they would have a knowledge to what that Professor's plans extended. Were they aware that he called upon the Committee to build a hall 850 feet in length for the reception of whales, of which there were no less than fifteen different species? Professor Owen also advocated the preparation of apartments for every variety of elephant, and he (Mr. Osborne) would put it to the House whether the sum of £680,000, as proposed by the Chancellor of the Exchequer, would cover all the expense? This is no joking matter. The fact was that the whole financial part of the question had been left completely in the dark that evening. The Chancellor of the Exchequer, who could lecture so wisely at Manchester on the unwholesome state of the finances, had said nothing on that part of the question that night. Let not the House be led away by that most questionable of all matters—a matter of taste. Let them beware of the hon. Member for Pontefract when talking, in a manner which showed a contempt for economy, of Darwin's *Origin of Species*, and everything but the real topic for the consideration of the House.

"What brought Sir Visto's ill-got wealth to waste?
"Some demon"—

(in the shape of a Chancellor of the Exchequer)

—"whisper'd, 'Visto! have a taste.'"

Let the House delay the Vote until the finances of the country were in a better position to allow of such an expenditure. Let them test the Government to-night as to the sincerity of their promises of economy, and show that they wished to place the finances of the country in a wholesome state; if they did, they could have hesitation in supporting the Motion of the hon. Member for Galway.

Colonel SYKES said, he wished the House to bear in mind that the Museum was established not merely for the upper ten thousand, but for the working classes also. He thought that wherever was the focus of population, there the national museum ought to be.

Viscount PALMERSTON:—Sir, undoubtedly, this is a question involving a principle of economy. But the curious circumstance connected with the debate is, that those gentlemen in this House who profess themselves to be the stoutest advocates for economy are recommending that plan which would be by far the most expensive. It is admitted by all that the present building of the Museum is chokefull of objects. With regard to natural history, persons who go there will see specimens of animals huddled together in cases and cupboards like sheep in a fold, and in a state of crowding in which it is perfectly impossible to see them with the necessary attention, or to study the object which they come to look at. It being agreed by all that extension of space is required for the proper enlargement of the collections contained in the British Museum, the only question really is whether that extension shall be acquired in the neighbourhood of the Museum, or whether it shall be acquired as proposed by my right hon. Friend by additional ground at Kensington. Well, then, the question is, do you prefer to pay £50,000 an acre for the land you want, or will you be content with paying only £10,000. And strange to say, the advocates of economy, those gentlemen who profess an earnest desire to put a limit to the expenditure of the country, have a preference to pay £50,000 an acre instead of £10,000. Now, the Bill of my right hon. Friend does not specify the quantity of land to be acquired. You may have five acres or one acre, as you choose. The only effect of the Bill is, that you are to get the land you want, be it more or less, at the rate of £10,000 an acre, instead of the expensive rate of £50,000 an acre. My hon. Friend who spoke last is alarmed at the notion of the vast space required for the accommodation of whales. Let me propose a compromise to my hon. Friend. Let him, when the House shall go into Committee on the Bill, introduce a clause prohibiting any whales. I have no doubt whales are objects of great curiosity; but sooner than go to the expense of paying £50,000, when we can get land for £10,000 an acre, I, for my part, shall be willing, with my hon. Friend, to exclude whales altogether from disporting themselves in Kensington Gardens. As my hon. Friend says, this is not a joking matter. It is no joke to compel the country to pay £50,000, when you can get what you want for £10,000; and therefore I hope that the House will support the Bill of my right hon. Friend.

Mr. HENLEY said, he did not wish to give a silent vote on what seemed to him a curious Bill; still less so when he heard from his right hon. Friend near him that the sum to be expended was not quite agreed upon. But it was not on account of the disagreement that he objected to the Bill. He objected to it on this simple ground—that it was a Bill professing to give power to the trustees of the British Museum to do something; and it had been stated indirectly that it would entail upon the country an expenditure of between £600,000 and £700,000. He did not wish to say much about economy, but he had always deemed it to be his duty to vote against what he considered to be extravagance, and he did not feel disposed to depart from the rule in the present instance. He should remind the House that there was no plan before it, and he for one should decline to give his assent to a measure which might lead to an expenditure of which he did not know the amount. When they had a plan before them, they would be in a better position to judge whether the arrangement was economical or not, whether £600,000 or £700,000 was to be expended, or whether double that amount would not be required. Without expressing any opinion on the question whether the collections in the Museum should be divided, or whether they should all be kept in one place, he should vote against any of these short Bills, which would involve an expenditure of no one knew what, and hardly any one knew what for. All that the House knew was that a building was to be put up somewhere. He considered this a bad way of doing business, particularly at a time when nobody could be sanguine that the finances of the country were in a flourishing state; and if there could be one circumstance worse than another, it was the dragging-on of a matter of the sort by small and miserable instalments. If it was necessary to have a building of the kind, let the House look the question boldly in the face, and ascertain what it would cost, and erect it at once. If they were to go dragging on for four or five years, it would be ten to one that the plans would be changed over and over again, and instead of the building costing £600,000 or £700,000, the amount would be much nearer £2,000,000 or £3,000,000. Let the stone once be set rolling, and then all gentlemen of taste would have a kick at it, and it would be kicked from one to the other, and none of them probably would ever live to see an end of the expense.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 71; Noes 163: Majority 92.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for three months.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

IRON-PLATED SHIPS.

RETURN MOVED FOR.

Lord ROBERT MONTAGU, in rising to move for Returns upon the subject of iron-plated ships of war, said, that on a late occasion, when he troubled the House with regard to the public expenditure, the Chancellor of the Exchequer recommended that a practical issue should be taken on particular items, in order to secure retrenchment. That was now his object. Since the year 1854, when the value of iron-plated ships had been proved as vessels of war, no less than £10,000,000 had been wasted in building wooden ships; even this year twenty-two ships of 13,900 horse-power were being built; and the Admiralty were about to launch into an enormous expenditure in constructing cupola ships, without knowing what was the best form for such vessels. If the best form were already known, why had it been laid by for eight years, and wooden ships built instead? There might, in a similar manner, be plans of a better form, collecting dust in a pigeon-hole of the Admiralty, which would also not be regarded until they had already done execution in the hands of the Americans. The iron vessels suggested twenty years ago had met the same fate. It was known that iron vessels, of plates only ⅜ in. thick, required few or no repairs. Some had lasted for twenty years with almost no repair. In the merchant service they had for a long time been preferred because of their cheapness; the annual cost of repairs being about one per cent of the original cost. On the other hand, a wooden line-of-battle ship was built, and then laid up in ordinary for four or five years; when the dry rot was found to have invaded her timbers, and half the original cost had to be expended in repairs. Iron ships also retained their form longer than wooden vessels, as the *Mosquito* and other famous yachts had shown, notwithstanding the great strain caused by the enormous spars which were carried by racing craft. The *Fairy* was built in 1844, and was still in perfect form. It was found, too, that iron vessels built of plates only ⅜ in. thick were valuable as ships of war. The *Nemesis* frigate was built of ⅜ in. plates. Yet Captain Hall wrote of that vessel—

> "The *Nemesis* was frequently struck, as often as fourteen times in one action, and much damaged in her upper works. But only one shot can be said to have gone straight through the vessel. . . . Other shot struck the *Nemesis* in a slanting direction, and merely indented the iron, glancing off without penetrating. . . . I should give the preference to an iron over a wooden steamer, as a command under all circumstances."

These facts had long been patent; yet how had the Admiralty taken advantage of the knowledge? When Sir Robert Peel came into power in 1841, he found six iron ships were being built. Two of them had, indeed, already been nearly finished. He took the opinion of Sir Howard Douglas, who said of them that "iron ships were utterly unfit for purposes of war, whether armed or as transports for troops." That was a mere expression of opinion, not founded upon experience; for there had been no investigation. The object of this Motion was to substitute knowledge for opinion. The suggestion which he should make was, that the Government should appoint a Committee of scientific men, who would investigate the subject of ship-building with a desire to obtain a real knowledge of facts, instead of relying upon empty opinions. He would next turn to the question of armour-plated ships. In 1840 some experiments were made in the United States to test the effects of heavy shot upon iron plates. The results were so astounding that other experiments were made in 1842, at Portsmouth, in order to verify the results arrived at in America. One was against fourteen plates, making together six inches of thickness. Now, it was known that such a combination was not so strong as a single plate of much less thickness. The result, however, was that shot from an 8-inch gun, at 400 yards range, against those plates could make no impression. Even the plates of the *Simoom*, of ⅝ in. in thickness, were found to break up the shot, although the pieces went through. The next experiment was during the Russian War. But then we never thought of building iron batteries until the French had done so. We were content to follow the French; and therefore ours were not ready when theirs were tried at Kinburn. Upon that point the present head of the Indian

Department (who was over the Admiralty) told the Admiralty Committee that—

> "The result of the experiment, or rather the conclusion to which we came in consequence of what we had learnt of the iron-cased batteries, was that we were considering whether it would not be advisable to build a ship coated with iron."

The matter, however, remained under consideration until 1859, while the French were building armour-plated ships; and, as Sir Charles Wood said, "While the Admiralty were consulting, the French were acting." The Commissioners on the Management of Naval Yards, in their Report (p. 12), said—

> Q. 51. "In 1854-5 several floating batteries were constructed with iron defence-plates of great thickness. These batteries were never practically tried, although similar batteries belonging to your Majesty's allies were used at Kinburn and found highly efficient. The principle of the protection afforded by iron defence-plates was proved; but no attempt was made to apply it to ships of war generally until 1858."

It might be said that all these references were to past events; that we should not revert to the past, but consider the future. However, they could only judge of the future conduct of the Admiralty by considering what had been their conduct in past times. Captain Coles's invention, of which so much had been heard from the columns of the leading journal and the debates of that House, was made as far back as 1855. At that time there was a scientific Committee in the Black Sea, during the Russian war, to whom that invention was referred; and they reported, on the 13th of November, 1855, that "the invention was one of the greatest practical value," and "we are further of opinion that this invention merits the immediate attention of Her Majesty's Government." That was not the only invention that was brought under the notice of the Government at that time; for on the 15th of November, 1855, Captain Halsted wrote to them giving plans of iron-cased vessels. He said—

> "About five years ago the eminent steam-ship builder of America, Mr. R. L. Stevens, communicated to me the result of a long series of experiments made, at the expense of the United States Government, by himself; the chief practical result of which was, that iron plates of five inches in thickness were absolutely impenetrable by the heaviest shot, fired by the longest guns in the service, the heaviest charge of powder, and at the shortest distance."

Although Captain Cole's invention was supported by the independent testimony of Captain Halsted and the experiments of the United States Government, yet the British Government refused to notice the invention. Hopes of peace were made an excuse for passing over the inventions of war. In 1856 peace was concluded. Then the Emperor began to build; but it was not till 1859 that we commenced to make experiments, to see whether we would build or not. A short time since the Duke of Somerset had said in another place—

> "I considered the question of building a vessel specially for this purpose, and I arrived at the conclusion that to this end the cupola ship recommended by Captain Coles would be very well adapted. But the experiment has never been tried; and I therefore caused a tower upon this pattern, which had been commenced a year or two before, to be finished and put on board a ship. The officers reported very favourably."

There was a little story attached to that tower. It appeared that the right hon. Gentleman the Member for Huntingdon (General Peel) ordered on February 14th, 1859, a battery upon Captain Coles's principle to be built at Shoeburyness, the cost being limited to £1,000. He also appointed a scientific and professional Committee, of which Captain Coles was one, to investigate the invention. The Earl of Derby's Government went out of office, and the present Government came into power; and upon the 30th of July of the same year the contract for the tower was given to Mr. Scott Russell, and the price was raised to £2,650, upon condition that it should be finished by the 1st of November, 1859. On the 1st of August, 1860, the cupola shield was yet unfinished; and the Admiralty were then requested to finish it. On the 9th of August the Admiralty refused, saying it was "inexpedient to undertake experiments with the shield in the manner proposed." On the 21st of January, 1861, the War Office again requested the Admiralty to take the unfinished shield in hand; and the Admiralty at last consented. Scott Russell's unfulfilled contract was then terminated by the payment of £3,000. On the 12th of March the unfinished shield was removed to Woolwich; and the scientific Committee was dissolved. On the 12th of August, the shield was at last ready for trial, and on the 24th of September, 1861, it was reported on as "most satisfactory." That was the story about the tower. The Duke of Somerset continued—

> "I was at once satisfied that we had got a vessel which would be most useful for the protection of

our harbours; but as there was no pressure for defence, and no alarm about the safety of our harbours, I did not think it necessary to apply to the Treasury for authority to commence that vessel at once. I thought I might leave the matter to be discussed by Parliament."

At last the news of the engagement between the *Monitor* and the *Merrimac* arrived in England, to urge the case with increased energy, and make it meet with a tardy success. For the news rolled like a thunder peal over the country and aroused the Admiralty from their dilatory proprieties, and sleepy considerations. Immense sums had of late years been spent upon wooden ships, and the reason assigned by the Duke of Somerset to Question 451 of the Admiralty Committee was, that he found that the Government of the Earl of Derby had left a recommendation that a large addition should be made to the wooden fleet. Now, what was the amount of expenditure, or rather of waste, occasioned by this? Last year (Account of Naval Expenditure, No 27) there was an excess of £266,276 on Vote 10 for naval stores. The note at the foot says that this arose from "large quantities of timber, ordered after the Estimates had been prepared, to meet the unprecedented expenditure in building ships." Yet the amount of timber alone in Vote 10 was £1,351,520 (see Return 44, 1862). The Votes for labour, timber, and stores during the six years, from 1852 to 1858, amounted to £14,105,000 (see Report of Committee of 1858 on Navy Expenditure, and the Commissioners' Report on Navy Yards, p. 426). The price paid for ship-building timber from 1854 to 1859-60 was £2,622,691; the sum in 1854-5 being £284,301; and the sum in 1859-60 being £672,373 (see Admiralty Committee, p. 543). In August, 1859, Lord Clarence Paget urged on his colleagues that it would be well—

"to pause in the enormous expenditure on wooden line-of-battle ships. . . . The French are devoting their full energies to the construction of iron-cased ships. . . . Would it not be well to put a stop to the preparation of timber, &c., for the three new line-of-battle ships ordered to be laid down, and to substitute three iron-cased ships?"—[*Commissions on Naval Yards*, p. 45.]

Yet the Admiralty never attended to this advice. The French had abjured wooden line-of-battle ships in 1855. Yet we never began to build armour-plated ships till 1859; and even then there were none built under 4,000 tons till 1862. From the returns, he found that the the expense of converting and repairing wooden ships from 1854 to 1858 was £5,500,000; in 1858-9, £900,000; in 1859-60, £2,000,000; and in 1860-1 £2,500,000. These sums do not comprise the expenses of fitting. So that as wooden ships were proved to be useless, so the Government increased their expenditure upon them. In 1858-9 there were twelve wooden line-of-battle ships being built, at a cost of £250,749. In 1859-60 there were thirteen, at a cost of £485,662; and in 1860-1 there were seventeen, at a cost of £275,623. Of wooden frigates and smaller vessels there were built in the same years 26, 36, and 65 respectively. The total amount for building and converting wooden ships from 1854 to 1861 was £7,653,099. The total amount for the repairs of sailing ships was £2,933,571, making a total of no less than £10,500,000. That money had been thrown away and wasted. During the Earl of Derby's Administration the Admiralty began to follow the example of France in building iron-cased frigates; but the *Warrior* was only partially plated, on the presumption, that if she were plated fore and aft, she would not be a good sea-going ship. She was therefore vulnerable at her unprotected parts. *La Gloire*, on the other hand, was armed all over, and she was incontestably a good sea-going vessel. Again, since then they had discovered a gun which would penetrate the sides of the *Warrior;* so that the country was as a pendulum swinging betwixt iron ships and Armstrong guns; and each oscillation cost us millions. He contended that the Admiralty had entirely ignored the experience of which they might have availed themselves. The war with Russia might have taught them two facts. At Sebastopol they might have learned that wooden ships were of no use against forts; and at Kinburn, that forts were of no use against iron ships. The French had profited by by these facts; we had not. They were quicker both to try what iron ships could do, and quicker also to profit by the experiment. They set about to build; we set about to consider of it. The facts upon which the Emperor of the French acted with such promptness and decision only seemed to produce vacillation and indecision in the mind of the English Government. It was this indecision which had cost us £10,500,000. The battle of Hampton Roads similarly proved two facts: first, that wooden ships were of no use against iron; and, secondly, that iron ships were of no use against iron ships. Now, should we act upon this knowledge, or merely consider of it? The value of the ram principle was amply demonstrated by the *Merrimac.* That, also, was an old plan; it was suggested in February, 1853, and was published in the *Liverpool Albion;* and in 1854 Mr. Ward, of Liverpool, offered to build a ram with ball-proof sides which would sink a line-of-battle ship; but this offer was scorned by the Admiralty. Carelessness, vacillation, delay, and negligence were the tale of a century; they were the traditionary policy of the Admiralty. Screws were once about to be applied in the navy. But in 1846 a new Government came into office; and thinking it necessary to do the exact opposite of their predecessors, they actually issued circulars to know if the machinery for screws could be adapted to paddle-wheel steam-ships; the machinery, however, was nearly completed; and to that accident alone was owing the salvation of the screws from being strangled at birth. The delay in the application of screws to line-of-battle ships enabled the French to exceed us by 15,000 horse power in the course of two or three years, although the screw was entirely an English invention. This was stated in evidence before the Admiralty Committee by the right hon. Baronet the Member for Droitwich. He said, also—

> Q. 1706. "We were strongly of opinion that no time ought to be lost in endeavouring to recover the superiority thus taken by France: but the lead which France had taken was irrecoverable."

England had by nature the two things most essential for the creation of a powerful navy—iron and coal—of which France had been deprived by nature. Yet the French were the first to apply steam to their men-of-war, and the first to build iron-plated ships. They had not the same advantages as we had; but by treaty we supplied to them the defects of nature. There were also many other glaring cases of neglect. For twenty years after the merchant service had adopted lightning-conductors, the Admiralty refused to adopt them in line-of-battle ships and frigates, notwithstanding the loss of men and spars. Captain Sullivan gives the following evidence before the Admiralty Committee:—

> Q. 5818. "I think there has been a great defect in our naval administration since I have been in the service, in not adopting sufficiently soon evident improvements, which have been urged on the Admiralty in different ways. I would instance the non-adoption of lightning-conductors in the navy; which I think took twenty years to introduce. . . . . . It was only after twenty years of sad loss of life and property, and expense to the country through their not being adopted, that they were at last permanently adopted, and from that time there has not been the loss of a man or a spar by lightning."

The same neglect was shown in reference to Trotman's anchor; for though they were 29 per cent better than all others, the Admiralty still held to their old anchors, and would not avail themselves of the improvement. This was given in evidence by Captain Denman before the same Committee. It had been shown that in the Admiralty we had delay and hesitation without either investigation or thought. It was possible, however, to have hurry and haste, without thought or foresight. Let them pause to consider the probable effect in war of armour-plated ships. Let it be supposed that they had been generally adopted, and the theory of the hon. Member for Rochdale (Mr. Cobden) had also been adopted, namely, that war, on the seas, was to extend to navies alone, while all private property was to be considered safe. There would then be no stores to be burnt; for the Commissioners recommended that iron ships should be built at private yards. The navies would be unassailable; the ships invulnerable. Naval warfare would be entirely at an end, and our naval supremacy would be gone. We should then have, in self-defence, to return to the right of search, and the taking of prizes, as the only means of defending ourselves or ending a war; for a nation's resources were at sea, and by seizing those resources the nation's power was crippled. For this purpose it would be necessary to have a light class of ships, either of thin iron or wood, to damage trade, as well as the heavy ironsides which we were building now, because such a ship, being heavier, must be built fuller, and with a greater displacement, and could not have "fine lines." Or else we might hand over this duty to privateers. Now, what remedy was there for this alternate neglect and panic—for this hesitation and delay, and then this needless haste and anxiety? How should we prevent an invention from being cast aside, until we were forced by circumstances to adopt it? and how obviate the reckless manner in which we then rushed into unbounded expenditure, to find, after all, that there was some other invention also shelved which would have been more efficacious and less expensive? This was a question affecting the financial interests of the country; for we lost power by neglecting inventions, and we wasted millions by hastily adopting them. The only remedy was the appointment of a Committee of scientific persons to consider and report upon all new inventions. That proposal was approved by the Duke of Somerset and the noble Lord the present Secretary in their evidence before the Admiralty Committee. Admiral Elliott gave the following evidence:—

Q. 4021. "I think that the present constitution of the Surveyor's office is very obstructive to improvement. There is not time to give sufficient consideration to scientific inventions and improvements; and there is a disinclination to take the responsibility of making trials of them, until they have become in general use elsewhere."

Q. 4069. "Generally speaking, if it is a matter connected with ship building or fitting, it is submitted to the Surveyor of the Navy, and, in common language, he pooh-poohs it .....I very much question whether you will find one single instance in which an inventor has gone to the surveyor's office and received an acknowledgment of his invention having been good; I never heard of one myself."

Q. 4059. "I think that our changes have been generally put off until, from some sudden emergency, they have assumed a hurried appearance, and not been duly considered; whereas, if you had a permanently consulting Committee, you would have moved more gradually, and not in such convulsive starts—more economically, and I think more efficiently, without being behind other people."

The Duke of Somerset (Q. 509) also approved of "a Committee of scientific men to inquire into novel inventions, such as iron-plated ships," and thought this "very desirable (688) that there should be every means of examining into every invention that is submitted to any Government department." Lord Clarence Paget said (to the Commissioners on Naval Yards, 150), he thought it most desirable that a Committee of Inquiry into inventions should be instituted, similar (159) to the French "Conseil d'Amirauté" and "Conseil des Travaux Publiques." He also stated (164) that he had made a written proposal on this subject in 1859, but the Board had not acceded to his proposal." The reason why he did not move for the appointment of such a Committee was, because he did not wish to hamper the Government. He therefore moved for these Returns as an expression of the desire of the House. If the Government refused them, it would be from a consciousness of neglect; for if they had done their duty, they would only be too glad to publish their good deeds, and turn this Motion into an encomium and panegyric on themselves.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House a Return of the number of proposals or plans, for the purposes of shot-proof ships, which have been received at the Admiralty during the last three years; distinguishing those which are now awaiting consideration; stating the dates when such proposals or plans were received and reported on respectively; and, if any such proposals or plans have been referred to a Committee, giving the names and qualifications of the respective Members of which that Committee was composed,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

LORD CLARENCE PAGET: Sir, I shall have no objection whatever to the production of these Returns; but, in mercy to himself and the House, I trust the noble Lord, when he hears that inventions in reference to iron-cased ships come to us at the rate of about 100 a month, will not insist on printing such a blue-book as they would make, if carried back to any remote period. I can assure him that they are receiving very careful attention. I cannot follow the noble Lord through all the topics he has introduced, but I shall be happy to give him all the information I can as to what is being done in ship-building. I regret the right hon. Member for Buckinghamshire (Mr. Disraeli) is not present, as I think he would probably administer some little rebuke to an ardent supporter for coming before the House with a grand proposal for building an iron fleet, and adding very considerably to the large Navy Estimates. The noble Lord accuses all Governments, but lays the principal blame on the present Government, for continuing to build wooden ships after France had begun to build them of iron. I am anxious to say a word on this matter, because I have heard from several quarters that the present Government has proceeded recklessly in the construction of wooden line-of-battle ships long after it was evident that these vessels would be useless. I beg the noble Lord's attention to this point. There are at present fifty-seven screw line-of-battle ships afloat. The late Government were in office rather more than a year, and they originated the conversion of eight of these vessels within that year. The present Government has been in office three years, and they have only commenced the conversion of four sailing line-of-battle ships into steamers. The late Government converted eight vessels in one year; the present Government in three years have only converted four. Now take the question of building line-of-battle ships. The late Government in its one year of office began to build no less than six line-of-battle ships. The present Government in three years have only commenced three; of these, only the frames were begun, and they have since been converted for iron-cased ships, and will, I hope, be afloat in this year. This accusation, therefore, against the present Government is unfair. And what is the history of the ships that have been built and converted? The present Government came into office in the month of July, 1859. They naturally adopted the programme of their predecessors; and whatever may be the responsibility for the programme of the year 1859-60 must rest principally with the late Government. The noble Lord had mixed up a great many matters together; but the *vexata quæstio* was the cost of building wooden line-of-battle ships. The House must not take the noble Lord's figures for granted. In 1858-9, the year of the Earl of Derby's Government, the sum expended in building and converting line-of-battle ships was £442,000. In 1859-60, after the French had begun to build iron-cased ships, but when the programme of the late Government had to be carried out, £786,000 were expended for the same purpose. But in 1860-1 the present Government, who are wholly responsible, have expended only £416,000 in building and converting this class of ships. We had, on taking office, the Report of the Committee ordered by the Earl of Derby's Government to take into consideration the state of the navy. That Committee proposed that there should be six ships immediately built to raise the number of English screw ships of the line to fifty-six, and the Report contemplated that these ships should be complete by 1861. Nothing is easier than to get up in 1862, after we have made all these discoveries regarding the power of the iron-cased ships, and tell us what we ought to do. It is easy to be wise after the event. But, if the noble Lord had given his advice when the late Government was in office, he would have done some good. The noble Lord has quoted me as evidence in reference to speeches of mine in 1857, 1858, and 1859, and my evidence before the Committee on Dockyards condemnatory of line-of-battle ships. Having commanded a line-of-battle ship, I certainly was of opinion that the wooden ships could not long retain the position they had held in the navy of England, and that iron ships should be built; but I was in the minority, though I rejoice that subsequent events have brought others to my opinion. As to the Vote for timber, who has been the most eloquent advocate in this House for that vast expenditure? Why, the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), who was a Member of Lord Derby's Government. That right hon. Gentleman over and over again called the attention of the House to the deficiency in the supply of timber; and when it has been procured, then the noble Lord complains of the large outlay for that article. The noble Lord has also referred to Captain Coles's cupola vessel, and charges the Admiralty with supineness in not adopting it till after the action of the *Monitor* and the *Merrimac*. But, as long ago as February last, the drawings for a vessel on Captain Coles's plan were prepared, and only the consent of the House was wanted to issue calls for tenders for its construction. The hon. Member for Liskeard (Mr. Osborne) took me to task the other night, and charged me with having said the vessel was being built, when it was only ordered; but my only object was to show that the matter had not been neglected. I understood the noble Lord to say that the *Warrior* is totally unprotected at her two ends, which are made of wood, and that she is entirely unfit to go into action. He is quite mistaken in that. He is, perhaps, not aware that the *Warrior* is wholly an iron ship, though it is true her extremities are not provided with armour plates; but she has transverse iron bulkheads to protect her guns. That is a system on which opinions greatly differ. I, for one, frankly admit that I think a system of armour plates all round in the case of long ships with very sharp bows is attended with considerable disadvantage, although some eminent judges are in favour of that mode of construction. The noble Lord says we never take up an invention till it is very late. Why, if he will only come to the Admiralty, he will see that we have no less than seven different classes of ships in progress of the iron-cased family, by various inventors, some of which are iron-plated right round, and others plated only amidships. We are going on with reasonable speed, but not too fast. It is inadvisable to rush all at once into a condemnation of our wooden fleet, and to build only with iron. We are, however, constructing, as I said, various classes of iron-cased ships, some of them as low as 1,000 tons. It remains to be seen whether they will carry their armour and be fit for foreign service and all weathers. I think we have not been behind-hand, but are progressing with sufficient despatch to maintain our position as a great maritime Power. Reverting to Captain Coles's cupola, it should be remembered that the late lamented Prince Consort had the sagacity first to discern the value of that plan. I was sent for two years ago by His Royal Highness, who urged and entreated me to prevail upon the Admiralty to try that invention, the original merit of bringing which to public notice belonged to that great Prince, and I told His Royal Highness we were preparing a cupola for trial. I am afraid I cannot follow the noble Lord through all his statement of the misdeeds of various Boards of Admiralty; but the gist of his complaints was, that we do not institute due inquiry into inventions, that we have no machinery by which they may be tested, and that inventors feel that we regard them, as it were, as our natural enemies. That is very far from a correct representation. I am bound to admit, as he justly states, that I have always advocated that there should be a scientific Committee attached to the Admiralty, exactly as that attached to the Ordnance. When I had the honour of being connected with the Ordnance, there was a Select Committee, to which all matters affecting the construction of guns, &c., were referred. I have often expressed my opinion on this point very frankly at the Admiralty; and I must say, that without going quite as far as I go, the Board have taken very great steps in what I must call the right direction in this respect. First of all, let me allude to the Scientific Committee, or the Iron-plate Committee, which has now been sitting for two years. If its Chairman, the hon. and gallant Member for Wakefield (Sir J. Hay), were not now before me, I should say something of his merits, but his name is a guarantee that the Committee is well constituted. Its other members are—Colonel Henderson, R.A., the Vice Chairman; Colonel Jervois, R.E., Secretary to the Defence Commission; Dr. Percy, Superintendent of the Museum of Practical Geology; William Fairbairn, President of the British Association, and a most eminent engineer and author; William Pole, a very eminent civil engineer, who has been connected with the iron question for many years, and is now, in addition to other duties, Professor of Civil Engineering in the London University. Everything connected with plating iron-cased ships is examined by that Committee, and experiments are continually carried on under their supervision. The Admiralty have also lately called in the assistance of many eminent shipbuilders, and among others the hon. Member for Birkenhead (Mr. Laird), who has been asked to report on a most important matter, on which the future of our navy greatly depends—namely, the possibility of sheathing the bottoms of iron vessels. The Messrs. Samuda, of the Thames Iron Company, and Mr. Napier, the famous shipbuilder of Glasgow, have likewise been requested to give their opinion on the sheathing of iron ships. Within the last fortnight we have had Committee sitting at the Admiralty on submarine rams—a subject which the noble Lord said we had never thought of. We have, besides, a standing Committee at Somerset House, composed of practical officers, who have laid before them a vast number of proposals relating to *matériel* for the navy. The noble Lord accuses us of never listening to anybody about anchors. Why, we have been testing a new anchor during the last month at Woolwich. It is quite true that Mr. Trotman has a standing grievance against the Admiralty, because naval officers do not altogether approve his anchor, which I, indeed, hope may answer, although it is to be doubted whether, taking all the roughs and smooths of a sea-going fleet, it will be as useful as the ordinary anchor. That, however, is a matter of opinion. Meantime it is now undergoing a trial in the *Warrior*. I might also advert to the experiments which daily go on at Portsmouth on board the *Excellent* and *Cambridge*, under officers experienced in gunnery. When I bring in our account for experiments at the end of the year, the House, I believe, will not think that we have been niggardly in these matters. I can only assure hon. Gentlemen, that we have at this moment before our attention a considerable change in regard to our navy; and I am bound to say—and it has been alluded to to-night by the noble Lord the First Minister—that it is necessary, for we have intelligence that the French have made considerable progress in their iron-cased fleet since I delivered my statement last February, in which I gave a list of their ships of that description. I do not express any opinion for or against what the French have done since then. I, however, regret it, because as soon as the French build, we shall build too, and so we ever shall do. Remember, then, that the French now have built and building thirty-six iron-cased ships of various sizes. I say we must have a corresponding increase. We have various vessels that will very shortly be commenced in our dockyards—vessels that were already partly built, and which will be eminently useful as iron-cased ships; and I also trust, at least as far as we can at present see, we shall not have to call for any increase in the Estimates of the present year. I have endeavoured to answer the questions of the noble Lord, and with regard to the Motion, there will be no objection to give him the Returns he wishes for provided his Motion is confined to the last three years.

Mr. LAIRD said, he wished to know if he had rightly understood the noble Lord to say that he had been appointed a Member of the Committee to which he had referred.

Lord CLARENCE PAGET: I signed a letter to the hon. Gentleman myself on Monday.

Sir JAMES ELPHINSTONE said, he much regretted that there was no tribunal before which inventors might have their plans and projects properly investigated by scientific men. A vast number of them were mere rubbish, and might be discarded at once. The noble Lord said the Admiralty had seven different descriptions of iron ships in a progressive stage of construction. That was a state of things which he considered peculiarly alarming, especially when taken in connection with what he afterwards stated, that in the race of construction we were certain to succeed. The noble Lord had formerly praised the *Warrior* as a sea-going vessel, but the fact was she rolled 45 degrees. She was uneasy and unseaworthy, because the requisite consideration had not been bestowed on the stowage of her waist. She was also badly masted. The first thing that should be done was to take her three masts out of her, and her bowsprit, which was that of a 90-gun ship, to shift her motive power into the middle of the ship, and to give her another mast, probably two. She would then be more seaworthy. They had heard little of the *Warrior* lately, but after all the repairs and alterations which had been made, till her rigging was entirely altered she would never be a sea-going ship, fit to point her guns under any circumstances of bad weather. We had sacrificed stability and the comfort of our crews to speed. As an old sailor said to him of the *Warrior*—"Why, Sir, that ship is like a musical snuff box—it is all music and no snuff." Let them have the reports of the *Warrior* on her passage to Lisbon, and let them know her capabilities. They were going to strip some of the old wooden line-of-battle ships, and clothe them with iron; let the *Royal Sovereign* be completed as fast as possible, let her be fairly tried, let a committee of naval officers go in her, and let them report on her. After that the Admiralty might proceed with other ships, and, as the noble Lord said, in the race of construction this country must succeed.

Question put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Ordered,

That there be laid before this House a Return of the number of proposals or plans, for the purposes of shot-proof ships, which have been received at the Admiralty during the last three years; distinguishing those which are now awaiting consideration; stating the dates when such proposals or plans were received and reported on respectively; and, if any such proposals or plans have been referred to a Committee, giving the names and qualifications of the respective Members of which that Committee was composed.

PEACE PRESERVATION (IRELAND) BILL — [No. 106.]

THIRD READING.

Order for Third Reading read.

Colonel DICKSON said, he felt it his duty to call the attention of the Government to the murder which was committed on the person of a young gentleman named Fitzgerald, in the broad day, on the previous Friday, in the county of Limerick. Mr. Fitzgerald, who was a resident landlord in that county and an intimate friend of his own, was walking with his wife by his side within a few yards of his residence, and consequently within a very few yards of a somewhat important town adjacent, when two men—one armed with a gun and the other with a pistol—accosted him. Whilst Mr. Fitzgerald was telling one of them to come to his house, the other suddenly fired a pistol at him; and as he fell wounded, his wife flung her arms around to shield him against further injury. The second assassin deliberately removed her arm, and despatched the victim by a second shot. He demanded the special intervention of the Government in that case, not because Mr. Fitzgerald was one of his most intimate friends, but because it was the third murder which had been committed during a very brief period, within a limited area of country. Very recently another friend of his had been attacked, and he escaped by a miracle, and he had in his pocket a list of five gentlemen whose lives had been threatened. The present state of Ireland was due to the gross misgovernment of successive Governments. In no other country could such deeds be perpetrated in broad daylight, and without the instant apprehension of the murderers. It was surely high time the Government took up the matter. They ought not to be contented with petty legislation on the subject, but ought to grapple thoroughly with the condition of the people, investigate the cause of these horrible outrages, and take effectual measures to prevent a repetition of them. The first thing that should be done was the punishment of the assassins. If the Government did their duty, and the police force for which the country paid so much were worth its salt, they would be hung within three days. The cause of these crimes was the tenure of land and the position of tenants in Ireland. Being a landlord himself, he was not likely to be without due sympathy for the landed interest; but he held that the present relations of landlord and tenant required amendment. It was impossible to legislate for Ireland in the same way as for England. Her case was quite exceptional, and allowance must be made for her unfortunate condition. Apart from the crimes connected with land, Ireland was singularly virtuous. Much was said of the rapidly increasing prosperity of the country, but there was a great deal of exaggeration on that point. Throughout the whole of the land there was a wide-spread undercurrent of misery and despair, and the people were inspired with a feeling of hatred and disaffection towards the British Government, whom they regarded as the authors of their desolation, and who were certainly the cause of their prolonged unhappiness. He entreated the right hon. Baronet to consider whether the time had not come for a reconstruction of the police force, which as a detective force was utterly useless, and whether it was not the duty of the Government to institute some inquiry into the present state of Ireland, and ascertain what steps should be taken to place her in that position she ought to fill, surrounded as she was by Providence with every element of prosperity.

SIR ROBERT PEEL: It is unnecessary for me to say that Her Majesty's Government share with the hon. and gallant Gentleman and the House the deep feeling of horror and detestation of these crimes, but it is obviously impossible for the Government to foresee occurrences, or to prevent the commission of such murders as have occurred in Tipperary and Mayo. The hon. and gallant Gentleman suggested that there should be some summary jurisdiction to hang the murderers in three days; but I think, in his calmer moments, he will see that it will be better to have recourse to the issuing of a Special Commission. That is a rapid way of dealing with criminals, and I think it is better to act with forbearance and judgment than to rush at once upon the unhappy prisoners, and, without following the forms of law, to execute them as the hon. and gallant Member suggests. [Colonel DICKSON: I did not say without form of law.] I am anxious that there should be as summary a jurisdiction as is consistent with the forms of the law, but I should be the last man to wish to see a prisoner executed without a fair and lawful trial. The murder to which the hon. and gallant Gentleman has referred was committed on the afternoon of the 16th. The murderers escaped and got some distance off, but that very night one of them was apprehended and taken back, and identified by Mrs. Fitzgerald, and has since been committed to gaol. The other has escaped; but we have sent to Cork, to another port, and to Liverpool, in order to render it impossible that he should effect his escape to America or elsewhere; and I have great hopes that within twenty-four hours he will be arrested. That shows that in this instance we have not been remiss, because I believe that not three hours elapsed before one of the murderers was arrested and identified by the unfortunate widow of the murdered man. I should be sorry to trespass further upon the attention of the House with regard to this painful subject, but I do protest against the remark of the hon. and gallant Gentleman that these murders and these agrarian outrages are owing to the state of the land tenure in Ireland. In his calmer moments he will, I am sure, see that he has cast an imputation upon the landlords which is not justifiable. In some newspapers the murder of Mr. Thiebault has, shocking as it may appear, been justified; and it is unfortunate that any hon. Gentleman should in his place assert that these horrid murders result from a state of things which the law has sanctioned. In all these cases great activity has been manifested by the police, and I have here a letter from Colonel Larcom, in which he says—

> "In the midst of all the abuse of the constabulary, it is something to see how promptly in every one of these terrible tragedies the murderer has been taken, almost with a red hand. The difficulty we have to overcome is the determination of the people to screen the murderers."

That is the unhappy state of things on which the hon. and gallant Member observes. I hope it will not be of long duration. I shall be glad to have the documents referring to the five persons whom the hon. and gallant Gentleman has mentioned, and will, without a moment's delay, take steps to have them properly warned, and for the adoption of measures to prevent the commission of the crimes which are threatened.

Colonel DICKSON said, that the right hon. Baronet had misunderstood what he said about the tenure of land. He had cast no imputation upon the landlords of Ireland; but what he meant was that the land was the only support of the people, and that the moment they lost their land they were driven to despair and starvation. Some inquiry was needed to see if means could not be devised to put an end to so miserable a state of things.

Mr. W. R. ORMSBY GORE said, that in South Leitrim there had recently been a great deal of crime; but the provisions of this Act had enabled the magistrates to prevent much more. He regretted that it was not to be continued for ten, instead of for two years.

Mr. COGAN said, that the sole object of Irish Members ought at present to be to express their abhorrence of the crimes which had stained their country, and to support the Government in the adoption of measures to prevent their repetition. The constabulary force was more an army of occupation than a police force, and measures ought to be adopted to make it more efficient for the detection of crime; and he would also suggest the desirability of bringing it more in contact with the magistracy, as in England. It was understood that the murderer in one of the recent cases was a returned convict, and he would further recommend that some supervision should be provided when returned convicts were let loose upon society. He was opposed to the taking of anything like hasty vengeance for the recent murders. The duty of the Government was calmly to mete out justice, and not to execute revenge. What was wanted was, not that a victim should be sacrificed, but that the guilty parties should be brought to punishment.

Mr. WHITESIDE said, it was a matter of painful consideration that while intense distress had prevailed in many parts of the west of Ireland, crimes of unusual atrocity should have been perpetrated in the south. Something had been said of uncommon modes of vindicating the justice of the country. He knew of no mode but one—the honest, prompt, efficient, and impartial administration of the law; and he did not believe that, in the hands of a firm and competent Executive, that mode could fail. Some eight years ago, when the Earl of Eglinton, first became Lord Lieutenant of Ireland, the new Irish Government found Louth in a state infinitely worse than anything he had heard of that night. Several gentlemen had received notices to prepare for death, and one was actually attacked and wounded. However, there was no violence done to the law or the justice of the country, and he recollected the Earl of Eglinton saying to the head of the police, that no Government was fit to exist which could not protect life and property. All the gentlemen who had received notices were protected, he would not say how; the guilty suffered the penalty of their crimes, and that district of Ireland had been perfectly quiet ever since. In those instances, many of which it was his duty to investigate, he never found any case of cruelty on the part of the landlords, nor did he hear or see anything to warrant the imputation that the crime of murder was to be committed because men asserted the rights of property. That was a rather dangerous idea to promulgate. Something had been said about the tenure of land, but, without expressing any opinion upon that subject at present, he thought it was monstrous that any people in Ireland should imagine that a legal question justified the commission of any species of crime. He was not quite satisfied with the speech of the Chief Secretary, because he did not understand what the right hon. Gentleman intended to do. No additional power was required, for he was convinced that the laws of the country, firmly and promptly administered, were sufficient to put down crimes such as those which had recently been perpetrated. He believed the Irish Government would do everything it could to prevent the repetition of these outrages; but, nevertheless, he could not help saying, that a Government to be strong ought to have sympathy with some section of the people which it ruled.

Sir GEORGE GREY: My right hon. Friend the Chief Sectretary has already stated that he deprecates any departure from the ordinary forms of law, and that it is the duty of the Government—a duty it is now fulfilling—to endeavour to bring the perpetrators of the recent murders to justice by a prompt, firm, and impartial administration of the law. He informed the House that the police have already apprehended some of the persons suspected of having committed these murders, and that as soon as the Government feel that those persons can be put upon their trial with a reasonable hope of a conviction, no time will be lost in bringing them before a jury according to the ordinary forms of the law. If the Government were to pledge itself to issue a special commission, it might take a step calculated to defeat the very purpose for which the law is to be enforced. Its first duty is to collect evidence, and then, instead of taking any steps of a vindictive nature, it must follow that course which it may think best fitted for bringing the criminals to justice.

Mr. MONSELL said, he entirely agreed that the law, if firmly and properly administered, was sufficient to repress such crimes as those which had recently occurred. But, as representing the county where the murders had taken place, he could not agree with the Chief Secretary that it was not within the power of the Government to foresee and prevent the commission of such atrocious outrages. The late murders were perpetrated in a very small district, on the high road, and in the light of day. When such crimes were committed one after another in rapid succession, the Government ought to have sent down a police force to watch what was going on, and to give notice and protection to the persons whose lives were threatened. He believed that Ireland was subject to those terrible occurrences, because there was nobody connected with the Government who, knowing the country and its condition, could take the necessary steps not only for punishing crime when it was committed, but also for discovering and bringing to justice the organized conspirators who directed the actual assassins in the execution of their terrible work. It was to be regretted, moreover, that an admirable police force had been converted into a *quasi* military body, and he trusted that something would immediately be done to render them more capable of discharging the duty for which they were originally constituted—the prevention as well as the detection of crime.

Sir ROBERT PEEL said, it was only due to the Government to correct the error which appeared to exist as to Mr. Thiebault not having been warned. He had been told that he was in danger, and two policemen were placed at his disposal; but he would not accept their protection, or admit that his life was in peril.

Mr. VINCENT SCULLY said, the House was agreed in opinion as to the atrocity of these outrages, and the necessity of preventing them by any means known to the law. He himself would vote for any measures, however stringent, having that object; but he believed these Peace Preservation Acts were utterly ineffectual, and that the constabulary, by the military character of their training, were powerless for the detection and suppression of crime. The root of the evil, however, lay in the land system; for Sir Matthew Barrington, in 1852, declared, as the result of thirty years' experience, that there had not been a single occurrence of a nature similar to those which lately attracted attention, which was not traceable either to the eviction of tenants or to the changes in the ownership of land. That it was idle to proclaim districts was shown by the fact that murderers always had weapons in their hands when they required them for the commission of crime. The people, he maintained, no longer communicated with the police, as they used to do before they were armed with the Enfield rifle, wore moustaches, and carried the Zouave bayonet; for a murder which was known in the evening to the inhabitants of the village of Golden was not known to the police till seven o'clock the following morning. He thought it only required energy on the part of the Government to put an end to these crimes.

Mr. O'BRIEN said, he did not think that a change in the organization of the constabulary would effect any good. Some of his hon. Friends had formed erroneous opinions upon that subject. A police force that would be merely detectives in every village, would be objects of suspicion to those who committed petty larceny and other small crimes, and would not be so popular with the people as the present system.

Lord NAAS said, he should protest against the notion that any law to be passed by that House relating to the law of landlord and tenant would be adequate to put down these crimes. The idea of fixity of tenure was a mere delusion, and the sooner it was removed from the minds of the ignorant peasantry the better. He did not recommend the slightest straining or tampering with the law in dealing with these crimes; but the law ought to be rigorously exercised, and the most extraordinary precautions ought to be taken by the Government to prevent the commission of these crimes on persons who were known to be threatened.

Mr. MAGUIRE said, he differed from the noble Lord as to the advisability of altering the law of landlord and tenant. The present law was in the most unsatisfactory condition possible. He believed, if the law were improved, the hand of the murderer would be struck down, and that he would be tracked to justice by the hands of the peasantry themselves. He was no friend to Ireland who did not advocate an alteration in that law. The question was whether the Bill should be read a third time or not; but had a single reason been alleged for the Motion? In Leitrim there was a proclaimed district, and what had the Bill done for that district? He believed the laws properly administered were adequate to deal with the state of thing, and he protested against the Bill as useless and unnecessary.

Lord FERMOY said, he was sorry that the question of landlord and tenant had been raised on that occasion. He should be glad to know if the police who warned M. Thiebault of his danger gave any notice to any local magistrate. [Sir Robert Peel: The matter was very generally talked about.] The local magistracy were generally ignored by the police. No reports were made to them, and the preservation of the peace was too much left to the police on the one hand, and the stipendiary magistrate and the authorities in Dublin on the other. Until the Government took the gentry into their confidence, they would never govern the country efficiently.

Mr. BRADY said, he should oppose the Bill. It could have no earthly effect in preventing crime, which could be traced distinctly to the question of tenure of land.

Mr. NEWDEGATE said, that the whole of the present Opposition in 1846 voted against the Bill introduced by Sir Robert Peel, and what was the result? The next Government were compelled to introduce a similar measure. Let the House remember that, and he trusted he should never see any party again take advantage of an opposition to such a Bill to assist them into power. He believed that the crimes which the measure was intended to meet had a political origin, and the system of brigandage which existed in Ireland was fostered by the debates in that House.

Mr. LANIGAN said, the crimes arose entirely out of the tenure of land question.

Mr. BERNAL OSBORNE lamented that the subject of landlord and tenant had ever been introduced. He, for one, could not parley with assassins. When persons were lying dead was no time to make election speeches. The British House of Commons could never for one minute parley with assassins. Let justice take its course, but let not apologies be made and sympathy almost be expressed with assassins. The police were excellent as a military body, but they were totally inefficient as detective police. The police officers were above their duty, owing to the system of competitive examination. In Dublin they had a mess and a band, and there was such a system of centralization going on as would be most disastrous in its results. The day was fast coming when the whole system of the executive would have to be overhauled. From the Lord Lieutenant to the lowest understrapper of Dublin Castle every man that had anything to do with the Government of Ireland would be brought to account. He did not mean to attribute blame to his right hon. Friend. On the contrary, he sympathized with his right hon. Friend, because he was without a law officer, and he was unacquainted with the affairs he had to administer. Everything was done by centralization in Ireland. The local gentry, the county lieutenants, were not consulted. When there was a change of Government, the lawyers got something; another Lord Lieutenant went over; he might be a man of great personal energy, or he might probably be contented with racket, cricket, or playing smaller games; but the poor, wretched country remained as it was. As for the present Bill, let them protect life in the first instance, and then he would go with those who wished it into other questions.

Bill read 3° and *passed.*

House adjourned at half after Two o'clock.

HOUSE OF LORDS,

Tuesday, May 20, 1862.

Minutes.]—Public Bills.—1ª Customs and Inland Revenue; Retiring Pay, &c. (British Forces, India); Peace Preservation (Ireland).

AFRICAN SLAVE TRADE—TREATY WITH THE UNITED STATES.

TREATY PRESENTED BY COMMAND.

Earl RUSSELL *presented* Copy of the Treaty concluded between Her Majesty and the United States, for the suppression of the slave trade, signed at Washington, 7th April, 1862. The noble Earl, who was very imperfectly heard, was understood to say, that he wished to take that opportunity of stating, that the present Government of the United States had shown great anxiety to adopt stringent measures for the extinction of that nefarious traffic. Their Lordships were aware that for some years past there had been great facilities afforded to persons at New York to fit out slavers. Those slavers went afterwards to Havannah, and thence to the coast of Africa. Her Majesty's Government were fully informed of the names of the persons who fitted out those slavers, and they advised our Admiral and cruisers on the African coast of the information they from time to time obtained. Owing, however, to these vessels using the American flag, these slavers were enabled to avoid search by our cruisers, and their operations consequently could not be checked. But President Lincoln's Government had given orders for the entire suppression of the slave trade, and had also taken effectual steps to break up the practice of fitting out ships at New York for the purpose of carrying it on. Some of the persons engaged in this nefarious traffic had been prosecuted, and one had been hanged. Besides these, as occasions required, other steps would be adopted for the effectual suppression of the slave trade. The present Treaty had been negotiated between Mr. Secretary Seward and Lord Lyons; and he might take this opportunity of stating, that it afforded the best evidence of the sincerity of feeling and purpose for the suppression of the slave trade, which, since the election of the present President, had characterized the Government of the United States. The Treaty gave extensive powers of search to the cruisers of both nations, and he had now the honour to lay it on their Lordships' table.

The Bishop of OXFORD wished, to take the earliest opportunity of expressing the very great gratification with which he had heard the announcement just made by the noble Earl. It was a matter which, as their Lordships were aware, he had long had deeply at heart. He believed this was the step in the right direction—the one which was needed to render our efforts for the suppression of the slave trade effectual. He had long felt, that if we had but a sincere and honest treaty with the United States, such as the noble Earl had just laid on the table, that the American flag should not cover the ill-conditioned of any nation engaged in the slave trade, the long services and sacrifices of this country would be effectual for its final suppression.

Earl STANHOPE, in expressing the same satisfaction which he was sure was shared in by all their Lordships, had only to ask this question—whether the treaty which the noble Earl now laid on the table was merely for a term of years, or indefinite in its extension?

Earl RUSSELL replied, that the Treaty was to continue for ten years in the first instance; but it was renewable at the expiry of that term, if its renewal should then be considered necessary.

Earl GREY said, he had always considered the use which was made of the American flag the great obstacle to the suppression of the slave trade. He hoped the Government would pursue actively the measures which were necessary for putting down the slave trade; and, what was of not less importance, giving security and protection to the Native chiefs of Africa in the development of the internal resources of that country, particularly in the cultivation of cotton. Looking to the stoppage of that staple from America, and the uncertainty of its supply from India, everything practicable should be done to encourage its growth in Africa. Already a large quantity of cotton was grown there, and it was his firm conviction, that if the necessary encouragement were given to the Native chiefs, with a view to the peace and security of that country, a large trade in cotton between Africa and England would be developed. It was quite hopeless this could be done while the slave trade continued to be carried on; but, as we had now some prospect of seeing that trade suppressed, he hoped Government, in addition to what was being done at Lagos, would take measures to extend British protection to the Native chiefs of Africa, and encourage the development of the resources of that country in the production of cotton.

House adjourned at a quarter-past Five o'clock, to Thursday next, half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, May 20, 1862.

Minutes.]—Public Bills.—1° Tralee Savings Banks; Partnership Law Amendment; Artillery Ranges; Sandhurst Vesting; Jurisdiction in Homicides.
2° Lunacy Regulation; Crown Private Estates; Universities (Scotland) Act Amendment (No. 2).
3° Landed Property Improvement (Ireland) Acts Amendment.

IMPORT OF FOREIGN PAPER.

QUESTION.

Mr. ASPINALL TURNER said, he would beg to ask the President of the Board of Trade, Why the Trade and Navigation Returns do not include the quantities of Foreign manufactured Paper imported into this country as well as the quanities of British manufactured Paper exported, and the quantities of Rags, &c., for making Paper imported; and whether he has any objection to furnish a Return of the quantity of Foreign Paper of all kinds imported each month since the Abolition of the Import Duty up to the end of April last?

Mr. MILNER GIBSON in reply said, the reason why the Trade and Navigation Returns did not contain the quantity of Foreign Paper imported was that they were Returns of only the principal articles imported, and the Foreign Paper was not sufficiently large in quantity to justify its separate mention; but, should it become an important article of import, it would be duly specified. There would be no objection to give the Return for which the hon. Member asked if he would move for it.

ST. STEPHEN'S CRYPT.—QUESTION.

Mr. CAVENDISH BENTINCK said, he wished to ask the First Commissioner of Works, In what state the crypt of St. Stephen's Hall now is, and whether there is any prospect of its being used for Divine Service?

Mr. COWPER said, that the restoration would probably be complete early next year, but he was unable to inform the hon. Member as to the prospect of the crypt being used for Divine Service.

PERSIA—REPORTED ATTACK ON HERAT.—QUESTION.

Sir MINTO FARQUHAR said, he was anxious to know, Whether the news by the last Bombay mail confirmed the frequently repeated statement that the Persians had advanced upon Herat?

Sir CHARLES WOOD: I have received, Sir, information by the last mail that the statement is not true. The Persians do not seem to have moved anywhere.

FISHING BOATS.

RETURN MOVED FOR.

Mr. BENTINCK moved an Address for Return of all British and French Fishing Boats which have been captured during the last ten years for the infringement of the Convention of 1843, and of the punishments inflicted in both countries in those cases; and Copy of all Correspondence which has passed on the subject of such captures and punishments between the British and French Governments. He thought the House would agree with him that there was no class of men deserving more consideration than that valuable class from whom our navy and merchant service were principally recruited. The fishing on the English and French coasts was regulated by Convention. For some years past the fishermen on the southern coast of England had considered themselves greatly aggrieved by the manner in which the French authorities had put into effect the provisions of the Convention relating to the mode of dealing with fishermen who were guilty of an infringement of the law. At the outset he might state to the House that he had had no communication with the persons who considered themselves aggrieved, but he had been led to inquire into the subject solely from circumstances that had come to his knowledge. Hon. Members might, perhaps, be aware it was the practice of English fishermen to fish close to the coast of France, and of the French fishermen to exercise their calling near the shores of Great Britain. Naturally, that would lead to some irregularity; and in order that cases in which the law had been infringed might be properly dealt with a Convention was agreed upon between the two countries, which was known by the name of the Convention of 1843. That Convention had not been hitherto carried out in a fair and satisfactory manner, inasmuch as offences of the same class were not dealt with in a similar manner in the two countries. He complained that the French authorities had carried out the Convention rather according to its letter than to its spirit. By the Convention the authorities were empowered to punish infringements of the law either by fine or by detention of the vessel. The English fishermen also complained of the unnecessary delay which took place before they were brought to trial by the French authorities. From a Return for the last four years it appeared that the average delay between the capture and the trial was ten days, the shortest delay five days and the longest nineteen. And whereas in this country it had been the invariable practice to deal with those offences by fine, the French authorities inflicted the penalty of detention, which, in point of fact, was a much heavier punishment than fining. The fishermen also complained of the great distances they were taken before their cases could be brought before the French authorities. The Convention provided a fine of £10 in certain cases, and the object evidently was that this should be the *maximum* punishment. In this country such matters were dealt with summarily, and the punishment seldom exceeded the infliction of a pecuniary penalty; whereas by the different course which was pursued in France our fishermen were mulcted to the extent of £80, £100, or sometimes even £150. They therefore considered themselves most unjustly dealt with, the more especially as in many cases their cargoes were utterly destroyed. He assured the House that he had no desire to make out a case in order to shield the misconduct of our fishermen, who certainly were by no means immaculate; but, at the same time, he did not think that we were to sacrifice everything for the purpose of a close intimacy with France, and he thought in that instance the French authorities had allowed their zeal to outrun their discretion. They had inflicted many grievous punishments that had never been intended to be inflicted by the spirit of the Convention, nor had they any excuse from the manner in which such offences had been dealt with in this country. He could not but think that this was a subject which ought properly to be taken up by Her Majesty's Government, and he hoped that he should receive an assurance on their part that inquiries would be made into the matter and such steps taken as the case demanded; and he could not but think, that if the case were properly stated to the French Government, the injustice of the whole proceeding was so obvious that he believed there would be no difficulty in obtaining attention to it. They were a helpless class of men, but at the same time a class most valuable to the community. As he had said before, it was from it that both our marine and naval services were supplied, and therefore he could not but think that it was the duty of the House of Commons to watch over their interest as closely as they did over the interests of all other classes of the community.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Return of all British and French Fishing Boats which have been captured during the last ten years for the infringement of the Convention of 1843, and of the punishments inflicted in both countries in those cases:

"And, Copy of all Correspondence which has passed on the subject of such captures and punishments between the British and French Governments."

MR. CAVE seconded the Motion. He was glad his hon. Friend had brought the question forward, as it was one which had excited growing attention and increasing dissatisfaction on the English coast. He had on former occasions advocated the cause of the deep-sea oyster fishermen of the South Coast, and since this Motion had appeared upon the paper he had received a long list of vessels detained, and nets seized, for alleged infringement of the Fishery Convention. He had given his best attention to the Convention, and it was fair to state that he believed it was a good measure, and had, on the whole, worked well. But owing to change of circumstances, and contingencies overlooked at the time, certain enactments seemed now arbitrary and oppressive; and the fishermen complained, as he thought with reason, that when we made so many concessions to France under the Commercial Treaty, we did not in return obtain an abrogation of these harsh and vexatious restrictions.

MR. LAYARD agreed with the hon. Member for West Norfolk (Mr. Bentinck) that the fishermen were a valuable and meritorious body of men, and were entitled to the protection of the Government and the House. It was perfectly true that they had some grievances to complain of, but they did not extend quite so far as the hon. Gentleman represented. He complained that the highest penalty warranted by the Convention between France and England was inflicted upon them; but the French authorities had a perfect right to avail themselves of either punishment prescribed by the Convention. The fact was, these fishermen were in the habit of occasionally defying the French authorities and exposing themselves to capture by French cruisers. This naturally excited a feeling of exasperation against them, and the French courts had inflicted upon them the highest penalty. But the real grievance was this:—By the 69th article of the Convention all transgressions of the regulations established for the protection of the fisheries lying between the English coast and France were to be submitted to the exclusive jurisdiction of the magistrates designated by law in each country;

and the 70th article provided that cases of infraction should be heard in as summary a manner and at as little expense as possible. It was alleged that this latter article had been infringed, because there was reason to believe that the parties were not brought to trial in a summary manner. If a boat was captured off Jersey, it was taken to the nearest French port, Granville, and then the fishermen had to travel eighteen miles to Avranches, where the nearest court was held; and that court sat only once a week. They had to travel at their own expense, and to wait at Avranches often several days before the case was heard, while the cargo of the boat, being of a perishable nature, was partially, if not entirely lost. This was, no doubt, a hard state of things to be endured by these poor men, who, whether guilty or not, were virtually punished, without the authority of the Convention, by the total or partial loss of their cargo. The Government were consequently of opinion that they had a just cause of complaint against the French authorities. The strongest representations had been made at Paris on the subject, and correspondence had gone on for some time between the English and French Governments. M. Thouvenel had now informed Her Majesty's Government that he had entered into communication with the Minister of Marine, who had exclusive jurisdiction in these cases, and he promised that some arrangement would be come to by which this grievance would be put an end to. As the correspondence was still pending, he thought it would rather interfere with than promote the hon. Gentleman's object, if he were to press for these papers.

MR. BENTINCK said, that after the assurance that had been given by the hon. Member that negotiations were taking place he would not press his Motion. With reference, however, to the observation that the French Government had a perfect right, under the terms of the Convention, to inflict the punishment of detention, he must observe that it was the duty of Her Majesty's Government to take care that fair and equal justice should be done, and that the same description of punishment should be inflicted in both countries for the same kind of offence.

Motion, by leave, *withdrawn.*

CASE OF ALICE DELIN.

RETURNS MOVED FOR.

MR. O'BRIEN rose to move that there be laid before the House—

"Copies of the Depositions taken at a Coroner's Inquest held at Tullamore, in the King's County, on the 3rd day of January 1862, on the body of Alice Delin, who had been imprisoned in the county jail for seven days:

"Of the Order or Conviction (if any), and of the Committal, under which she was so imprisoned:

"Of the Entry (if any) of such Order or Conviction in the Petty Sessions Order Book of the district, and of all Entries or Orders appearing on the page of the said Order Book in which such Conviction or Order is entered:

"Return stating when and from whom the said Conviction or Order was received by the clerk of Petty Sessions, when he made an entry of the same in the order book, and in whose handwriting the original of said Order or Conviction and the signature thereto is:

"Copy of the Informations sworn against the said Alice Delin:

"Return stating in whose handwriting the original of said Informations is, where they were written, and also whether the prisoner, the deponent, or any justice of the peace were present while such Informations were being written, and also if the prisoner was present when such Informations were afterwards sworn:

"And, Copy of any Correspondence of any members of the Irish Government in relation to the above case."

The hon. Member said, that the excitement in the King's County which immediately ensued upon the circumstances of this case becoming known had not subsided at the end of five months; and as one of the representatives in Parliament he was called upon to state the grievance to the House. The magistrate whose conduct was questioned was Mr. Trench, a gentleman who was intrusted with the management of one of the largest estates in King's County. Alice Delin was an old woman of seventy-eight. Upon some day shortly before Christmas she was seen to enter the house of one of the tenants of the estate to which he had referred. Mrs. Carter, the wife of the tenant, was in the house. Mr. Trench followed the old woman, and asked Mrs. Carter whether she had been begging. Mrs. Carter said she had asked for a bit of sugar; but, knowing the old woman as a neighbour, she did not wish to prosecute. Mr. Trench produced a Bible from his pocket, administered an oath, questioned Mrs. Carter again as to what had been asked of her, and, having obtained the presence of a policeman, sent Alice Delin to the county gaol for a week. It must be remembered that she had lived for forty years in the locality, that she had never committed any offence, that she had never been in the workhouse, and that, when too old to gain a living by selling trifling articles, she received the gratuities of the neighbours who respected her, and, whenever she could, rendered them little services in return. This woman was sent a distance of six or seven Irish miles on a cold December evening, and five days afterwards she died. The horror and excitement of the neighbourhood necessitated an inquest, and at the inquest the police-constable stated that the weather was so cold he had to lend his coat to wrap round her; that in the presence of the magistrate she would have fallen but for his support; that he took her to the barrack, where the head constable made out Mrs. Carter's information from what he told him, neither Mr. Trench nor Mrs. Carter being present; that on arriving at the gaol at six o'clock he had to lift her bodily out of the car, and that she said she was sure she should not live to come out of gaol. He did not wish to excite public feeling, but to allay the natural indignation which must exist in the minds of humane people, by giving the executive Government an opportunity of expressing their opinion on the case. This question might be considered in the legal view and the moral view. Asking alms within a house did not constitute an offence under the Vagrancy Act; but, even if it did, Mr. Trench did not comply with the provision of the Petty Sessions Act, which required that the depositions on oath of witnesses should be taken in the presence of the accused. In the present situation of Ireland, however, he did not rest this question on a miserable legal technicality; he viewed the question as one of moral duty, and would ask the House whether it was right that even the poorest in the land should be dealt with in such a manner, contrary alike both to justice and to mercy. The distress which prevailed in that country rendered the conduct of Mr. Trench still more monstrous. He was well aware of the noble efforts which the landed proprietors were making to alleviate the misery of the people, and he was certain they would share the hodest indignation with which this affair was regarded. He joined in execrating the horrid outrages which had recently been committed; but he could not but feel that such behaviour as that of Mr. Trench was apt to be used as an argument to palliate those crimes, and must create dangerous agitation in the minds of ignorant and suffering people. He hoped the Government would produce the papers on the subject, and would see the propriety of removing Mr. Trench from the commission of the peace. He was quite aware that the circumstances of the case were widely known, but he wished them to be placed before the House in an official form. The hon. Member concluded by moving for the papers.

Mr. HENNESSY seconded the Motion.

Sir ROBERT PEEL said, that as there was no opposition to the Motion, it was, perhaps, unnecessary for the hon. Gentleman to enter into all the details of the question. He did not complain, however, that he had felt it to be his duty to bring the matter under public notice. The hon. Gentleman said he did not desire to excite ill feeling in the country, but rather to allay it; but he (Sir Robert Peel) thought that as all the facts had already been placed before the public, this renewal of the discussion on the matter would rather tend to the perpetuation of bad feeling than promote any good end. The papers moved for had already appeared in the shape of a pamphlet, and had received sufficient publicity through the newspaper press; but as the hon. Gentleman desired to have them in an official form, the Government was prepared to accede to his request. The Lord Chancellor had authorized him to say that he would add to the documents the letter which he wrote on the subject; but he could not see how any public good could result from the continuance of the agitation on this question. The hon. Gentleman knew perfectly well that very great excitement had been created in the country by the conduct of Mr. Trench. The Lord Chancellor wrote to that gentleman asking an explanation, and on receiving it severely reprimanded him. He understood from the Lord Chancellor, however, that Mr. Trench erred rather from want of judgment than from a desire to use the old woman harshly or unjustly. Instead of entering into a discussion on this matter, which in the present excited state of certain parts of Ireland might be very injurious, he hoped the House would accept the statement he had made, and not pursue the subject further.

Mr. M'MAHON observed, that it was very desirable that the people of Ireland should have perfect confidence in the administration of justice, and urged that Mr. Trench should be removed from the commission of the peace, which his behaviour had proved him unfit to hold. That gentleman ought not to be allowed the opportunity of repeating the atrocious conduct for which he had been reprimanded by the Lord Chancellor.

Mr. COGAN tendered his thanks to the hon. Member for the King's County for having ably and dispassionately brought this matter forward. For the first time the fact had been ascertained that the Lord Chancellor had felt it is duty to severely reprimand Mr. Trench; and it was therefore acknowledged that the conduct of that magistrate was not capable of any defence. Before any further discussion took place on the matter, the papers ought to be produced, and then, after a careful consideration of the Lord Chancellor's letter, it would be for the House to decide whether a sufficient punishment had been inflicted upon Mr. Trench, or whether it might not be better that the bench of justice should no longer have him as one of its occupants.

Mr. BRADY said, there was one feature in the affair which he could not pass over without some notice. He alluded to the testimony of the medical officers, which proved that they were most inhuman in their conduct towards the poor creature. One medical man deposed that she died from congestion of the lungs, while at the same time he stated that he made only an external examination. Now, as a medical man himself, he arraigned that opinion, believing that the cold which the unfortunate old woman endured was the chief cause of her death. It was as clear as possible that the evidence of the medical men was not such as ought to have been given, but that they were under the influence of a certain power, which prevented their giving the evidence they should have done. He trusted that when the subject next came under their consideration the House would mark its sense of the treatment shown to this poor creature by requiring a much more severe punishment to be visited upon the author of this inhumanity than that which he had already received from the head of the magistracy of Ireland. He held that it was not fit or right that any gentleman should hold the commission of the peace who was capable of committing such acts of inhumanity as were imputed to Mr. Trench.

Motion *agreed to.*

JURISDICTION IN HOMICIDES BILL.

LEAVE. FIRST READING.

SIR GEORGE LEWIS moved for leave to bring in a Bill for the more speedy trial of certain homicides committed by persons subject to the Mutiny Act, and for giving jurisdiction to the Central Criminal Court to inquire into such homicides. The measure was intended to meet such a class of cases as had occurred frequently of late—namely, the murder of officers of the army by privates. Various plans had been under the consideration of the Government for the amendment of the law applicable to such crimes. On the whole, however, they did not think it desirable to do more than to take steps to accelerate the course of justice in such cases. There was already an act by which any criminal case could be removed to the Central Criminal Court, where the sessions were held monthly; but that Act was limited to cases where bills of indictment had been found by grand juries. The present measure was intended to adapt the provisions of the Act to those military crimes, but to provide that when a prisoner had been committed to prison on the warrant of a magistrate, such party might be tried at the Central Criminal Court without waiting for the finding of a bill of indictment by a grand jury.

Leave given.

Bill for the more speedy trial of certain Homicides committed by persons subject to the Mutiny Act, and for giving Jurisdiction to the Central Criminal Court to inquire into such Homicides, *ordered* to be brought in by Sir GEORGE LEWIS and Mr. ATTORNEY GENERAL.

Bill *presented,* and read 1°, to be read 2° on *Thursday* 29th May, and to be *printed* [Bill 129].

ARTILLERY RANGES BILL.

LEAVE. FIRST READING.

SIR GEORGE LEWIS moved for leave to bring in a Bill to appropriate certain portions of land lying between high and low water mark, situate in the parishes of Shoebury and Wakering, in the county of Essex, as ranges for the use and practice of artillery. The right hon. Gentleman said the object of the measure was to prevent accidents during the use and practice of artillery. The measure simply proposed to prevent the anchorage of vessels in the neighbourhood whilst the practice was going on.

Leave given.

Bill to appropriate certain portions of Land lying between high and low water mark, situate in the parishes of Shoebury and Wakering, in the county of Essex, as Ranges for the use and practice of Artillery, *ordered* to be brought in by Sir GEORGE LEWIS and Mr. ATTORNEY GENERAL.

Bill *presented,* and read 1°, and referred to the Examiners for Petitions on Private Bills, and to be *printed* [Bill 127].

SAVINGS BANKS BILL—[BILL No. 35].

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. AYRTON said, that he had co-operated with the right hon. Gentleman opposite (Mr. S. Estcourt) in bringing forward the measure, the object of which was to give the best security they could to depositors short of a direct pecuniary guarantee on the part of the Government. The Bill sought to effect that object in two ways: first, by taking care that there should be an efficient body of managers, and by taking care also that those managers performed their duty in seeing that the officers of the bank brought the money paid in by the depositors to account. The measure had been intended as a boon to the managers of savings banks; but, unfortunately, some of these parties regarded it in the light rather of an obstruction than a benefit, and under those circumstances he was afraid he must recommend the right hon. Gentleman to withdraw it, because he felt it would be hopeless to attempt to pass a measure of this kind without the general sanction of the gentlemen concerned. In that event, however, a grave responsibility would rest on some one, for it was the bounden duty of the House to see that the law offered every reasonable security to depositors, who were generally of a class ill able to form a sound opinion with regard to the minute details of the system. Unless the right hon. Gentleman succeeded in bringing in a Bill more generally acceptable, he thought it would be the duty of the Government to introduce a measure giving every reasonable security to depositors, though, of course, having savings banks of their own, they could not now be expected to give a pecuniary guarantee.

Mr. SOTHERON ESTCOURT said, he had brought in this Bill in connection with some hon. Friends, including his hon. and learned Friend who had just spoken, whose assistance he begged to acknowledge, believing that its operation would afford better security for depositors, and would also affect the managers of savings banks beneficially. He had, however, received within the last few months numerous representations from managers and others in different parts of the country urging in some cases that the Bill was inapplicable to their particular circumstances, and in others alleging that, whether rightly or wrongly, great apprehensions as to its operation were entertained by managers and trustees. He should not have felt himself justified in assenting to the request which they all put forward that the Bill should be withdrawn for the present Session, if it were not that he had that very day received from an influential body of managers of savings banks, gentlemen of great experience and fully to be depended upon, an assurance, that if he consented to withdraw this Bill, they would endeavour to devise a Bill the provisions of which would, in their opinion, meet the requirements of their different establishments. On the other hand, he had assured those gentlemen, in the name of his hon. Friends as well as his own, that they could not accept any Bill until they were perfectly satisfied that its provisions would afford the requisite security to depositors. He cordially concurred with his hon. and learned Friend opposite in hoping that some measure might ultimately be devised which would have the effect of remedying the present very unsatisfactory condition of the law. He trusted the Government would be induced to take charge of the question: but should they not do so, he would do his best to remove these small imperfections which still attached to the law of savings banks. Under these circumstances, he asked for leave to withdraw the Bill.

The CHANCELLOR of the EXCHEQUER said, he regretted very much that the labours of his right hon. Friend had not come to a different conclusion than had the labours of those who, with the advantages or disadvantages of official position, had previously attempted to deal with this subject. The question had been for a long time handled by those who had successively filled the office of Chancellor of the Exchequer, but who had not succeeded in persuading the Commissioners to adopt plans which they had framed in order to effect the security of the depositors. From them it had passed to the hands of his right hon. Friend, who had just now informed the House that he felt compelled to assent to the postponement of his labours; but that the subject would during the recess be in the hands of a considerable association or combination of managers of savings banks. Well, it was very desirable that managers should take their turn. On the part of the Government he would say, that if they could see their way to the attainment of an alteration of the law which promised to be a real improvement, they would not excuse themselves for the purpose of evading difficulties which might attend legislation on the subject. Undoubtedly the main question had been disposed of. They were now able to say to the people of England who were disposed to lay by their savings, with a moderate interest, and with a perfect security, the Government had provided some 3,000 places of deposit where those savings could be received, and where the security of the State was given for those deposits. There, therefore, was not the same urgency which formerly existed for an amendment in the law relating to savings banks. At the same time, it was known that there was a sum of £30,000,000 to £40,000,000 in the hands of the old savings banks, deposited by an immense number of persons on the security of the law; but which security was liable to be misunderstood. Hon. Members had no difficulty in distinguishing between Government liability to trustees and Government liability to depositors; but the distinction was not so readily comprehended by the depositors themselves, and he believed that the utmost vagueness of conception actually prevailed among the depositors on the point. In 1853 he proposed to introduce an agent independent of the local manager of the bank, who should be a party to every transaction of paying and receiving money; but it was undoubtedly open to the objection that it would entail some increase of expense in the management, and this must be regarded as a serious defect. He did not imagine that anything of so extensive a character would now be attempted. He confessed that he was somewhat discouraged at the momentary failure of his right hon. Friend, because he knew of no one who, from character and position, from the attention which he had given to the subject, and from the general possession of the confidence of the managers of savings banks, was so likely to bring the matter to a successful issue. He trusted that the right hon. Gentleman would pursue the course he had intimated his intention to take, and any representation which he might urge upon the Goverment, either during the Session or in the recess, would receive at his (the Chancellor of the Exchequer's) hands, should he have the honour to retain office, the best consideration, with an earnest desire to secure the prosperity of savings banks.

Mr. H. A. HERBERT fully concurred in all that had fallen from the Chancellor of the Exchequer as to the position and character of the right hon. Member for North Wiltshire and his peculiar ability and fitness for the task he had undertaken, and regretted the announcement he felt himself called upon to make. He trusted that the right hon. Gentleman would impress on the managers with whom he would come in contact the great responsibility which they had incurred by year after year defeating the attempts of successive Chancellors of the Exchequer to amend the law with regard to savings banks. The state of that law was most anomalous. It was not sufficient that any hon. Member should be able to say that these banks were generally well managed; but it was a disgrace to the country and to that House that any law should exist under which it was possible that such things should occur as the public were unfortunately familiar with—the failure of savings banks. These banks had been just sufficiently tampered with by Acts of Parliament to create an impression of absolute security, but the House had altogether neglected to take precautions to ensure that such belief was well founded.

Mr. HENLEY said, he could not say he regretted that his right hon. Friend had taken the course which he had done in this matter. It was very advisable that any measure to give security to depositors in the ordinary savings banks should, as far as possible, be taken with the consent of the persons who had the management of those banks, and he was not without hopes that this might be accomplished. This was a great point, and the delay might be advantageous if that desirable result could be obtained. He was not without hope, that if proper steps were taken, perfect security to the depositors would be obtained. The measure which the Government had introduced for the establishment of Post Office Savings Banks had worked well, and afforded an opportunity of dealing with this question which had not existed before. The managers of very small banks on the old system, which could not afford the proper machinery for perfect management, ought to hand over their business to Post Office Savings Banks.

Mr. DARBY GRIFFITH expressed his concurrence in the remarks of the Chancellor of the Exchequer. He was glad to hear that the Post Office Savings Banks were working so well, and expressed his opinion that the Post Office Banks would ultimately swallow up all the old banks.

Motion, by leave, *withdrawn.*

Order for Second Reading *discharged.*

Bill *withdrawn.*

LUNACY REGULATION BILL.

[BILL NO. 76.] SECOND READING.

Order for Second Reading read.

Sir GEORGE GREY, in moving the second reading of the Bill, which had come down from the House of Lords, said, that the Bill related almost exclusively to Chancery lunatics. One object of the measure was to amend the mode of procedure in Commissions of Lunacy issued by the Lord Chancellor, so as not to exhaust the whole of the property of a lunatic or alleged lunatic in the expenses incidental to the Commission. The Bill also gave the Lord Chancellor additional power to apply properties of small amount for the benefit of lunatics, when satisfied that there was foundation for the allegation of lunacy; and the third object was to provide for the more effectual visitation of Chancery lunatics. There was also a clause which would enable the Lord Chancellor to make provision for criminal lunatics. The Bill was, in fact, an Amendment of the Act of 1853, introduced and passed by Lord St. Leonards when he held the office of Lord Chancellor, and which introduced most valuable alterations in the law of lunacy; and the two latter objects had already been the subject of Bills introduced into that House by the hon. and learned Member for Belfast (Sir H. Cairns). The necessity for the first part of the present Bill had been suggested by the recent case of Mr. Windham, which had attracted public attention in consequence of the length of time it lasted, and the enormous expense which had been incurred in the inquiry. The third clause provided that the inquiry should be limited to the state of mind of the alleged lunatic at the time when the inquiry was instituted. It also enacted that no evidence should be received in proof of insanity as to anything done or said by such person, or as to his demeanour or state of mind at any time being more than two years before the time of the inquiry, unless the Judge should otherwise direct. The third limitation of this clause was intended to exclude the merely speculative views and opinions of medical men; and it provided that the opinion of the medical practitioner should not be admissible as evidence of insanity. As to the first of these provisions, it was desirable to bear in mind what the state of the law now is. Prior to the year 1858 the inquiry was not limited in point of time. The inquiry was directed not merely to the state of mind at the time, but the jury were called on to state the period from which that lunacy should date. The 47th section of the Act of 1853 provided that the inquiry should not be carried back, unless directed by the Lord Chancellor. That was a great improvement of the law. But he thought this should be altered so as not to leave this discretion to the Lord Chancellor. The reason for going back was to ascertain whether the validity of a will or a marriage would be affected by the lunacy: but by admitting these collateral subjects of inquiry, the parties whose rights would be affected by it would be greatly multiplied, while no final decision could be obtained with regard to them. These matters could be ascertained by other modes, and it was now thought better to propose that in all cases the inquiry should be as to the state of mind at the time of the inquiry. The second alteration was as to the period beyond which no evidence should be given, and that, it was thought, should be two years. This, however, might be extended at the discretion of the Judge, if he should think it necessary, to meet particular cases; such as where the character of certain symptoms might have an important bearing on the inquiry, if proved to have existed at a former period, and to have developed themselves subsequently into confirmed insanity. The third point touched upon a question which had occasioned, and would probably still occasion, considerable difference of opinion—the exclusion of mere speculative theories of medical men,

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were which often given in inquiries of this kind, and which tended to confuse rather than enlighten a jury; but it was by no means intended to exclude medical evidence. On the contrary, where a medical man had been long in attendance on an alleged lunatic, and spoke to what he had himself seen, his evidence was exceedingly important. The object of those inquiries was to judge of the acts, habits, demeanour, and conversation of the alleged lunatics; and if medical men were permitted to give their opinions as to the structure of the head, the expression of the eye, or any particular malformation, irrespective of acts done or words spoken, it would tend rather to mislead the jury than to guide them to a right conclusion. He was glad to find the following statement in the *Journal of Mental Science* for April with reference to this provision of the Bill:—

> "At the first blush of this we were inclined to feel professional vanity not a little wounded, but we are bound to ask, not whether the provision is flattering, but whether it is calculated to promote the public interests by rendering judicial proceedings more certain and simple. The broad position taken by the Lord Chancellor is, that in inquisitions of lunacy the question mooted is the existence or non-existence of certain states of mind as a matter of common observation; it is not whether these states of mind are or are not conditions of disease, but whether it is a fact that they exist, and he maintains that the proof of this fact must depend on that kind of evidence which appeals to the understanding, and which gains the belief of common men unlearned in the subtleties of physiology or metaphysics. The plain expression of an empirical knowledge of observed facts relating to the mind of an alleged lunatic is the very thing which the provision contained in the Lord Chancellor's Bill aims to substitute for those speculative views and theoretical opinions which have in lunacy trials been the cause of so much waste of public time and patience, and of so much discredit to our profession."

To a certain extent this provision of the Bill was already in force. A case was tried by Lord Campbell in 1850 at the Stafford Assizes, in which the validity of a will was disputed. The then Solicitor General appeared for the plaintiff, and Drs. Monro, Winslow, and Conolly were brought down as witnesses. Dr. Monro, being put into the witness-box, was asked whether, having heard the evidence which had been given, he could say that the testator was sane or insane. Lord Campbell would not permit the question to be answered. He said he would not allow a medical man to be placed in the position of a jury. In many cases the opinions of the medical men were contradictory, and tended rather to perplex than to elucidate the subject of inquiry, and it was therefore proposed to exclude altogether mere opinion, not founded on personal knowledge of facts of which the jury could judge. There was another important change with regard to procedure. Under the Act of 1853 a jury was impannelled only in cases in which a demand for a jury was made by the alleged lunatic. The results of the Act of 1853 had been satisfactory in two respects: in the first place, it withdrew many cases from a publicity which was often very painful to the families of the persons afflicted; and, secondly, it had induced persons to apply for commissions of inquiry who otherwise would have shrunk from doing so. How the Act had worked in that respect would be shown by the following figures:—During the five years preceding the Act of 1853 the number of inquisitions was 196; during the five years which followed the Act they rose to 358; and although the option of demanding a jury was given, out of the 358 inquisitions there were only 21 in which juries had been impannelled. It might be thought therefore, that it would not be necessary to alter the law. But some of the cases in which a jury was impannelled were of great importance, from the magnitude of the interests at stake. Counsel of the greatest eminence were employed in them, and it was thought desirable in such cases that a Judge of one of the Courts at Westminster should preside, in order that the inquiry might be conducted in a manner that would be most satisfactory to the public. No imputation whatever was thrown on the manner in which the Masters in Lunacy had conducted those inquiries; but it was obvious that it would be advantageous that those cases should be presided over by one of the superior Judges. Counsel would be more likely to attend to suggestions coming from such a quarter, evidence foreign to the case would be rejected, the inquiry would be shortened, and satisfaction would be more generally given. The present Bill, then, would enable the Lord Chancellor to send those cases before a superior Judge instead of a Master in Lunacy. An objection had been made that the Judges were so fully employed that they would have no time for such inquiries. But when it was considered that in five years only twenty-one of those cases had occurred, it would, he thought, be found perfectly practicable to obtain the services of one of the superior Judges. There was another provision in the Bill, which would take away the absolute right of traverse in all cases which might have been heard by a jury, leaving it, however, in the power of the Lord Chancellor to grant a new trial if he thought proper. Under the present state of the law the right of traverse had been exercised without the slightest benefit to the lunatic and at great expense. The Bill also proposed that after the case had been opened there should be an opportunity of examining the alleged lunatic, and that a similar examination might take place at the close. It was very generally considered, that had the examination of the alleged lunatic in a recent trial taken place at an earlier period, it would have tended to shorten the case. It was also provided that it should be at the discretion of the Judge whether the examination should be conducted in public or in private, because it was felt there were cases in which public feeling and public decency might be shocked by an examination with open doors. What he had said thus far related to procedure. The second object of the Bill was to extend the power of the Lord Chancellor, so as to enable him to deal with small properties of the value of £1,000, or of £50 per annum, without having recourse to a commission. The third object of the Bill had reference to the visitation of Chancery lunatics. In the Committee appointed to inquire into the law affecting lunatics, no point was more clearly established than that an immense improvement in the care of lunatics resulted from proper and regular visitations; but he was sorry to say that the law did not extend to Chancery lunatics the same protection that it afforded to other classes of lunatics. The visitors were under the obligation to visit the Chancery lunatics only once a year, and the interval between the visitations was not fixed. The number of lunatics under the care of the Court was about 650, and their incomes amounted in the aggregate to about £350,000. About 300 of the lunatics were in licensed houses, and the remaining 350 resided in their own houses, or were placed with their relatives, or with persons selected by the latter. Their places of residence were therefore scattered all over England. By the present Bill the visitation would be altered. The recommendation of the Committee before which Lord Shaftesbury and other members of the Lunacy Board were examined, was that the visitation of Chancery lunatics should be intrusted to that Board, the Lord Chancellor retaining full authority as to their property. The Lord Chancellor was willing to adopt this recommendation, and only abstained from doing so in consequence of the strong objections raised to it by the Board itself. It was therefore proposed, that in addition to the legal visitors, who are to be retained, two medical visitors should be appointed, who should be withdrawn entirely from their profession. It would be obligatory on these visitors to visit this class of lunatics at least four times in the year, and such visits were to be so regulated as that the interval between the visits to each lunatic should in no case exceed six months. If the House agreed to this proposal, these unfortunate persons would be looked after in a more efficient way than they hitherto had been, and every precaution taken for securing them the greatest amount of comfort that could be extended to persons in their condition. He had now explained the general purport of the measure, and he apprehended that there would be no objection to the second reading.

Sir HUGH CAIRNS said, he did not rise to offer any opposition to the Bill, in the greater part of the provisions of which he fully concurred. With respect to the visitation of lunatics, and the mode of dealing with small properties, it would be extremely useful; and he regarded the proposed change, by which the inquiries before a jury respecting lunacy were to be made by an issue to one of the Superior Courts of common law, as a great improvement. It was impossible to find fault with the way in which the officers before whom these investigations had hitherto taken place had conducted the inquiries; but, as the Secretary of State remarked, there was one conclusive reason for the change—because, after an expensive trial before a Master in Lunacy, and a decision establishing lunacy, the lunatic might the very next day traverse the finding; and then that traverse would have to be tried by a Judge of the Superior Courts. Therefore the proposition embodied in the present Bill was calculated to save time and expense. There were one or two points in respect to which he thought the Bill needed revision, and which he should mention in the hope that the Government would reconsider the propositions which they made. The Bill, for instance, provided that no evidence should be taken as to anything which might have occurred more than two years previous to the institution of an inquiry under its operation. Now, he felt assured that in ninety-nine cases out of 100 it would not be found necessary to go further back; but there were, nevertheless, very serious objections to defining the time to so sharp a limit. What magic, he should like to know, lay in a period of two years? What, moreover, would be likely to be the result of fixing upon it as the boundary beyond which the inquiry must not extend? The House was well aware that in many cases the friends of a person who was supposed to be afflicted with the infirmity with which the Bill proposed to deal, were very unwilling, till the last moment, to take steps which would make that infirmity the subject of a public investigation; but under the operation of the provision to which he was referring, they would be led, perhaps, to precipitate an inquiry which might be very properly and conveniently delayed, under the apprehension that unless that inquiry were instituted within two years they would be debarred from adducing certain evidence as to the state of mind of the alleged lunatic. He might further observe, that although, technically, inquiries such as those of which he was speaking were not conclusive, yet that, practically, it rarely occurred that when once a verdict establishing the sanity of any one had, after a full and satisfactory inquiry before a jury, been established, the state of mind of that person was subsequently challenged. If, however, the time within which the scope of the inquiry should be confined were fixed as proposed, the result might in many instances be that on the death of the alleged lunatic a controversy would take place with respect to his will, when those who opposed it would be, perhaps, induced to renew litigation on the question of the sanity of the testator, in dealing with which question there would be no limit as to the time over which the evidence might extend. If, however, evidence on the original inquiry had not been limited, but had been allowed to spread over any length of time, they would hardly deem it expedient to take that course. The provision as it stood, therefore, left open, in his opinion, a door for future litigation. It would, under those circumstances, he thought, be better to leave the law in that particular respect as it stood. He wished, in the next place, briefly to advert to the clause in the Bill which set forth that "the opinion of no medical practitioner was to be admissible as evidence of the insanity of any person." Now, he quite concurred in the view that the evidence of a medical man who had never previously seen or examined the alleged lunatic was worth very little. The late Lord Chancellor had, he might add, refused to admit such speculative evidence in a well-known case; so that an Act of Parliament was not necessary to effect its exclusion. The real operation of the clause in question would therefore be to prevent a medical man who had known and examined the alleged lunatic, and was perfectly well acquainted with his appearance and demeanour, from giving any opinion as to his sanity or insanity, while every cab-driver or crossing-sweeper who had ever known or listened to him would be admissible as a witness in the case. This appeared to him to be a great anomaly. He for one had no prejudice in favour of the testimony of those who were known as "experts," but he thought it wrong that the medical practitioner should, under the circumstances which he had mentioned, be the only person whose evidence would not be received. He wished also to point out how great the anomaly would be of allowing any amount of evidence, so far as related to the time over which it was spread and the persons by whom it was given, to be taken before the tribunal under the authority of which the commission in lunacy was issued, while, in both respects, a certain limit was assigned when the commission was issued and the case came before a jury. He should merely refer, in conclusion, to the provision contained in the Bill for the appointment of a shorthand-writer to take down the evidence adduced in the investigations in question, and the reception of his notes as evidence, with the view of "saving time and expense." Now, if the making of such an appointment were calculated to save time and expense, why was such a course not adopted in every instance of a trial before a jury? The fact was, that the employment of a shorthand-writer was calculated to effect no such saving, because, when a witness was being examined, the opposing counsel, as well as the presiding Judge, had to take down notes of the evidence, and the witness had frequently to be requested not to speak too rapidly, or to cease speaking at a particular point, in order to admit of their doing so. If, on the other hand, the Judge were to depend on the shorthand-writer's notes, then he would be obliged to adjourn the Court until they were transcribed, before he could deliver his charge to the jury. Unless, therefore, all the parties who were obliged to take down the evidence were able to write shorthand, no saving of time would be effected. He had merely mentioned these objections to the Bill as it stood in the hope that the Government would take them into consideration before it went into Committee.

MR. WALPOLE agreed with the Committee which inquired into the subject that there was no reason why Chancery Commissioners should be appointed at considerable expense to pay rare visits to Chancery lunatics, when every other lunatic in the kingdom was visited much more frequently by persons who were well acquainted with all the circumstances of each individual case, and who were much more competent to the work than any Chancery visitors that could be selected. The only reason that could be alleged for the appointment of Chancery Commissioners was, that the ordinary Commissioners in Lunacy might not be able so conveniently among themselves to arrange for the supervision of Chancery lunatics, in case there should be an interference on the part of some Chancery authority. He could not understand, however, why there should be any interference on the part of the Chancery authorities, or why Chancery lunatics should not be visited by the same persons who took charge of every other class of lunatics in the kingdom. The present Bill was, no doubt, a great improvement upon the existing law, and he was not prepared to oppose the second reading; but he should probably think it right in Committee to propose another method of supervising Chancery lunatics. He gave his cordial assent to that part of the Bill which extended the existing provisions for applying the property of Chancery lunatics more conveniently for their comfort, and he should be glad to see those clauses passed into law. The only other part of the measure upon which he wished to make one or two observations was the way in which it was proposed to deal with those alleged lunatics against whom commissions might be issued, and the mode of inquiry into the state of their mind. Perhaps he was going to state an opinion which, with many persons, would not be very popular, as regarded the care which ought to be taken before persons who possessed property were put under restraint; but he had thought a good deal on the subject. There were nearly 40,000 persons subject to the lunacy laws in this country. A vast number of those persons were put under care and treatment without any injurious publicity, not by any expensive inquiry, but by proper certificates to the effect that the cases were such as required confinement. The law as it originally stood with respect to Chancery lunatics was that in all cases there should be, not only an inquisition, but a jury. Many persons hesitated about the alteration of the law upon that point; but no jury was now empannelled to try such cases, except in the few instances where the alleged lunatics might desire it, or their friends on their behalf. And what was the result? Instead of every case being made public, much to the detriment of the alleged lunatics and their relatives, only a very few were tried by juries, and no complaints were urged either by the lunatics themselves or by any person on their behalf against the new system. The alteration of the law, therefore, had answered its purpose. But he was sorry to say that the few trials which did take place before juries were struggles, not for the benefit of the alleged lunatics, but because there were different views taken by those who wished to have the management of their persons and their property. He believed, indeed, that there was little advantage in having a jury at all, and he was sure that the Lord Chancellor himself was the person who ought to decide whether the alleged lunatic should be put under care and treatment or not, unless it struck his mind that there should be a fuller inquiry than he could give to the case. The only reason why Chancery lunatics were more likely to be confined improperly than other persons was that they possessed property which their friends desired to get hold of. That was a good ground for affording them additional protection; but granting, for the sake of argument, that there should be a jury trial in the majority of cases, why should the matter be transferred to another tribunal? The whole case was before the Lord Chancellor, and if it was necessary to have a jury, why could the Lord Chancellor not have it then and there? Why go to another court at all? The whole of that part of the Bill was merely a provision for encouraging struggles and increasing expense. As to the few instances where there was a necessity for having a jury—the number did not exceed three in every seventy—the Lord Chancellor or the Lords Justices ought to conduct the inquiry, publicly or privately, as the case might be. It might be said that this was not a usual proceeding in the Court of Chancery; but he contended that the Lord Chancellor or the Lords Justices could try such cases quite as well as any court of law. The effect of the alteration he suggested would be to diminish the number of cases sent to a jury for inquiry, instead of increasing them, which would be the result of transferring them to another tribunal. Supposing, however, that the cases were to be sent to another tribunal, then he agreed in all the observations of his hon. and learned Friend the Member for Belfast (Sir H. Cairns). He could not conceive why the evidence should be limited to two years before the commencement of the inquiry. In many cases it might be only fair to the alleged lunatic that the state of his mind should be shown to have been strong and firm anterior to the period stipulated in the Bill; because the circumstances under which his mind had given way might have been merely casual, and the fact that throughout all the earlier part of his life he had never been afflicted with mental disease was a strong argument in his favour against the necessity of declaring him to be incapable of managing himself and his affairs. On the other hand, there could be no doubt that when a person was afflicted in this manner, and had evinced, on former occasions a tendency to commit dangerous acts, it would be detrimental both to him and to society to exclude evidence of these facts, which showed that the malady under which he was suffering was not a casual aberration of mind, but rather a repetition of a state which he had exhibited before. With respect to the exclusion of the opinion of medical men, he could not understand how such a provision could have found its way into the Bill, except upon the supposition that it was simply intended to prevent doctors from saying, after they had heard the evidence of others, "From what we have heard in court, we think the alleged lunatic is (or is not) of unsound mind." Of course, such evidence as that never ought to be admitted. It had, unfortunately, been admitted too often lately; but it had been excluded by the ruling of Lord Campbell, and there was no necessity for any alteration of the law in that respect. Such being the provisions of the Bill, thinking, as he did, that juries ought to be resorted to as little as possible, he hoped that the few cases where inquiry was necessary would be determined by the Lord Chancellor or the Lords Justices, instead of being sent to a different tribunal. He hoped the right hon. Gentleman would apply his mind to the points he had mentioned, and endeavour to devise some means of removing the objections to some parts of the Bill.

Mr. MALINS said, that he regarded many parts of the Bill with approval, but as to some points he concurred in the opinion of the hon. and learned Member for Belfast (Sir Hugh Cairns.) He objected to the clause which limited the inquiry to a period of two years; and he could not understand why the opinions of medical men should be excluded whilst the opinions of all other persons were admitted in evidence. He hoped that the Government would modify these parts of the Bill. He must express his surprise at hearing his right hon. Friend (Mr. Walpole) say that there ought to be even the possibility of a man being treated as a lunatic without his having the option of going before a jury; for though it was perfectly true that out of 328 cases of lunacy there were only twenty-one in which juries were required, still it was impossible to compute how many more charges of lunacy there would have been if the alleged lunatics had no power to demand a jury. No man, in his opinion, should be confined as a lunatic until the question of his sanity or insanity had been decided by a jury. The advantage of the right to demand a jury was shown forcibly in the Windham case; for if there had been no power to demand a jury, that gentleman would, no doubt, have been treated as a lunatic for the whole or a large portion of his life. There was a case, some years ago, in Wales, where a man's family combined to charge him with lunacy; but the jury were unanimously of opinion that he was of perfectly sound mind, and he had managed himself and his affairs ever since; though, but for having a jury, there might have been this monstrous injustice that the man would have been treated as of unsound mind. He entirely agreed with having only twelve instead of twenty-three jurors, and that the trial should be before one of the Judges of the Superior Courts. Many parts of the Bill, he thought, were admirable; but others would, no doubt, require much modification.

Mr. HENLEY hoped that in Committee that part of the Bill which related to the visitation of Chancery lunatics would be amended. It had been proved before the Committee, that when a person visiting Chancery lunatics saw something that he thought it would be beneficial to the lunatic to mention, such was the machinery of the Court of Chancery that the statement was struck out of his report as impertinent, he not having been directed to ask any questions upon that particular point. He hoped, therefore, the visitors would have full power to report anything which they considered it was for the advantage of the lunatic to make known, whether the Chancery people thought the information impertinent or not. He also thought the period of six months should be changed, as, although it was intended that the visitation should take place four times a year, yet if the visitors went at the beginuing of one period of six months, and at the end of the succeeding period, there would be only two visits a year. In the Bill, as it stood, medical evidence was to be excluded; but if that provision were maintained, a greater anomaly than any which now existed would occur; because, while medical evidence would be excluded in the cases of Chancery lunatics, the number of whom was comparatively small, the great mass of lunatics, not Chancery lunatics—some 29,000 in number—were confined upon medical certificates alone. The opinions of medical men who had not seen the lunatic, but only heard the evidence of witnesses concerning him, ought not to be admitted; but medical men in their certificates were required to state the facts which had led them to their conclusions; and it was absurd, that while lunacy was regarded as a disease, the medical man who had seen and examined the patient should not be allowed to express his opinion in reference to symptoms which a non-medical man would not have observed.

The ATTORNEY GENERAL said, that as there would be an opportunity for full discussion upon details in Committee, he would only notice one or two points that had been raised that evening. Objection had been taken to the limitation of the inquiry into the state of mind and conduct of the alleged lunatic to two years. The object of that limitation was to devise a remedy for an existing evil. At present, the inquiry was directed into the state of mind of the alleged lunatic without any limit of time—it might extend over a man's whole life, and in the Windham case did go back more than twenty years. In order to provide a remedy for this state of things, some limit must be fixed; and though there was no particular charm in two years, that period would, he believed, give sufficient scope for the evidence. As to the opinions of medical men, what was proposed was not so much a change in the law as an authoritative exposition of the law as it already was, so as to make it accord with the general rule of evidence, which excluded mere opinion, except in cases where persons of ordinary knowledge and intelligence could not come to a proper decision without the guidance of experts. Medical men were now called upon to give their opinions upon the state of mind of an individual at a given time; but, after hearing evidence, persons of ordinary intelligence were capable of arriving at a just conclusion for themselves upon such a point. Judicial practice had not been very harmonious or decisive upon this point, but upon principle he thought that such evidence ought to be excluded. It was said that the Commissioners in Lunacy ought to be substituted for the visitors under the Lord Chancellor, but the Commissioners had stated their inability to undertake the duty, and he thought it was not desirable to force duties upon them, considering that, to a great extent, their services were given gratuitously to the country.

Sir DAVID DUNDAS approved generally of this Bill, which introduced a great improvement in the law, but he was opposed to the third clause, regarding the limitation of the inquiry. The limit of two years was a monstrous interference with the rule of evidence. Surely the question of the sanity or the insanity of a Chancery lunatic was as much a question of fact as the competency of a testator to execute a will, or the question whether a man's state of mind was such as to make him accountable for a murder. In such cases even the fact that a man's father was a lunatic might be material. He did not think that the Judges would like the discretionary power which was given them in this matter, which would necessarily lead to a difference in the practice of the courts.

The Attorney General

Bill read 2°, and *committed* for *Thursday*, 5th June.

House adjourned at half after Eight o'clock.

HOUSE OF COMMONS,

Wednesday, May 21, 1862.

MINUTES.]—PUBLIC BILLS.—2° Sale of Spirits; Judgments Law Amendment (Ireland); Land Debentures (Ireland).

SALE OF SPIRITS BILL.

[BILL NO. 51.] SECOND READING.

Order for Second Reading read.

MR. P. W. MARTIN, in moving the second reading of this Bill, said, it was not intended to interfere with the object, but to improve the action, of a particular section of the 24 *Geo.* II., c. 40, known as the Tippling Act. At the time of the passing of that Act drunkenness prevailed among every class of society, to an extent of which we happily could form no idea. Gin, in those days, was openly sold at the corner of every street. The intention of the Act was to prevent persons whose intellects were clouded by drink from being made liable for public-house scores contracted while in that condition. He did not at all desire to interfere with that Act so far as it applied to spirits consumed upon the premises, but to prevent a perversion of that law, which was now daily employed as a means of defeating the just claims of honest tradesmen. The preamble of the Tippling Act recited that immoderate drunkenness prevailed among the lowest and meanest classes, and therefore there could be no doubt that its object was to protect the poor from unfair temptation and fraudulent demands. The amount of 20*s.* was fixed as the limit below which no single supply of spirits could be sued for, and the reason for that amount being taken was that, until lately, it represented the quantity which wholesale wine and spirit dealers could supply. Since the recent change of the law allowing smaller quantities to be sold by wine merchants and others, the existing law had been grossly perverted and abused. A person with a fraudulent intent, and never meaning to pay for what he received, was now able to go to a wine merchant or licensed victualler—to hotel-keepers of the most espectable class—and order spirits in mall quantities, for which, when the bill vas sent in, they refused to pay. If an ction was brought against them, they leaded the Tippling Act, and the Judge efore whom the case was tried had no lternative but to give a decision in their 'avour. Thus the Act was used as an ngine of fraud, in proof of which he had eceived accounts of hundreds of cases rom all parts of the country, in which espectable persons had failed to recover lebts of this kind due to them, and in which there had been no real infringement of the Tippling Act, a few of which he vould state to the House. In one case n hotel-keeper at Nottingham supplied n attorney with a small quantity of spirits, and upon suing for his bill, which amounted to £14, the Tippling Act was pleaded, and he not only lost his money, but had the bailiffs put into his house for the defendant's costs, £7 15*s.*, which he had to pay, together with the expenses of the levy. The next case was that of a wine merchant at Sheffield, who supplied goods to a clergyman to the extent of £15 8*s.* 1*d.*, and was defeated in his action by the plea of the Tippling Act; but in that case the congregation of the reverend defendant were so disgusted with the plea that they subscribed and paid the wine merchant's demand. In a third case, a debtor was supplied at various times with brandy by a wine merchant—the spirits being actually bought as necessaries in medical practice; but when an action was brought for the amount of the bill, £40, the plaintiff was defeated by the plea of the Tippling Act. In another case, a lady of high rank, at Chatham, had set up the same plea to repudiate a debt for brandy which had been supplied for the use of her late husband when upon his deathbed. It was true that she also pleaded poverty as an excuse for non-payment. It might be asked—Why did not wine merchants and others insist upon having ready money for spirits? But it must be remembered that spirits were usually only a portion of the articles supplied, and a tradesmen could not require ready money for one article alone without implying that his customer had an intention to cheat him. He thought the facts he had stated proved that there did exist a certain amount of hardship upon persons who were engaged in a lawful trade. But was the remedy worse than the disease? His belief was, that by passing this Bill the House would not increase tippling or the consumption of spirits. The scamps who now bought liquor and afterwards refused to pay for it, would not try to obtain it at all if they knew that payment could be enforced; and therefore, in this point of view, the consumption of spirits would be diminished instead of increased. Again, his Bill entirely excluded the case of spirits drunk on the premises. He contended, that if the sale of spirits was bad, it ought to be prohibited; but if not, legislation with regard to it ought to be such that what was honestly sold should be honestly paid for. Those for whom he was now speaking were among the most respectable persons in the trade, and he asked the House in the cause of justice not to refuse a second reading to this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. AYRTON said, he rose according to notice to move that the Bill be read a second time that day three months. He thought that when the reasons for the original law were balanced with those urged in favour of its amendment, it would be found that no real necessity existed for this Bill. In the first place, the Bill was confined entirely to spirits. He admitted that there was a distinction to be drawn between beer and spirits. Beer was an article of belief with Englishmen, but to this no reference was made. Now, gin was an innovation. It came over from Holland with the Revolution, and was, perhaps, the only misfortune attendant on that great event. The people of this country had before that time got on very well without it; they effected the Revolution without it; and he was not at all aware that gin was necessary for the preservation of the national liberties. At first it was made and sold without restriction; but, in 1729, free trade in gin had produced such a demoralizing effect that repeated complaints were made upon the subject. The drinking of spirits and strong water, it was declared, "had become very common, especially among people of lower and inferior rank; and the constant and excessive use of spirits tended greatly to destroy their health, to render them unfit for useful labour and business, to debauch their morals, and inciting them to perpetrate all vices." Legislative measures were accordingly taken to restrict the sale of spirits; but these measures were, perhaps, so severe as to defeat their own object, and for twenty years reaction followed reaction in the legislation on this subject. Fielding and other writers called attention to the evil, and the authorities of the City of London were alarmed at "the habitual and excessive use of spirituous liquors among the common people," which they said went on "to an extent unknown in former times," so as to be a reproach to our religion and civil polity. At last, in 1751, the Tippling Act was passed, the main feature of which was the clause which the hon. Member now sought to modify. It struck at the root of the evil by providing, that if licensed victuallers chose to sell drink, they should not be able to enforce payment. The result was, that while before the Act nothing could exceed the debauchery which existed among the common people, the whole state of things changed in two or three years—not in the metropolis only, but throughout the kingdom, and the consumption of gin was reduced by one-half, while there was a great improvement in the morality of the people. Lord Hervey, in 1743, predicted that if the Government ever made spirits a great article of revenue, they would be ready to wink and connive at any measures for increasing the consumption. Notwithstanding, however, that the Government had in some degree cultivated the sale and consumption of spirits, they had always maintained the principle of the Tippling Act. Two years ago, however, the present Chancellor of the Exchequer, than whom no Chancellor of the Exchequer had done more to give a stimulus to the drinking trade, introduced a clause into the Revenue Bill restricting the operation of the Act. When, however, he (Mr. Ayrton) pointed out that it was not a mere matter of Excise, but one affecting closely the morality and well-being of the people, the right hon. Gentleman omitted the clause. And so it was. His hon. Friend had taken a narrow view of this subject. The question for consideration was, not whether the interests of the licensed victuallers demanded the repeal of the law, but whether such a repeal would be for the interests of the community at large. His hon. Friend had looked at the dark places of the city which he represented, and had mistaken the interest which he ought chiefly to study. The Bill did not deal with frauds committed by people who went into taverns, and, after eating and drinking, refused to pay for what they had had; but it did permit a man to enforce payment for spirits sent by him to the house of the purchaser. To resist payment in such a case was described as a fraud. Now, every publican knew it to be one of the conditions of his trade, that if he sent out spirits without then and there obtaining payment, he could not sue his customer in a court of law for the debt. Where, therefore, was the fraud committed upon him? There was no fraud on one side or on the other, because both parties conformed to the law. Licensed victuallers knew perfectly well what the law was. Why, then, should they not urge it as a reason for refusing credit, and so avoid the risk of loss? But, so far from this, they sent out spirits in order to drive their trade, hoping ultimately to get their money. Why, this was the very evil which the law was passed to repress. When a man was inclined to drink more than he could afford, or more than was good for him, it was some check upon him to say, "Money down." On one side there was only an inconvenience of which every publican could relieve himself by refusing credit; on the other hand, there stood a public law, which was of high importance for the maintenance of public morality. The licensed victuallers enjoyed exclusive privileges in respect of the sale of their commodities, and the law of which they complained was one of the conditions on which these privileges were granted. If, then, they offered to surrender their privileges in order to get rid of the condition annexed, he would gladly accept the offer. But they made no such proposal; and unless they did so, they could not expect Parliament to forego the condition. The Legislature had made a bargain with them, saying, "You shall have the monopoly of selling this noxious drink, provided you will do so under certain conditions which we think essential for public morality;" and they could not ask to be released from the restraints which had been put upon them without also foregoing the privileges which they enjoyed. For his own part, he did not want to see hungry publicans driving their trade. If this law were repealed, they would issue handbills, would take every means of attracting people to their shops, and, like other tradesmen, would use every art for the sake of increasing the consumption of liquor. But the Legislature had wisely said, "You shall employ no such temptation. We bestow upon you all the evils of monopoly and protection, and you must take hese with their consequences and condiions." The Legislature had of late fornally adopted the principle upon which his Act stood by refusing to give any ight of action where the cause was imrovident and unnecessary. Thus, a man ould not recover a wager, because the Legislature said that wagering was wasteul and demoralizing. Gin-selling was an nalogous occupation, and Parliament said hat in neither case should there be any ower of recovering the debt. The faciliies presented by the County Courts for he recovery of small debts were such that radesmen now almost forced their commolities upon the working classes, who then ame entirely under their dominion through he machinery of these courts. Would Parliament set the same machinery in moion for the sale of gin, and give to icensed victuallers the same power to sue here? This Bill was unnecessary and ncalled for by the country at large, and vas only brought forward with the desire f conferring on a limited class a benefit o which their peculiar position did not enitle them; its effects would be injurious nd demoralizing, and he should therefore nove that it be read a second time that lay six months.

Amendment proposed, to leave out the vord "now," and at the end of the Quesion to add the words "upon this day three nonths."

MR. DODSON said, that the hon. Member for the Tower Hamlets seemed to e one of those who thought it possible to nake people sober by Act of Parliament, nd had quoted the Tippling Act as aving effected the object. But he had nade no allowance for changes in the eelings and habits of the people. It was rue that in the latter part of the reign of George I., and in the beginning of the eign of George II., most restrictive laws vere passed to suppress drunkenness among he people; but these laws were so excesively stringent that they defeated their wn object, and the only result was that muggling and illicit distillation, and every lirect and indirect violation of the law, vere superadded to intemperance. The on. Gentleman said, that the Act of 1751, vhich contained this restriction, had opeated in favour of temperance. But the Act mitigated the absurd stringency of the aw previously existing, and the results to vhich the hon. Gentleman pointed only howed that temperance depended not so much upon the law as upon the general habits and feelings of the people. It was said that the common people at the time mentioned by the hon. Gentleman were infected by these habits of intemperance. Such habits, however, were then not confined to the lower ranks, but pervaded all ranks of society. They were not due either to the existence or the absence of law, just as you could not trace to this cause the present increasing sobriety among all classes. The clause of which the repeal was now proposed was a miniature Maine Liquor Law. He was not going to discuss the policy of that law, but those who supported it would at least like that it should be brought into operation under favourable conditions—whereas this clause did not prevent drunkenness; it only led to a considerable amount of fraud and dishonesty, and, instead of checking the consumption of liquor, tended rather to encourage it. The hon. Member for the Tower Hamlets said the publicans had no right to complain, because they were a privileged class. Their privileges, he believed, chiefly consisted in having to pay a high licence duty, and having their business liable to certain police regulations intended to preserve order, neither of which privileges he supposed the general public grudged them. The object of the present Bill was to prevent fraud and encourage honesty, and he hoped the House would consent to the second reading.

MR. DEEDES said, he had come down to the House with a doubt on his mind as to the course he would take upon the Bill, and having listened attentively to all the speeches, he thought the case was one in which plausible arguments might be introduced on both sides. He could not agree that this was not a question of fraud. He held it to be a deliberate fraud for a man to purchase an article from another without any intention of paying for it, and when called upon to pay for it to deliberately refuse to do so. The Bill was limited to altering the law with respect to small portions of liquor consumed off the premises; but had the innkeeper no remedy at present? He thought he had. He was not compelled to deliver his goods. He enjoyed a monopoly in his trade, subject to certain police and other regulations, and he ought to know that one of the provisions of the law was, that if he trusted people for small quantities of liquor to be consumed off the premises, he could not recover the money. He might say to his customer, "I decline to supply you with liquor on credit, because the law says you shall pay ready money." He had sufficient power in his own hands to prevent a fraud being practised upon him. Sufficient cause had not been shown for the introduction of the Bill. He did not know what course the Government intended to take with regard to the measure, but from the arguments in support of it he did not think a case had been made out for the alteration of the present law.

Mr. W. E. FORSTER hoped the hon. Member for Rochester would not press the second reading, not on the ground of any theory, but because of what he believed would be the practical effect of the Bill. Almost all who had any experience of the working of the Tippling Act among the population generally, knew that it had been of considerable advantage. It had been so, certainly, in the district he represented, where there was an anxiety, not confined to the rich or any other class, but shared in by the poorer classes, that it should be applied to beer as well as to spirits. Even under his own Bill the hon. Member proposed to retain some of the advantages of the Act, for he did not enable a publican to recover for spirits drunk on the premises. But that restriction might, he thought, by the Bill as proposed, be easily evaded. The arguments by which the hon. Member for Sussex (Mr. Dodson) supported the Bill would go much further than the measure itself; they would apply to leaving the whole trade in liquor free. The hon. Member said, they could not make men sober by law. Certainly not; nor could they make men honest by law. Nobody expected to make men sober or honest by Act of Parliament, but they did hope to prevent the seller of intoxicating liquors inciting and alluring the humble classes to drink and crime. That was the real meaning of all the efforts of Parliament upon this subject. Why, otherwise, would they have had the licensing system, or interfered with the sale of this commodity at all? It was hardly fair to tax the opponents of the Bill with being advocates of the Maine Liquor Law. That law entirely prevented the use of the commodity; but they only tried to prevent its abuse. That was the object of the Tippling Act. He had another reason for opposing the Bill. The more they looked at any question relating to the sale of intoxicating liquors the more must they be convinced that another session could not elapse without the whole subject being fully considered, and it would be better to postpone the Bill until that time arrived. If it were true that publicans were ignorant of the present state of the law, this discussion would have at least one good effect, because it would show them, that if they sold spirits without taking ready money, they did so at the risk of not being paid for it afterwards. If they were aware of that, their grievance disappeared, and the hon. Member would have the satisfaction of knowing that he had done good service to his clients.

Sir GEORGE GREY was bound to say that the hon. Member for Rochester had established a grievance which called for some remedy. The clause in the Tippling Act (Clause 12) was a valuable one as it affected liquors consumed on the premises. Nothing could be more injurious than to repeal that clause, and enable a licensed victualler to encourage persons of the lower class of life to assemble in his house and run up great scores for spirits of different kinds, consumed in small quantities. That would lead to great intemperance. But the hon. Member did not alter the law in that respect. He said that there was the case of persons in a higher rank in life who were supplied with small quantities of spirits upon credit. Those spirits were sent out quite legitimately by the licensed victualler or wine merchant—for both were equally affected by the law—in the full confidence that he would be paid; but when the Bill was presented, the parties refused to pay, and under the Tippling Act the amount could not be recovered. He admitted that was a discreditable state of things, and for that reason he was disposed to agree to the second reading of the Bill; but he thought the clauses would require some modification in Committee, so as to avoid those evils against which the Tippling Act was directed.

Mr. ROEBUCK hoped the hon. Member would not withdraw his Bill. The clause of the Tippling Act was a mere police regulation, and it had been turned to dishonest pratices. Persons calling themselves gentlemen had sent for small quantities of liquor—a bottle of spirits or of wine; when the bill was sent in, if the items were kept under a certain sum the parties refused to pay, on the plea that the publican had broken the law. They drank the liquor, but were not willing to pay for it. What harm could be done by doing away with the law as it stood? Was it likely that a poor man would so easily get credit? The persons who got credit were supposed to be gentlemen, though they acted just as gentlemen ought not to do. The only persons who gained by the present state of the law were the dishonest, who wished to secure an enjoyment at another man's expense. He approved of the Bill, because it protected the honest creditor against the dishonest debtor. He hoped the hon. Gentleman would not withdraw the Bill on the supposition that the House might go into the whole question at some future time. Let them do right when the occasion for it offered.

MR. SOTHERON ESTCOURT said, the Bill involved two considerations—a matter of police, and protection against fraud—which could not well be separated. If the hon. Gentleman so altered the Bill as to apply it solely to persons in a superior condition of life, he did not suppose there would be any particular objection to it; but in order to afford a remedy for frauds by such persons, he proposed to repeal an Act which had been in operation for a hundred years, and was admitted to have worked well. In seeking to get rid of the means of fraud, the hon. Member was getting rid of that which had been found to be useful in other respects. He was therefore sorry that the Government had consented to the second reading of this Bill. He was perfectly persuaded that the country was against the principle of the Bill, though he believed they would be ready to agree to any measure to prevent fraud; and if some measure could be framed which should have that effect only, he should have no objection to support it. He thought the Bill was too wide, and that the hon. Member had better withdraw it and introduce another to remedy the specific evil of which he complained.

MR. LAWSON said, that the question ought to be considered, not in the interest of the publicans, but in the interest of the people. The publicans forgot that theirs was an exceptional trade. That it was regarded as a dangerous one was proved by the restrictions with which it was fenced. By numerous petitions the attention of the House had been directed to a subject of daily increasing importance—the Permissive Bill of the United Kingdom Alliance. He knew that some hon. Members looked upon it as a most absurd proposal, and therefore it required some courage in a Member to avow himself a supporter of the measure. He did not do so without having looked carefully into the question. At present persons suffered greatly from the trade carried on in their neighbourhood, frequently as much against their will as against their best interests, simply by the fiat of two or three magistrates. The Permissive Bill simply aimed at giving the people interested—those who would derive the benefit or suffer the injury—a veto upon a licence, and he did not think that was any interference with liberty. It simply took away power from two or three magistrates acting irresponsibly, and gave it to the people themselves. The Permissive Bill was not the prohibitory law known as the Maine Law. The general question ought to be considered as a whole with a view to the public good. The Bill before the House was a suspicious measure. The publicans evidently expected that it would promote an increase of their trade. Such an increase would be injurious; and therefore he could not support the measure.

MR. P. A. TAYLOR agreed with the hon. Member for Sheffield (Mr. Roebuck) that the man who sent for liquors from a publican to be consumed in his own house ought not to be enabled to evade payment. It appeared to him that the hon. Member who had brought forward this measure had precisely hit the line that was required to be drawn.

MR. HALIBURTON said, the question was one very difficult to deal with. Laws that attempted to abolish the use of liquor altogether defeated themselves. It was impossible to carry them into operation. The Maine Liquor Law was practically inoperative. Liquor was sold all over the State of Maine, and all over the other States, and it was said to find its way into very high quarters. In his opinion, the consumption of liquors was rather increased than diminished in those States where the law was prohibitory. Still, the sale of liquor was a subject which required legislative direction. It ought not to be sold except by licence granted by magistrates to a proper number of fit persons carrying on the trade in suitable places, as they could then apply police regulations in the use of that which had a tendency to all evil. After a very long experience in the administration of criminal matters, he did not make too large an estimate when he asserted that two-thirds of all the offences which had been brought before him for adjudication had arisen from the use of ardent spirits. Viewing, on the one hand, the inutility of too great restrictions, and, on the other, the evil effect of free trade in liquor, he was in favour of the Tippling Act, and should therefore vote against this Bill. Objections of a very singular character had been urged against the present law. It was said to encourage men to get possession of goods which they did not intend to pay for; but that argument was equally applicable to the Statute of Limitations. The last time he was in the United States he was told that some years ago there was a Scotchman in a small village on the river Mississippi who became the possessor of a small tract of land. He ran up a score with a man who kept a grog-store, and the whole of the score amounted to no more than a barrel of whisky. Being unable to pay, he said to his creditor, "Take my strip of land." The publican was not very well pleased, because it was a poor bit of land and seemed nearly valueless. One half of the land, however, was transferred. It was said to have subsequently become worth £1,000,000, and the man who owned the other half would not take £500,000 for it. This was a striking illustration of the evil of allowing the sale of liquor without restraint. It was a subject which required a great deal of consideration and ought to be taken up by Her Majesty's Government. There was some excuse for their not taking it up this Session when they had so many matters of importance to deal with, when their time was so marvellously occupied, and when they had done so much in the way of effective legislation. It was not to be expected that in so busy a Session they could attend to this matter; but looking forward to an easier Session next year, he hoped they would apply themselves to it.

MR. P. W. MARTIN in reply said, he never thought the Bill would apply except to the rich, believing, of course, that the poor would not be trusted; but, if it was thought necessary, he had no objection to provide for its special application to the rich, by fixing the quantity of spirits the value of which could be recovered at, say, a reputed quart.

MR. SPOONER said, that before the division took place, he wished to address an appeal to the hon. Member for Rochester to withdraw the Bill, and let it be introduced in another Session.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 82; Noes 53: Majority 29.

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Wednesday* 18th June.

JUDGMENTS LAW AMENDMENT (IRELAND) BILL—[BILL No. 70.]

SECOND READING.

Order for Second Reading read.

MR. WHITESIDE, in moving the second reading of this Bill, said, it would affect the real property law of the country. It was a Bill to amend the law relating to judgments in Ireland. A judgment was the decision of a competent Court that A should recover his debt from B. It gave a right to recover out of the profits of the land, but did not affect the land itself. Some years ago the writ of *elegit* was introduced, by which a judgment creditor could take a moiety of the land, and in practice prevent any portion being sold. In the reign of George II. judgments were made assignable at law. The consequence was, that judgments obtained for very small sums—for a grocer's bill of £50—were sometimes assigned, and were then made the subject of the most costly litigation; a bill in Chancery was filed, accounts taken, a receiver appointed, and costs run up to a large amount. The judgment became a charge upon the real estate; so that a man with perhaps an income of £10,000 a year could not dispose of a single acre of it until he had got rid of this judgment. The evil was inquired into by the Real Property Commissioners in 1829, and they pronounced against a system which made land unsaleable and entailed unnecessary expense. The Act known as Sir Michael O'Loghlen's Act was intended to remedy the abuse, but it really increased it; and Pigott's Act extended the pernicious right to appoint receivers to chattels real as well as land. A Committee of this House considered the question, and Lord St. Leonards, then Sir Edward Sugden, said in his evidence—

> "I think that the law as it now stands in Ireland is mischievous to everybody, that it leads to the rapid accumulation of judgments, that it tends to create permanent debts, that it prevents the owner of land selling to advantage, and that it is the cause of great litigation and great costs."

A subsequent Committee reported against the appointment of receivers, unless it could be made to appear that the interests of the parties required it; and the Committee resolved that the several Acts which regulated the rights of judgment creditors against the real estate of debtors required to be amended. There was a third Committee, which equally condemned the receiver system. The principle of the recommendations of these Committees was, that land should be placed, in regard to judgments, in the same position as goods were. With regard to goods, a judgment was of no force until it was actually put in execution; and a person against whom a judgment had passed was not prevented from disposing of his goods until they were taken possession of under the execution. The Sheriffs' Act was introduced by Sir Michael O'Loghlen, by which the old writ of *elegit* was taken away and receivers appointed in lieu; and another Act, known as Pigott's Act, extended the former Act so as to include chattels real. The consequence was, that receivers multiplied all over the country. In the 12th and 13th years of the reign of Her Majesty an Act was passed which was to render judgments unpopular in Ireland. It repealed the Act of George I., which allowed a man to assign a judgment to another, and provided that receivers should not be appointed in cases where the judgment was for less than £150. He could never understand why there should be any distinction between judgments for less than £150 and judgments for a larger amount, and in this Bill the distinction was removed. In the following year a Bill which was introduced by Sir John Romilly became law. The first part of that Act provided that judgments should not any longer be a burden or lien upon land; but the second part, which he proposed now to repeal, enabled a judgment creditor to make an affidavit that he was informed and believed that his debtor possessed certain lands, and to register the judgment against those lands. The idea was, that the creditor would only register against some of his debtor's lands and leave the rest free; but in practice it was found that judgments were registered against all the lands which a man had in the world, and sometimes more, because it had not unfrequently happened that the affidavit described more property than the debtor, in fact, possessed, and thus a lien appeared to exist upon the land of one man for the debt of another. He ventured to assert that no law had created more difficulty, embarrassment, and litigation than that Act of Parliament. Then came the question, what was this thing created by Act of Parliament? Was it a judgment, or was it a mortgage? For some time it was held to be in the nature of a mortgage, and, being registered, entitled to priority over all subsequent mortgages. But it seemed to be thought now that that was a blunder, and that what was only a judgment never could become a mortgage. In the Bill which he now asked the House to read a second time he had endeavoured to embody the recommendations of the competent authorities who had considered the subject. The object of the Bill was to make judgments no longer a permanent burden on land, but to give judgment creditors a right to sell the land by petition to the Landed Estates Court or the Court of Chancery, and to provide that a judgment should not affect a purchaser or mortgagee, unless it was registered as a *lis pendens*. What he wished was to assimilate the law of Ireland, in respect of judgments, to that of England; and he hoped the House would read the Bill a second time, leaving the consideration of particular clauses for discussion in Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."

Colonel FRENCH said, the Bill was a very important one, affecting as it did the rights of all the proprietors of land in Ireland; and as it would enable any judgment creditor for the sum of £50 to bring the estate of his debtor into the Landed Estates Court and have it sold, it required the greatest consideration. He should like to hear the opinion of the law officers of the Crown as to the working of this Bill.

The SOLICITOR GENERAL said, that the Lord Chancellor of Ireland and the Irish law officers had given an opinion against this Bill; and, for that reason, he would ask the House to agree to an Amendment which he meant to propose—namely, that the Bill be read a second time that day six months. For a long time judgments had been a common and favourite security in Ireland; but it appeared to him that this measure might have the effect of lessening the value of judgments by rendering them less secure. Pigott's Act put the law relating to Irish judgments on exactly the same footing with the law of judgments in England as it was when that Act passed, with the exception that it left untouched the old Irish Acts allowing judgments to be assigned at law. Under Pigott's Act, by the mere entering-up and registering of a judgment the judgment creditor became entitled to a charge on all land, including leaseholds the property of his debtor, in the same manner as if the latter had agreed to give him a charge on his estate in those lands. That was found to lead to inconvenience, and the Act of 1849, the 13 & 14 *Vict.*, was introduced by the present Master of the Rolls. That was the Act which his right hon. Friend (Mr. Whiteside) wished to abolish. It must be considered as a whole; and its object was to prevent judgments from being a charge on all the debtor's land generally, without any specification on the register. It required a specification of the lands upon which the judgment was to be a charge. At the same time it took away the old remedy by *elegit*, but gave the creditor a better and more direct remedy. It was true that within the last two years the law of judgments in England had been altered; but the Act which effected that alteration did not take away the power of the judgment creditor to apply for a receiver or the old legal remedy by way of *elegit*; while the Bill of his right hon. Friend would put the judgment creditor in this position—that unless he went to the Landed Estates Court and sold up his debtor he should have no remedy against him. He was not satisfied that such a change would be desirable in a country where judgments were so common a security. It would be much better to introduce a Bill declaring that judgments should be no charge upon land at all, than to pass a measure which would lead creditors to believe that they got good security by a judgment, when, in reality, they would only get a security of a very precarious character, unless they brought their debtor at once into the Landed Estates Court. He begged to move that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Question proposed, "That the word 'now' stand part of the Question."

Mr. LONGFIELD would be inclined to agree with the Solicitor General if the question to be decided were that of either accepting this Bill or of rejecting it. He certainly saw some objectionable provisions in the Bill, which the right hon. and learned Gentleman who introduced it almost admitted to require amendment; at the same time, he believed that there were also some wholesome and valuable features in the measure, which in his opinion would go far to improve the law in Ireland in regard to judgments, which law was at present in a most disgraceful condition. He thought that under these circumstances it would be an injury to the landed property of Ireland if they refused to read this Bill a second time, and therefore he respectfully submitted, that as the Bill contained principles which, if agreed to, would lead to a better transmission of property in Ireland from hand to hand, they should give it a second reading, and endeavour to make this a useful measure when they got into Committee.

Mr. VINCENT SCULLY concurred in the opinion of the hon. and learned Member for Mallow (Mr. Longfield), that it was most desirable to amend the law in Ireland in regard to judgments. He would vote for the second reading with a view to their moving that the Bill be then referred to a Select Committee, and there entirely remodelled. In taking that course he only intended to bind himself to the declaration that the law in its present state was objectionable.

Mr. GEORGE said, he should vote for the second reading. He thought that the Solicitor General had misconceived the scope and object of his right hon. Friend's Bill. So far from the object of the measure being to either invalidate or render less secure judgments upon land, he (Mr. George) considered that the very principle of the Bill was to render those judgments more secure, in giving power to judgment creditors to render them at once effective by a sale of the land in question. The remedy, which had almost become obsolete, of appointing a receiver on the foot of a judgment over the land, in the opinion of the best legal authorities in Ireland, ought to be done away with. The remedy by *elegit* allowed a party to enter into possession of land, and to its profits, subject only to an account being rendered within some indefinite term of years of what the value of the land really was. It appeared to him that it would be most desirable to abolish such a remedy altogether. He would certainly support the second reading, believing that the measure would have the effect of simplifying the remedies of judgment creditors, and of making the securities more safe and more acceptable than they were under the existing law.

MR. MALINS confessed he was at a loss to collect from the speech of the hon. and learned Solicitor General any reasons why this Bill should not be read a second time. He (Mr. Malins) thought it was most desirable that the law of England and Ireland upon this subject should be assimilated. He thought no hon. Member would venture to deny that proposition. If the practice in England were not to apply for the appointment of a receiver over the property in question, what objection, he asked, was there to establish a similar practice in Ireland? Again, in regard to proceeding by *elegit*, it was true that a judgment creditor might exercise the right of taking the land of the debtor, and of receiving the rents and profits. But the judgment creditor in England scarcely ever took that course. He resorted to the Court of Chancery for the sale of the land. Now, the Bill of his right hon. Friend proposed to assimilate the law of Ireland to that of England in those respects; and he could not understand how any reasonable objections could be urged against it. In his opinion it would be most ungracious and unjustifiable, under such circumstances, to reject this Bill on the second reading.

MR. HENLEY said, having had the honour to be a Member of the Committee that sat on this subject, he felt impressed with the opinion that the law of Ireland in regard to judgments was in a most unsatisfactory state, and required immediate amendment. He must, therefore, express his deep regret that the Government had thought fit to meet the second reading of this Bill with a direct negative, without giving any sound reasons against its principle, or holding out any hope that it was their intention to amend the law in Ireland in reference to this subject. Nobody could say that that law was satisfactory, and therefore it was the more to be regretted that the Government should seek to put a negative on the only effectual attempt that had been made to improve the law. All the objections urged by the hon. and learned Gentleman (the Solicitor General) against the measure could be easily amended in Committee. He looked upon the proceedings taken under the existing law in Ireland as an injury and a curse inflicted upon the unhappy owners of the land, without any advantage to the creditor, but only for the benefit of certain parties who kept up this cursed machinery for the purpose of sucking the blood of their unfortunate victims, who were obliged to submit to their heartless demands in the shape of overwhelming costs.

MR. HADFIELD regretted that the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Whiteside) had not brought in a Bill to abolish the existing law of judgment altogether. He did not see why judgments affecting real estate should not be put on the same footing as judgments on personalty.

MR. MACDONOGH said, that the letter of the Lord Chancellor of Ireland had shown no reason why this Bill should not be read a second time, but had merely raised objections to details which might be met in Committee. He had himself been in communication with bankers of eminence in Ireland, and his right hon. Friend had agreed to modify the provisions of the Bill so as to meet the wishes of that important body of persons. If the Bill was read a second time, he had no doubt that his right hon. Friend would not object to refer it to a Select Committee, on which the landed gentry of Ireland might be thoroughly represented.

Mr. MONSELL said, that it had been shown by one Gentleman after another that the existing law upon the subject was unsatisfactory, and therefore it ought to be altered. Upon the understanding that the Bill was to go to a Select Committee he should support the second reading.

THE ATTORNEY GENERAL said, his impression remained unshaken, notwithstanding all that had been said by hon. Members in favour of this Bill, and he could not entirely approve of its principle. At the outset, it seemed as though the principle of the measure was the assimilation of the law of Ireland to that of England; but, as far as he was able to investigate the provisions of the measure, he thought he was warranted in saying that it would not have the effect of assimilating the law of the two countries. The right of having a receiver and the writ of *elegit* were both taken away by the Bill; how, therefore, could it be said to be an asssimilation of the law of England and Ireland? The Act of Lord St. Leonards, which had been only about two years in operation, placed many restrictions upon the creditor, affecting seriously his interests. That law, however, had not been established long enough in the country to enable them to judge of its efficacy. Nevertheless, under all the circumstances of the case, the Government would not object to the second reading of the Bill, with a view to its being referred to a Select Committee.

Mr. WHITESIDE was glad that the hon. and learned Gentleman had put the Government right with regard to this Bill. He had never heard feebler arguments than those by which it had been met. He had been asked why he did not maintain the law of receivers. His answer was, that it had been condemned by two Committees, of which the late Sir James Graham, the hon. Member for Coventry (Mr. E. Ellice), and the hon. and learned Member for the University of Cambridge (Mr. Walpole) were members. The objections to the Bill had been founded upon the opinions expressed by Gentlemen who were absent from that House, and who, he was sorry to say, were never likely to be present.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* to a Select Committee.

DEBENTURES ON LAND (IRELAND) BILL.

[BILL NO. 64.] SECOND READING.

Order for Second Reading read.

Mr. WHITESIDE, in moving the second reading of this Bill, said, its object was to afford facilities in raising money by the owners of land in fee simple in Ireland, who were a very numerous class, without rendering a judgment necessary or the more expensive auxiliary of a mortgage. The proposition was, after the Landed Estates Court had granted a perfectly clear title to an estate, to allow the Court to give to the purchaser, if he asked for it, a right to possess, use, or disuse debentures charged on that estate, and included in the conveyance in the way pointed out in the Bill; so that if in after-life he should require to raise money to meet any exigency, it should not be necessary for him to have recourse to a mortgage or judgment, but should have the means of helping himself from his own resources. The Bill had been draughted by one of the Judges of the Landed Estates Court, and had received the unanimous approval of all the other members of that court; it was proposed altogether in favour of the landed interest, and the only class who would be probable sufferers under its operation would be the legal practitioners; but he knew they were far too enlightened, liberal, and just to offer opposition to any scheme intended for the benefit of the country. The objections urged against the measure proceeded upon the assumption that after a man had obtained a clear title it was undesirable to give him facilities in re-incumbering the property, and a supposed case of a rash and profligate man was always adduced. But would not a man of that character get through his property if these facilities never existed? And did it follow that he would be ruined sooner because he could obtain money upon reasonable terms instead of at an exorbitantly high rate? The rental was examined in the Landed Estates Court, and therefore all questions of value and title were concluded; and it was only necessary to fix the amount to which the issue of debentures should be authorized. Under the present system a man with an income of £2,000 a year wanting to borrow £500 was obliged to apply to his lawyer, who possessed himself for the purpose of his title-deeds, and in all probability retained them for the rest of his life. He again made application to an agent, who shook his head and talked of the difficulties in the money-market, which could only be surmounted by one of two causes—either appointing his son to act as receiver over the estate, or upon payment of a reasonable *bonus.* Meanwhile, the landlord pressed for the loan of money which he was anxious to obtain; and the solicitor replied, that after he had drawn out an abstract of title and compared it with the register, and submitted it to counsel for opinion, his client might hope to receive the money in a period somewhat shorter than was occupied by the Siege of Troy. Railway companies were authorized to issue debentures on security much less valuable than that presented by the owner in fee, and he confessed he could see no objection to the proposal, for the system of registry which the Bill included was of so perfect a character as to preclude danger from fraud or forgery. The scheme had been originally propounded by the hon. and learned Member for Cork (Mr. Scully); but until its details were connected with the machinery of the Landed Estates Court, he did not believe that its working would have been safe. In support of the measure there was the very highest testimony. The present Solicitor General for Ireland, in a paper read before the Social Science Congress, strongly recommended the adoption of Judge Longfield's proposal; and he might remind the House that the learned Judge himself, before he attained his present high office, was a Fellow of the University to which he belonged, was distinguished for his mathematical attainments, and was at one time Professor of Political Economy. His mode of conducting the important business which came before him was known to the House, and he had only to add that he believed his clear head, strong sense, and sound judgment were not likely to be led astray on a subject with which he was so intimately acquainted.

Moved, That the Bill be now read 2°.

THE SOLICITOR GENERAL said, he understood that there was no objection to refer the Bills both of the right hon. Gentleman the Member for the University of Dublin and the hon. Gentleman the Member for the County of Cork to a Select Committee; and he took the liberty of suggesting, as the subjects had a natural connection with each other, that the other measure which had just been under the consideration of the House should be referred to the same tribunal. At first sight, it would appear as if his right hon. and learned Friend, having abolished, as far as in him lay, one species of security in Ireland, was endeavouring to create in its place another description of security. For some years Parliament had been doing its best to disencumber landed estates in Ireland; but now it seemed to be thought desirable that Parliament should create a new machinery for re-encumbering them. Whether the framers of these two Bills had or had not succeeded in guarding against the evils which were felt when judgments were transferable, nobody could read them without being sensible of the extreme importance, as well as the extreme novelty of these plans, for their applicability was not confined to Ireland. His hon. Friend the Member for Cork County was certainly entitled to the credit of priority of invention in this case, whether it was a good invention or a bad one. He did not undertake to pronounce positively, at present, whether it was good or bad: he was aware that the hon. Member had paid great attention to the subject; and upon the kindred question of the registration of title to land the country was, no doubt, indebted to him for able and useful suggestions. But the main features of this plan appeared to be that half of the landed estates in Ireland were to be melted down into marketable securities, and that the Landed Estates Court was to become a bank of issue of transferable securities—not transferable from hand to hand, but by registration, in much the same manner as Consols at the Bank of England. His right hon. Friend appeared satisfied that the Court would, in all cases, get at the actual value of the estate. When sales took place, no doubt an approximate value might be arrived at; but it was obvious that a very different degree of credit was due to value ascertained by the evidence of surveyors and valuers; and from the nominal value serious deductions must be made, especially with regard to property of a fluctuating character, such as houses and mines, which did not depend on the permanent value of the land. It was one thing to form an opinion of the vigilance of a court from past experience of business with which it was well acquainted, and quite a different matter to place under its discretion and control the hypothecation of the whole land of Ireland, to be administered upon a system entirely novel. The Bill of his right hon. Friend the Member for the University of Dublin provided greater securities than were contained in the other Measure; but on its side, also, the Bill of the hon. Member for the county of Cork professed to offer some advantages. The hon. Member for Cork proposed to superadd to the transfer of these debentures by entry on the register another mode of transfer by memorandum, which would make the debentures negotiable by indorsement, if not actually transferable by delivery from hand to hand, which would in effect be creating a new currency in addition to that already existing in the country. He did not presume to offer opposition, in this stage, to either of the Bills; but it was well the House should have time to reflect upon the large and momentous question which they were called on to decide. Especially in the face of the great authorities which had been quoted, he would not venture to form any final opinion. It might be that this was a great and valuable discovery in the interest of the landed proprietors of both countries; but the House could not fail to see that it must be attended with important results, not only to the landed proprietors, but to all those who were in any way concerned in the monetary operations of the country; and, if he did not deceive himself, under either plan the beneficial ownership of the land to the extent of the debentures proposed to be issued would be, to all intents and purposes, severed from the duties of the proprietor.

Mr. VINCENT SCULLY said, the subject was not wholly a novelty, as in 1853 he brought in a Bill which was read a second time, and which embodied the whole of the scheme now laid before Parliament. He gave every support to the proposal of his right hon. Friend; for though it differed in details, the principle was identical, having been borrowed from his own original measure. The difference between the "Debentures on Land" Bill and the "Land Debentures" Bill reminded him of King James the First's famous conundrum "What is the difference between live fish and fish alive?" The letter "a," and no more. He had no objection to the Bills being referred to a Select Committee, for he believed the more the subject was investigated the more surely would the principle of land debentures be approved.

Lord NAAS said, he could not agree with the observations of the Solicitor General, that by sending the Bill to a Select Committee the House would not pledge itself in favour of the principle of the Bill. He should prefer to see it rejected at once. He objected altogether to the principle of the measure. There was really no necessity for it, and no specific evils had been pointed out which would be cured by it. The Landed Estates Court disposed of property to the amount of a million a year, and there was never any lack of purchasers. In that respect, therefore, the Bill would answer no useful object. Some years ago the present Master of the Rolls introduced a Bill to empower the Landed Estates Court to endorse borrowing powers on the conveyances which they granted, that every purchaser of an estate could borrow half the purchase-money immediately after he got the conveyance. He and others opposed that Bill, and it was withdrawn. He was equally hostile to the present Bill. He questioned the propriety of affording great facilities for embarrassing landed property. He could not see the difference between the debentures which would be created by the Bill and the judgments which had been denounced so loudly. He was afraid that the proposed scheme would offer great temptations to land-jobbers, who would purchase estates merely for the purpose of selling them again as soon as possible. The issue of an enormous amount of new securities would have a very injurious effect on existing securities on land. There was one county, for instance, where only a single estate had passed through the Estates Court, the practice being to raise money by private mortgage; but if this Bill passed, mortgagees would be tempted to exchange their present investments for the new securities. He doubted whether the landed interest desired the Bill. He knew a number of landowners who did not. There was no difficulty in raising any amount of money as a first charge on land in Ireland at 4½ per cent interest, and funds for improving property could also be raised on the most advantageous terms. His right hon. Friend had referred to the inconvenience of voluminous title-deeds, but the Bill would not provide the slightest remedy for that evil. The proposal must therefore be very carefully dealt with; and if the Bill were sent to a Select Committee, some pledge should be given that no further proceeding should be taken during the present Session.

Mr. POLLARD-URQUHART supported the Bill, and suggested that the extent to which debentures should be issued might be limited to a third of the value of the property.

Sir FREDERICK HEYGATE opposed the Bill. The debentures would be likely to get into the hands of low attorneys, who were already great money-lenders to tenants; and it would affect existing mortgages unfairly.

Mr. H. A. HERBERT said, that as a landed proprietor in Ireland he viewed the proposal with the greatest possible alarm. The establishment of the Encumbered Estates Court had been, on the whole, a most successful and beneficial measure; but the scheme before them was of a retrograde character.

Bill read 2°, and *committed* to the Select Committee on Judgments Law Amendment (Ireland) Bill. [Bill No. 203.]

And on May 27 Select Committee on the Judgments Law Amendment (Ireland) Bill and the Land Debentures (Ireland) Bills *nominated*—

Mr. Whiteside, Mr. Longfield, Mr. Henry Herbert, Sir Frederick Heygate, Mr. George, Mr. Ennis, Sir George Lewis, Mr. Scully, Mr.

Pollard-Urquhart, Lord Naas, Mr. Montagu Smith, Mr. Solicitor General, The Judge Advocate, Sir Hugh Cairns, Colonel Vandeleur, and Colonel French:—Five to be the quorum.

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, May 22, 1862.

Minutes.]—Public Bills.—1ª Landed Property Improvement (Ireland) Acts Amendment; Oaths of Allegiance and Supremacy Reenactment.
2ª Copyright (Works of Art).
3ª Halifax Corporation.

COPYRIGHT (WORKS OF ART) BILL.

SECOND READING.

Order of the Day for the Second Reading read.

Earl GRANVILLE, in moving the second reading of this Bill, observed, that under the present state of the law artists, engravers and photographers were entirely without protection for works of art. The purchaser of such works was also liable to have them pirated, and inferior works of art might be passed off as the productions of masters. Besides, some change was required in our law in order to enable us to avail ourselves of the provisions of international treaties with reference to this subject. Under this Bill the artist was to have the copyright of a picture or other work of art during life, and for seven years after death. As between the artist and purchaser it was provided that the copyright passed to the purchaser with the work of art, unless it was specially reserved to the artist by written agreement. After that agreement was made, it was to be registered at Stationers' Hall in the same manner as a literary work, and assigned in the same manner. There was a provision to the effect that copyright should not in the slightest degree interfere with the reproduction or representation of scenes or objects previously represented; protection was only given to the work of art as it stood. He would not, on that occasion, go into the details of the Bill, which were matters of procedure. He should be glad in Committee to receive suggestions from any noble Lord; but as it was desirable to confer with others on the subject, he hoped notice would be given of them before going into Committee.

Moved, That the Bill be now read 2ª.

Lord OVERSTONE said, that this Bill had been on their Lordships' table for nearly two months, and it was only now that the noble Earl had taken it under his patronage. This showed that the noble Earl had at least some doubt as to the principles on which the measure was founded. This was obviously an artists' Bill, drawn up for the protection of artists only; without any reference to the interests of other parties necessarily connected with this subject, such as the interests of the general purchasers of pictures, the interests of the publishers of illustrated works, and the interests of the public at large. He had always understood that the fundamental principles upon which special privileges, or patent rights, were granted, were—first, that the work should be, in the true sense of the word, an invention—something new and creative on the part of the person seeking those privileges; and, secondly, that in consideration for granting exclusive protection for a given period, the novelty should be specifically and distinctly described; so that at the end of the period of protection there should be a special dedication of the subject to the public interest. He did not see in this Bill the slightest reference to either of those principles, and the very expression, "new and original," which had been used in all former Acts had in the present instance been carefully excluded. His main objection, however, to this Bill was, that it did not discriminate as to the position and interests and the reasonable rights of the persons interested. An artist under this Bill might produce any work, and, by reserving to himself the copyright, prevent the work from being in any shape or form copied, or anything being derived from it that might be useful to the advance of art in this country. If a man engaged an artist to paint for him a portrait of himself or a member of his family, or if he commissioned him to paint for him a picture on any given subject, the copyright of that picture ought to belong to the employer who paid for it. Possession of the work ought to carry with it the copyright, unless that be reserved by some special condition. That was the law in France, and that was the law of common sense, but it was not the law as this Bill proposed to make it. Again, the Bill provided that copyright might be reserved at the time the picture was produced, but the registration of it was not necessary for a twelvemonth. The consequence would be, that there would exist a copyright unknown to the public for the whole period of one year. It was obvious, that if a copyright was to be granted, the registration of it should accompany, if not precede, the first production of the work; otherwise copies made previous to registration, and purchased in good faith by parties ignorant of the suppressed copyright, would be liable at any moment to be seized and suppressed. The Bill was drawn for the sole purpose of giving extraordinary and comprehensive powers, which were not only unnecessary, but dangerous. The various conflicting interests and circumstances of those who may in various ways become possessed of pictures are ignored by the framers of the Bill, which, moreover, is so worded in some of its provisions as to raise doubts as to its meaning, and he feared much difficulty and litigation would arise from the Bill if it passed as it now stood. Take, for instance, the clause to prevent the fraudulent imitation of marks—an object good in itself, but the phraseology by which it was proposed to be carried out was likely to create evils as great as those which it proposed to remedy. He submitted that the Bill required a much more careful consideration than had been applied in drawing it up, and suggested that it should be withdrawn, with the view of bringing forward some measure more carefully devised with reference to the delicate and complicated interests which it must affect, in a future Session.

Earl STANHOPE said, he did not think that a case of valid objection had been made out by the noble Lord (Lord Overstone), the whole of whose speech appeared to be based, if he might venture to say so, upon a fallacy. The noble Lord seemed to think the measure was intended to be retrospective in its operation, and that it would overturn all the respective relations of the artist and the proprietor of a work of art. No doubt that was also the idea of many persons when the Bill was before the other House, and he knew that some of the great publishing houses were afraid that their property in illustrated works would be destroyed. If, however, the noble Lord would look at the Bill again, he would see that the first clause clearly defined the prospective character of its operation; and if he would go through the subsequent clauses, he would see that no disturbance of the existing relations between the author of a picture and the purchaser could take place under it. It was now twenty years since he (Earl Stanhope) brought forward his Bill in the House of Commons to amend the law on literary copyright, and he well remembered that the Bill was met by precisely the same class of objections which the noble Lord had advanced against the present Bill, but which experience of the working of that measure had proved to be groundless; and he had no doubt that the present measure would be attended with the same result. During the discussions which took place on the Copyright Bill it was distinctly admitted, that though there were greater difficulties in the case of works of art, yet that the claims of the artist to a copyright in his works were quite as valid as those of the literary author in his; and if they once admitted the principle that a man should be protected in the enjoyment of his intellectual productions, and if they allowed a certain period of possession to the author for his benefit before the public were put in full and free enjoyment of the work, he did not see how Parliament could refuse the same privilege to the artist as it had already granted to the author. There was no difference in principle between a poem and a picture. In the one case Parliament had affirmed that principle, and he could not understand how they could consistently resist it in the other. There might be some slight difficulties in the case, but they arose principally from the over-eagerness of some persons connected with art to read the Bill in a retrospective sense; but supposing the Bill to be, as he contended it was, entirely prospective, there could be no ground for objection. It would be quite as open for persons to make agreements in respect to works of art, should the measure pass, as it was now and they would be equally binding. There were one or two points of difficulty, he admitted, especially as regarded photographs. It was quite possible for two or more persons to take photographs of the same scene, building, or work of art from the same spot, and under the same circumstances, and of course producing similar results; and to give a copyright in such cases he thought very likely to occasion dispute and litigation. A person, for instance, might make a photograph copy of a photograph—say of the Colisæum — originally taken by another; who could say that the copy was not an original photograph? As to photographs of living persons, the difficulty would be less, because it would be possible to ascertain who was the artist who took the original photograph, and whether the person represented had sat to any other; but in the case of photographs of scenes, buildings, and works of art, he did not see how they could find it easy to enforce a copyright. He thought the better course would be to read the Bill a second time, and consider what Amendments it would be advisable to introduce in Committee.

Lord TAUNTON said, he entertained great doubts whether the Bill was calculated to promote the true interest of art or artists, and objected, in the interests of the public, to legislative interference for the purpose of preventing the multiplication of works of high art. A good picture, he thought, should be its own protection against the art of the copyist. His noble Friend said that it was hard upon a man who purchased at a high price a valuable picture to find copies of it in the hands of others, obtainable at any picture dealer's; but he (Lord Taunton) had no sympathy with the man whose appreciation of art led to no higher result than to lead him to buy a picture for the mere purpose of boasting that he possessed something which nobody else could obtain. He believed that such a power as this Bill proposed to give would lower art in this country and depreciate the public taste. With regard to photographs, he did not see how it was practicable to give a copyright. The Bill, moreover, he was afraid, was calculated to give rise to litigation. With the exception, perhaps, of the picture-dealers, whom it might benefit, he considered the Bill as prejudicial to all concerned—to artists and to those who traded in works of art, and more especially to the cause of art itself, and to the public; and if a division were taken, he should vote against the second reading.

The LORD CHANCELLOR, on the contrary, regarded the Bill as an act of simple justice to artists, and calculated to promote and encourage art. He was astonished to find, that while they gave a property to that which was, in the ordinary way, the work of a man's hands, and allowed a copyright in inventions and designs, it should be gravely contended that in those productions which were exclusively the creations of the mind no such right was to be admitted. They did give a copyright to literary productions; but now, when it was proposed to give a similar right to pictures, they were told that it was derogatory on the part of the jurisprudence of the country to protect the works of those who contributed by their art to the honour of the country, the elevation of the public taste, and to the amusement, instruction, and delight of the people. For his own part, he entirely agreed in the opinion of the great Lord Mansfield, that in all works of the mind the common law of the country should be regarded as giving an absolute property to the authors. Under a somewhat strained construction of the Act of Anne a very narrow and limited right had been for a long period all that was given to literary works; that evil, however, the Copyright Act introduced by his noble Friend (Earl Stanhope) had remedied; but it still left the fine arts, painting and sculpture, without adequate protection. Indeed, as regarded the painter, as the law stood, he had no protection at all. Any man might now make any number of copies of the best works of any artist—sell them, and there was no remedy. Not unfrequently these copies were sold as originals, and even the name of the original artist was sometimes forged upon them; but the artist could get no protection or reparation. There was a well-known case in which a celebrated artist sold a picture for a considerable sum: after some time a copy was produced with the name of the artist attached to it, and was passed off as an original. The person by whom that name was so attached was indicted for forgery; but it was held that he was not amenable to law. In most foreign countries, copyright in works of art was admitted, in some cases extending to twenty, thirty, or fifty years, and in others until after death; and he contended that it was due not only to ourselves, but to other nations, to afford a similar protection in this country. So far as the artists were concerned, there was no ground for refusing to them the same protection which had been given to historians and all other authors of works of literature. Then let their Lordships consider whether the Bill did not give protection to the purchaser of a picture. It was well-known that after a person had purchased a picture the artist may make a copy and multiply it to any extent, although the purchaser might be under the impression that he had bought a picture as being the single work of the artist. Of course such a thing would not be done by any honourable man, but still the right remained to the artist to act in that manner if he thought proper. It was not a desirable thing to have a great work of art multiplied several times, and hawked about for sale. So far, then, as the artist and the purchaser were concerned, this Bill proceeded not merely upon the principle of justice, but upon the principle of great expediency. With regard to the public, what greater benefit could be granted to them than that there should be given to works of genius the largest amount of protection possible? In the same proportion as they extended protection to works of genius would they be likely to increase the works of genius. With regard to the objections which he had heard from some of their Lordships, many of them might be met when in Committee. The 4th clause of the Bill had been introduced in consequence of the evidence given before a committee of artists, from which it appeared that a number of pictures had been copied and altered by inferior artists, and had been sold again as works by the original painter. One remarkable instance was stated by Mr. Charles Landseer, the painter of a picture in which he had introduced two dogs, which had been touched up by Sir Edwin Landseer, and, as the artist himself admitted, greatly improved. This picture was sold to a dealer, who cut out the figures of the dogs, and sold them as the work of Sir Edwin Landseer; and then he filled up the hole in the original picture with two dogs painted by an inferior artist, and sold the whole picture as the work of Mr. Charles Landseer. These were some of the frauds committed on artists of celebrity, and, without being actuated by petty feelings, they might naturally manifest some sensitiveness on the score of their reputation at being so treated. A point had been raised respecting the difficulty of proving in some cases that photographs were copied, but he thought it possible that the copy of a photograph might be sufficiently detected, as it would be hardly possible for two persons to produce representations of the same object under exactly the same conditions of light, position, and other circumstances. He did not deny that there were many provisions in the Bill which would require careful consideration in Committee; but the great principle of the measure, which recognised property in works of art, and the adoption of which had been too long delayed, was in accordance with a natural feeling of justice.

On Question, Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House *to-morrow.*

House adjourned at a quarter past
Six o'clock, till To-morrow,
half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday May 22, 1862.

MINUTES.]—PUBLIC BILLS. — 1° Rifle Volunteer Grounds Act (1860) Amendment.
2° Unlawful Oaths (Ireland) Act Continuance.
3° Local Government Supplemental; Public Houses (Scotland) Acts Amendment.

UNITED KINGDOM ELECTRIC TELEGRAPH COMPANY BILL.

SECOND READING.

Order for Second Reading read.

Motion made and Question proposed, "That the Bill be now read a second time."

MR. HUMBERSTON said, that though this was a private measure, it involved considerations of public importance. It empowered the Company to lay down their poles and wires along the turnpike road, and thus to curtail its width, by merely giving fifteen days' notice. This might occasion very considerable inconvenience. There were other clauses which required consideration. He thought that further notice should be given to hon. Members, that they might become acquainted with the provisions of the measure to which they were asked to assent, and he therefore moved that the second reading be deferred for a week, in order that the public might know that it was before the House, and should be referred to a Committee, before whom they could be heard.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day week."

Question proposed, "That the word 'now' stand part of the Question."

Mr. HENLEY seconded the Amendment. The Company took power to erect hese wires and posts over every highway n the kingdom, and a Bill which contained uch a provision ought to be a public one, and not be brought before the House as a Private Bill. Nobody had notice that it was coming on. Great bodies had looked out for themselves, and had taken care to protect themselves, but what protection was afforded to the public? These undertakings had already been declared by the aw courts to be a public nuisance, and they now asked Parliament to allow them to do that which the law forbade. The fact that other companies had obtained analogous powers was no reason why they should take another step in a wrong direction. This should be a public Bill; and as a week's delay would enable the Government to consider the whole question, he should support the Amendment.

Sir FREDERIC SMITH thought the proposal to postpone the second reading unreasonable. He was astonished the right hon. Member for Oxfordshire (Mr. Henley) should support the Amendment. He was defending the monopoly obtained by the existing Company, who charged for messages on a scale double that which was proposed to be charged by the new Company. The Bill had gone through a Committee of the House of Lords, and been fully discussed there. He hoped his hon. Friend would not press the Amendment against a good measure. The proper tribunal for deciding the question was the Select Committee, who would hear all parties.

Lord ALFRED CHURCHILL said, it was very unusual to oppose the second reading of a Bill that had gone through a minute investigation in the House of Lords. The provisions introduced by the other House were amply sufficient to protect the owners of property. If they wished to benefit the commercial interests, by securing cheap telegraphic communication, they should support the Bill, to which there was a tremendous opposition by the other Company, that had its agents at work all over the country.

Mr. MILNER GIBSON said, as the Bill had passed through a Committee of the House of Lords, it came to them recommended rather more strongly than a Bill introduced in the ordinary way. He thought the Bill should be read a second time. All the promoters asked was, to have their case investigated in a Committee, and then the House might deal with the measure as it thought fit. But it would be a strong, and hardly a fair, measure to throw the Bill out on the second reading.

Sir JOHN SHELLEY would assent to the second reading; but thought the whole subject of electric telegraphs so important, that it ought to be dealt with by some public measure. As a landowner in Preston, he had himself been very much annoyed by the way in which the telegraphic wires had been laid down. Some person or department ought to have a control over the operations of the companies.

Lord HOTHAM said, the object of the postponement was to enable the Government to determine whether this should be treated as a Public Bill, but the right hon. Gentleman the President of the Board of Trade had not said a word upon that point.

Mr. HODGSON said, he had a strong opinion that competition between Electric Telegraph Companies was a very good thing. He sent a message of twenty words the other day to Manchester, and he paid 1*s.* At the same time he sent a message of the same length to Edinburgh, and he paid 4*s.* He asked the reason, and the clerk said there was a competing company to Manchester, but none to Edinburgh. He thought it would be extremely hard on this Company if, after making a large outlay in preparing to submit their Bill to Parliament, and passing successfully the scrutiny of the Standing Orders Committee, their further proceedings should be delayed on the grounds alleged in this instance.

Amendment, by leave, *withdrawn.*
Main Question put, and *agreed to.*
Bill read 2°, and *committed.*

THE LABOURERS EMPLOYED ON THE SUEZ CANAL.—QUESTION.

Mr. DARBY GRIFFITH said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government will make serious efforts to prevent the continuance on the part of the Pacha of Egypt, of the employment of forced labour on the Suez Canal?

Mr. LAYARD was understood to reply that the only answer he could give was, that this was a matter to be discussed and settled between the Turkish Government and the Pacha of Egypt.

BRITISH COLUMBIA.—QUESTION.

Mr. MALCOLM said, he would beg to ask the Under Secretary of State for the Colonies, Whether the attention of her Majesty's Government has been directed to an advertisement in *The Times* of the 17th instant, of the British Columbia Overland Transit Company, and to the Prospectus that has been issued by the said Company, in which offers are made to convey 500 Emigrants from England to British Columbia direct, the passage money to be £42, and the journey to occupy five weeks; whether he is aware that a vessel is to start from Glasgow on the 31st of May with a large number of persons who have engaged their passages in the terms of such advertisement; whether Her Majesty's Emigration Commissioners have satisfied themselves that the British Columbia Transit Company have made arrangements, and have it in their power to carry the Emigrants to British Columbia in terms of their advertisement; and whether they have considered the probability of the intending Emigrants being starved between Montreal and British Columbia?

Mr. CHICHESTER FORTESCUE said, in reply, that the Colonial Office had received a report from the Emigration Commissioners, who had thought it their duty to inquire into the facts of the case. They had invited some one representing this Transit Company to an interview; and a gentleman, a Colonel Sleigh, representing the Company, attended at the Emigration Office. The result was, that this Gentleman assured the Commissioners that all the preparations specified in their advertisement had been made, and, what was much more important, that the number of persons to be sent out, instead of being 500, would not reach 100, constituted entirely of able-bodied young men, accustomed to an active life and the use of horses and firearms. There would be neither women, children, nor old men. The Commissioners therefore reported to the Colonial Office that there was not sufficient cause to interfere. But he was very far from saying that he expected the Company would be able to carry out all the promises made in their prospectus, particularly as to time. He believed it would take a very much longer time to reach British Columbia than the advertisement led people to suppose; but the Government did not anticipate the emigrants would starve. Although they believed great hardships would have to be encountered, they did not anticipate that they would suffer greater hardships than Englishmen in the prime of life were able to endure.

Mr. CHILDERS said, he wished to know whether the Government have taken any steps in the matter.

Mr. ROEBUCK said, he also would ask whether the Government had anything to do with the Company?

Mr. CHICHESTER FORTESCUE said, the Government had nothing whatever to do with the matter. His noble Friend at the head of the Colonial Department had, however, written to the Governor of British Columbia to take care that the conditions of the Company were fulfilled.

Mr. ELLICE (Coventry) said, he wished to know whether the Colonial Office have ascertained whether it is possible for these men to reach their destination.

Mr. CHICHESTER FORTESCUE said, he did not think that an ordinary party of emigrants, consisting of persons of different age and sex, could be expected to reach their destination in safety by this route; but the men who were to start might accomplish the journey with no greater risks or hardships than those to which any exploring party of adventurers in the prime of life would be exposed.

Mr. ELLICE (Coventry) said, he also wished to ask whether the Under Secretary knew that Dr. Rae, with an armed party, who had last year gone on a hunting expedition to the country in question, had been compelled to return on account of a war having broken out among the Indian tribes.

Mr. ROEBUCK said, he wished to know whether the Under Secretary was also aware how much the Hudson's Bay Company was interested in the matter.

Mr. HENRY SEYMOUR said, he would beg to ask whether this route was not used by a stream of emigrants from the United States to British Columbia.

Mr. CHICHESTER FORTESCUE said, he believed the through route had never been used by a stream of emigrants, although travellers had used that portion of it between St. Paul's and Red River. He was quite aware of the hardships and dangers of the passage across the Rocky Mountains, a geographical feature of which, oddly enough, the Company had taken no notice in their prospectus; but he had not heard of the circumstance to which his hon. Friend (Mr. Ellice) had referred.

THE DEFENCES COMMISSION.

QUESTION.

MR. BERNAL OSBORNE said, he wished to ask the Secretary of State for War, Whether the Report of the Commission on National Defences has been presented to the Government; and, if so, when they will be prepared to communicate it to Parliament? He also desired to know what has delayed the Returns moved for by his right hon. Friend the Member for Limerick (Mr. Monsell) respecting the details of the expenditure of £2,000,000 for the Spithead Forts?

SIR GEORGE LEWIS said, the Report of the Commission had not yet been formally presented to the Government. It would, however, he believed, be presented to-morrow, and he hoped to be able to communicate it to the House next week. He would answer the other question of the hon. Gentleman to-morrow.

FIRES IN THE METROPOLIS.

QUESTION.

MR. DOULTON said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to take any action, during the present Session, upon the Report of the Committee on Fires in the Metropolis?

SIR GEORGE GREY said, the Report of the Committee had been printed and circulated the day before yesterday. He had not yet had time to consider it. He had, however, referred the Report to the Chief Commissioner of the Police.

EMBANKMENT OF THE SOUTH SIDE OF THE THAMES.—QUESTION.

MR. DOULTON said, he would also beg to ask the First Commissioner of Works, Whether there is any probability of the Commission on the Embankment of the South side of the Thames making their Report before the prorogation of Parliament?

MR. COWPER said, he had inquired of the Commission, and he believed there was no doubt that they would be prepared to make a Report before the conclusion of the Session.

MARRIAGES (IRELAND) BILL.

QUESTION.

MR. HENRY SEYMOUR said, he wished to ask the hon. Member for Belfast (Sir Hugh Cairns), Whether it is his intention to proceed with the Marriages (Ireland) Bill; and, if so, whether he intends to propose any modifications of that measure?

SIR HUGH CAIRNS said, that at present the Bill stood for progress for Wednesday next, when he trusted it would progress in Committee. If the hon. Gentleman would be good enough to specify his objections to the measure, he (Sir Hugh Cairns) would give them his best attention.

ECCLESIASTICAL REGISTRIES.

QUESTION.

MR. HENRY SEYMOUR said, he wished to ask the Secretary of State for the Home Department, Why the Return of Ecclesiastical Registries, moved for on the 1st of August last year, has not yet been laid upon the table of the House?

SIR GEORGE GREY said, all the Returns had not been made, and he was afraid there was no power to compel their being furnished. He had no objection to those which had been supplied being laid upon the table.

EDUCATION (SCOTLAND) BILL.

QUESTION.

MR. STIRLING said he rose to ask the Lord Advocate or the Secretary of State for the Home Department, If it is the intention of Her Majesty's Government to proceed with the Education (Scotland) Bill on Monday next; and, if so, whether it will be taken at such hour as will afford full opportunity of discussing the Bill and the Amendment of which notice has been given?

THE LORD ADVOCATE said, it was his intention to proceed with the Bill on Monday, and he believed it would stand first on the Orders for that Day.

THE INDIAN BUDGET.—QUESTION.

MR. ARTHUR MILLS said, he would beg to ask the Secretary of State for India, When he proposes to make his Financial Statement?

SIR CHARLES WOOD said, the accounts were not yet completely furnished, and he was unable at present to name a day for making the Statement.

CHURCH RATES.—QUESTION.

SIR JOHN PAKINGTON: I wish, Sir, to ask the First Lord of the Treasury, Whether it is the intention of Her Majesty's Government, in accordance with the feeling strongly expressed on both sides of the House, to introduce any measure on the subject of Church Rates during the present Session?

VISCOUNT PALMERSTON: Sir, whatever may have been the wish of the House expressed on that subject I think the House must at the same time have seen what are the difficulties which surround the question with a view to any satisfactory arrangement. All I can say is, that Her Majesty's Government are not prepared at present to undertake that task.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE MIDDLE LEVEL DRAINAGE. RUPTURE OF THE SLUICE.

QUESTION.

MR. BENTINCK said, that a great deal of anxiety having been felt with respect to the inundations that had recently occurred in Cambridgeshire and Norfolk, and many misapprehensions having arisen from erroneous statements, he wished to ask the hon. Member for Huntingdonshire (Mr. Fellowes), as Chairman of the Middle Level Commission. If he had any objection to state what was the present extent of the inundation of the Fen country, and what hope he entertained of putting a stop to it?

MR. FELLOWES said, he was glad of the opportunity of making an explanation in regard to this disaster, the melancholy consequences of which they must all deplore. Previous to the accident on Sunday the 4th May, the Commissioners had received no intimation whatever of there being the slightest danger likely to arise to the great sea sluice; but on the following morning he, as Chairman of the Commission, received from their clerk, who was then in London, a communication that on the previous night the sluice had been destroyed by the tides. Immediately on learning what had happened, he went to Mr. Walker, the engineer who constructed the works fifteen years ago; and after consulting with him and Mr. Burgess, his partner, they called in Mr. Hawkshaw to give advice on the subject. That gentleman recommended the construction of an earth dam, and the resident engineer was directed to carry out the work with all possible haste. The matter was then put into the hands of Mr. Hawkshaw, Mr. Walker's state of health rendering him unable to undertake it and instructions were given to him to use his utmost exertions to repair the evil, wholly regardless of expense. Mr. Hawkshaw was compelled to remain in town a few days to attend to some Parliamentary business, and to procure the materials necessary for further works; but at the end of the week he proceeded, with himself and some of the other Commissioners, to the scene of the disaster. They found the works proceeding with the greatest activity; several hundred men were employed with carts and horses in building an earth dam; but, unfortunately, the work could not be completed before the spring tides came. These tides rose to an extraordinary height, and on the Monday following a breach was made in one of the banks of the great cut of the Middle Level, which was intended to receive only the upland waters, and was not, therefore, constructed of sufficient strength to resist tidal waters. The consequence was that 6,000 acres of land were under water to an average depth of between two and three feet. Shortly after the inundation the Mayor of Lynn and other persons wrote to the Home Secretary complaining of the inactivity of the Middle Level Commission, and requesting the interference of the Government. Those letters were forwarded to the Middle Level Commissioners. They called upon Mr. Hawkshaw to make a report, and with the permission of the House he would read that report. It was dated, Great George Street, 20th May, 1862.

MR. SPEAKER: I do not know what may be the wish of the House as to the extent to which this conversation should proceed; but it is my duty to inform the hon. Member and the House that questions are confined by the directions of the House to Ministers of the Crown relating to public affairs, and to other Members relating to any Bill, Motion, or any public matter connected with the business of the House in which such Members may be concerned. This may be a matter of public importance, but it does not fall within the limits laid down by the Order.

SIR GEORGE GREY: The noble Lord the Member for King's Lynn (Lord Stanley) has given notice that he will put a question to me upon this subject tomorrow. I told him that there would be no objection to produce the very report which the hon. Gentleman was about to read. It was transmitted to me by the Middle Level Commissioners, and, perhaps, its production in answer to a Motion will be the more satisfactory mode of bringing it under the notice of the House.

MR. FELLOWES said, he was in the hands of the House. This was a matter of public importance; and if the House had no objection, he would proceed with the reading of Mr. Hawkshaw's report. ["Read! read!"]

"33, Great George Street, Westminster,
"May 20.

"Gentlemen,—I have read Mr. Waddington's letter of the 19th inst., and also the two letters accompanying it—one from the Mayor of Lynn and the other from the Vicar of Enneth. In reply I beg to report that no effort has been spared since the failure of the sluice to construct sufficient barriers against the sea to prevent it flowing up the new cut into the interior of the country. Between the 4th inst., when the sluice gave way, and the next high tides, there was an interval of only seven days, much too short a space of time to permit of any effectual stoppage of the tidal waters. The construction of an earthwork dam was commenced immediately, and continued incessantly, for the purpose of shutting out as much as possible of the tidal waters, and the dam was raised in that time about ten feet high. It was wholly impossible in those few days, a portion of which had to be devoted to collecting a proper staff and suitable materials, to do more than this. The earth dam is not abandoned, as one of the writers seems to imagine, but is now being pushed forward as fast as possible, having regard to its security. Fearing to depend on this alone, I am also constructing a coffer dam above the earth dam, so as to afford additional safety. I can only add that everything that human agency can do in the matter is being done. It is difficult to explain to gentlemen unacquainted with such subjects the steps and stages necessary to bring a work presenting unusual difficulties to a successful conclusion. The suggestions made by all sorts of people from day to day how instantly to stop a tidal river of great magnitude, while they show a laudable anxiety to avert further mischief, display how little such persons understand the difficulties of the task they would undertake. I have, however, every reason to hope that the measures I am now taking will be successful. It is true, as mentioned by the Mayor of Lynn, that on Sunday last, the 18th inst., the men were not at work. The payment of their wages was not concluded until near midnight on Saturday, and men and superintendents were all so worn out that it was thought desirable by the agents of Mr. Leather, the contractor, to allow them to rest on the Sunday.

"I am, Gentlemen,
"Your obedient servant,
"JOHN HAWKSHAW.

"The Commissioners of the Middle
Level Drainage."

He had to state in conclusion that Mr. Hawkshaw had authority to carry on the necessary works as speedily as possible before the next spring tides, in order to prevent any further destruction of property.

THE INDIAN NAVY.—QUESTION.

SIR HENRY WILLOUGHBY said, he would beg to ask the Secretary of State for India, What is the position of the Indian Navy; whether that service is to be abolished; and, if so, how the guarantee of the Naval prospects of the Officers of that Service will be carried out? The hon. Baronet said, he was induced to put the Question in consequence of the great anxiety felt on this subject by all who were connected with the service. The question was an important one, as it involved the interests of a class of persons who deserved the best sympathies of the House. These gentlemen were officers who had been sent out to India at a great expense, who had been educated with great care, and whose outfits had cost the country a considerable sum. By the Indian Government Act of the 21 & 22 *Vict.*, c. 106, the prospects of those officers were specially guaranteed. It was provided, that while they should remain under the obligation under which they then lay to serve the Queen, they should be entitled to all the pay and privileges, and, above all things, to the promotion which they would have enjoyed if the Government of India had not been changed. Was that guarantee now to be violated? Were the prospects of those gentlemen now to be blighted and their career brought to a conclusion? He was sorry to say there was an opinion abroad that the guarantees of the Legislature were not so strictly regarded in some parts of the Empire as they ought to be. He hoped that the conduct of the Government in respect to this matter would not tend to encourage that opinion. It was with a view of preventing any such imputations being thrown upon the good faith of the Legislature that he had now brought this question before the House.

COLONEL SYKES said, the naval service of India was not only distinguished by its gallantry, but also by its scientific capacity. The members of that service had made valuable surveys of the coast of India, the Red Sea, the Chinese Seas, and the Persian Gulf. They were now, however, like Mahomet's coffin, between heaven and earth, not knowing where they were to find a footing, and believing that they were to be abolished altogether. He hoped the right hon. Baronet the Secretary of State for India would be able to give a satisfactory explanation upon the matter.

Sir JAMES ELPHINSTONE said, he was afraid that the prospects of this unfortunate service were not very bright. There semed to be a disposition on the part of the Government of India to violate the guarantees which Parliament had enacted for the safety of the services under the new *régime.* The hon. and gallant Member had done no more than justice to the unfortunate gentlemen concerned. The officers of the Indian navy were men of high attainments, and had done good service—indeed, there was no service that had produced, in proportion to its numbers, so many men of eminent ability. If it were abolished, he feared there were troubles in store for Her Majesty's Government in the Eastern Seas. The peace of the Persian Gulf was maintained by the Indian navy. The officers of that service had an intimate knowledge of the usages and customs of the tribes which inhabited the shores of that gulf, and were by that means, and by the semi-diplomatic character which they possessed, enabled to preserve the peace of the country. He was perfectly convinced, that if that district were placed under the charge of Her Majesty's navy, and officers were sent there who were not cognizant of the habits and usages of the tribes, we should soon be drifted into one of those expensive contests with which the House was painfully familiar. He was informed that a number of officers who had been in the enjoyment of apppointments equal in value to £1,000 or £1,200 a year were now congregated on board the flagship at Bombay. If that service were to be abolished, the superior officers ought, in justice, to be handsomely pensioned, and to the inferior officers the opportunity ought to be offered of competing for the Civil Service appointments, for which, by their long residence in India, they were well qualified.

Sir CHARLES WOOD said, the rules of the House prevented him from rising a second time, and notice had been given of another Question relating to the Department over which he had the honour to preside, and he would therefore answer this Question later in the evening.

IRISH EDUCATION.

OBSERVATIONS.

The O'CONOR DON: Sir, in rising to ask the attention of the House to the question of education in Ireland, I feel that perhaps I ought to apologize for venturing to take on myself the responsibility of introducing a discussion on a subject so great in its importance, and so vast in its extent. It appears to me, however, not unreasonable, now that we are about to vote the money to be applied to this purpose in Ireland, that we should consider for a moment whether there are any peculiar circumstances connected with it deserving attention. No subject in this country, during the present Session of Parliament, has occupied so much public attention as the very question of National Education; and I believe I am not very far wrong in saying, that in Ireland, too, very great interest is taken in it. It would be unnecessary for me to mention that unanimity of opinion does not exist in Ireland as to the system carried on there; it would be unnecessary for me to state that persons differing on almost every other point are agreed in believing that system unsatisfactory; and equally unnecessary would it be for me to add that the chief cause of dissatisfaction arises out of the religious element. I feel, however, Sir, that the subject is so large, and embraces within itself so many topics, that it would be presumption and folly on my part to endeavour, even lightly, to touch on it in all its branches. I will therefore confine my remarks to one or two points in particular. With this view, Sir, I do not purpose to enter into any discussion as to the education given in the primary schools, or the principle on which it is conducted, but would briefly refer to other grants and other institutions which seem to me worthy of consideration. In the first place I would mention the Model Schools, and in the next the Queen's Colleges. For the support of these institutions this year, the State is asked to subscribe a sum exceeding £85,000; and looking at this merely in a financial point of view, I believe it not unworthy of consideration. But in this, I hold, is involved far more than a mere matter of finance—in it is involved a great question of principle. First, Sir, as regards the Model Schools, I find these under a great variety of denominations. There are, for instance, central model training schools, model industrial schools, agricultural model schools, railway model schools, district literary model schools, and minor model schools. Now, Sir, from such a variety of denominations, embracing such an extensive range of subjects, it is difficult at first exactly to determine what is the end or aim of these institutions. It would appear, however, that they are all connected by one characteristic—they are all, to a certain extent at least, training establishments, and as such I would wish first to consider them. The House is aware that one of the great objections held by all parties against the National system of Ireland, is that in its teaching it excludes or ignores the religious element; and the House is also aware, that when a demand for the extension to Ireland of the denominational system is made, it is usually met by two objections. First, that such extension would necessitate a very useless multiplication of schools; and, secondly, that such a system can be established only when the greater portion of the expense is borne by voluntary and private effort. Now, Sir, I hold that this reasoning does not, and cannot, apply in the case of the Model schools, considered as training establishments, for these establishments, being already far too numerous for the wants of the country, by a change in the system no increase in their number would be required; and, in the next place, the denominational principle is adopted in England in respect to the training colleges there, although nearly the entire expense is borne by the State. These institutions, however, must be also regarded in another light: they are not only training establishments for the education of teachers, but are also national schools for the middle classes—intermediate institutions between the primary schools and the Queen's Colleges. This has been distinctly laid down by the late Sir James Graham when proposing the Queen's Colleges, and to it I would particularly ask the attention of the House. I hold, as a general principle, that the State is not bound to provide education, at the public expense, for any but the lowest class; that it should not interfere in the higher branches of education unless under very peculiar circumstances; that when it does so interfere, it should do so rather by assisting than originating; and that in no case should it endeavour to usurp to itself the entire direction and control of the education of all classes of the people. These principles are not now, Sir, promulgated for the first time—they have been repeatedly broached in this House, have been generally received in the country, and in support of them I might quote the authority of the most distinguished statesmen. I do not expect, however, that they will be denied, and I therefore pass on to their application. Considering the Model schools as intermediate schools for the middle classes, do they not err against every one of their principles? Are they not, when considered with the Queen's Colleges, an attempt on the part of the State to usurp the entire education of the country? Do they not interfere with voluntary effort by cramping its exercise, by deadening any incentive to its development, and by entering into an unfair competition with it when it struggles into existence? And, lastly, do they not, at the public expense, provide education for a class who, mainly at least, ought to provide such for themselves? I say, therefore, Sir, whether as training colleges or intermediate schools, these institutions ought to be looked after. Now, Sir, I would come to the Queen's Colleges. As I mentioned before, very exceptional circumstances alone, in my opinion, would justify the interference of Government in the higher branches of education; but I am aware that these exceptional circumstances have been urged in favour of the Queen's Colleges. It has been said, and I do not deny the justice of the remark, that Ireland, as regards university or high-class education, was very peculiarly circumstanced—that with a population mainly composed of Roman Catholics and Dissenters, and with but a small minority of Churchmen, the latter had a university and college of their own, whereas the former were unprovided with such, and that under such circumstances the Government were justified in interfering. I do not deny all this—but what I do deny is, that it justifies the establishments on whose behalf it is raised, and to make my views the clearer on this point, I would for a moment ask the attention of the House to the origin, object, and expense of these establishments. The Queen's Colleges owed their origin to the Government of the late Sir Robert Peel, and were first proposed by the then Home Secretary, Sir James Graham, expressly with the view of meeting the generally-admitted want on the part of the Roman Catholics and Dissenters of a means of procuring university education. Their original cost of construction was about £100,000, and to this must be added about £18,000 for alterations and repairs. They receive an endowment of £21,000 per annum, an annual grant for the colleges of £4,800, and for the university over £2,000; and having been in existence, the colleges for twelve years and the university for over ten years, their total cost to the nation, including some minor expenses with which I will not trouble the House, cannot be much less than half a million of money. Such, Sir, was their origin, object, and expense. I have now to ask the House, have they met that object? for in the answer to this question seems to me to lie the justification of the expense. We have seen that they were originated to meet a certain want which existed on the part of the Roman Catholics and Dissenters; but principally on the part of the Roman Catholics, as they formed the great majority of the people. The members of the Established Church have a university and college of their own of which they might well be proud. In Trinity College and the University of Dublin they had all they could desire and more than they required. Those institutions, to be sure, were also open to Roman Catholics, who could receive lectures in the one and take degrees in the other. In Trinity College the Professors were of the highest class, the teaching given there was, in a secular point of view, unobjectionable; the students had distinguished themselves everywhere, and their social standing certainly was not such as to deter others from joining them. Yet, notwithstanding all these advantages, Trinity College was not acceptable to the Roman Catholics of Ireland. Why? Because it was essentially a Church Establishment; because in it Roman Catholic students would receive only secular instruction; because the only religious instruction given was of a nature to which they objected; and because they believed it dangerous to their faith, that instruction should be given in the higher branches of the subtle sciences by professors of a different religious persuasion from themselves. For these reasons Trinity College was objectionable, and to meet these objections the Queen's Colleges were founded. Now, Sir, the House must perceive that these objections were entirely of a religious character, and could therefore be met only by institutions more satisfactory in a religious point of view. Are the Queen's Colleges such institutions? In what point of view are they less objectionable than Trinity College? Have they not been declared dangerous to faith and morals by the highest spiritual authority in the Catholic Church? And what more could be said against the most exclusive establishment ever instituted? There are some, Sir, who hold that a separation of religious from secular teaching is justifiable, practicable, and expedient; whilst there are others who believe that such a separation, especially in the higher courses of study, ought never to be permitted; but it seems to me that on the principle of neither party can the Queen's Colleges be justified. If, on the one hand, you are to be satisfied merely with secular instruction, that is provided in the old University; whilst, on the other, if the combination of the religious element is required, you are at a loss to find it in the new one. I do not therefore, Sir, I confess, rightly understand upon what principle, either of necessity, justice, or expediency, these new foundations have been made. But then, Sir, we are told, that as far as results go, they have been a wonderful success—we have been informed on high authority, that for the first time in Ireland, through their instrumentality, over 600 laymen are receiving university education. Now, Sir, is this really the case? These institutions have been in existence for twelve years, and I find by the last Return, Session 1861, that the total number of students who during that time took degrees in Arts was 212, and in medicine 98; so that, as far as university education is concerned, we have 212 Bachelors in Arts, and 98 doctors, as the result of an expenditure of nearly half a million of money; a result, no doubt, highly satisfactory. Neither must we forget another highly-important feature in this education when estimating the value of these results, and that is the large number of prizes, exhibitions, and scholarships, at the disposal of each college every year. I will not enter into any minute discussion as to the proportion between the number of students and the number of scholarships, the prizes and those to compete for them; but will merely remark in a general way, that in many instances, as appears by a Return furnished to the House, the scholarships exceed the number of students, in others are about equal to them, and that in hardly any instance is there any real competition for them. This state of things is not denied by the authorities of the college—it is even defended by them. Mr. Berwick, President of the Galway College, maintained in his evidence that it would be very undesirable to increase the competition, and in this he was supported by several other gentlemen connected with the establishment. Now, Sir, the natural result of all this we find in the statement of Dr. Henry, President of Belfast College, who declares that nearly all those who take degrees are scholars. What is a scholar? I will not give my own definition on this point; I will quote the words of one whose authority I am sure will not be denied. I refer to Sir Robert Kane, President of the Cork College. Sir Robert Kane says, "We may regard the scholar in the light of a young man who, for certain State purposes, is paid for educating himself." Hence, Sir, the final conclusion at which we must arrive is this—that the Queen's Colleges have been successful in imparting university education to 212 students, the greater proportion of whom were paid for receiving it. But, Sir, there is another question to be considered, and it is this—what is the feeling of Ireland in regard to these institutions? Had any doubt existed upon this point, the right hon. Baronet has at least the merit of clearing it away — he has at least tested this. He tested it, to be sure, in a rather strange way: strange on account of the object he proposed to effect, but stranger still for the manner in which he sought to effect it. Seeing that the scholarships were already extravagantly numerous, he determines to increase them, and he, the chief Minister of the country, through whose hands nearly all the patronage of that country passes, becomes an applicant for money from those many of whom might believe themselves dependent on him for their future prospects and fortunes in life. However, he made his application, and he received his answer. That answer is comprised in the indignant refusal of what I may term the wealth, intelligence, and respectability of Catholic Ireland—a refusal which was not the less significant in the indifferent silence of some, than in the open repudiation of others. But this, Sir, was not enough: the appeal of the right hon. Baronet was of such a nature as required some public expression of opinion on the question of education—an expression of opinion which would not be merely the reflection of the ideas of the individuals giving it utterance, but, coming from elective representative bodies, might fairly be said to reflect the opinions of the country; and such an expression of opinion has been given. The several corporations of Limerick, Dublin, Cork, Kilkenny, and nearly all the other corporate towns, have met, have discussed the question, and have passed resolutions, in most instances unanimously—not in favour of the Queen's Colleges, not in favour of propping up failing institutions by offering large rewards to students to attend them, but in favour of free education, not seeking for Government grants, not looking for public money, but merely asking for fair play; merely seeking for equality. Resolutions, Sir, in favour of the voluntary principle, petitions praying, that if it be not assisted by public aid, it may not at least be crushed out by unfair competition. After this, Sir, I think it can no longer be said that on public feeling in Ireland rests the foundation of the Queen's Colleges. I have now, Sir, troubled the House perhaps at too great a length, but one point still remains for me to touch on. It is, however, to my mind of so much importance that I would venture to introduce it. I refer, Sir, to the much-vexed question of vested interests. We have heard a great deal on this point of late; Members on both sides of the House have eloquently pointed out the danger of allowing vested interests in the disbursement of the public money to grow up and increase, and one of the great advantages held out as arising from the Revised code of educational rules in this country is the end which, it is said, that code will put to those dangerous theories. Now, I ask are not like dangers to be apprehended in Ireland? Ought not the House to look cautiously at the mode in which education is carried on there? Is there not growing up there an army of stipendiaries, which has not only, as in this country, possession of the elementary schools, but extends its ranks to every grade of society; which, beginning with the teachers of the National schools, extends up to the highest professor in the Queen's University. Stipendiaries, Sir, especially in the higher and more dangerous positions, who are not, as in this country, dependent partly on local authorities and partly on Government, but who are solely under the control and direction of the latter, who may in turn be the obsequious slaves or capricious masters of the Irish Government. This, Sir, seems to me a subject well worthy of consideration; and if the House agrees with me in this—if it believes that any importance is to be attached to the expenditure of large sums of public money in covering the country with a network of Governmental institutions—if it considers the expressions of public feeling in Ireland deserving of notice—and if, in fine, it regards the creation of a large staff of pensioners out of the public funds as of importance—it will, I am sure, pardon me for introducing the subject to its attention. For the kind manner in which that attention has been accorded, I have to return my warmest acknowledgments, and I can only trust that this discussion may lead to some settlement of the question of National Education in Ireland, which may be satisfactory to the wishes and beneficial to the interests of the people of that country.

SIR ROBERT PEEL: This subject has been very often debated in this House without producing any other result than confirmation of the principles on which the Queen's Colleges and the system of National Education in Ireland were originally founded: therefore I think it is a hopeless task, for even an hon. Member so moderate in his tone as the hon. Gentleman who has just addressed us, to endeavour to persuade the House that the educational system established in Ireland has failed to answer the purposes for which it was intended. I believe it is only necessary for hon. Members to examine the Returns which have been presented to the House with reference to National Education in Ireland, in order to satisfy themselves that the success of that system has been growing step by step, and year by year, until it has attained a position producing most gratifying and beneficial results. This National system was established by the present Lord Derby in 1833; and in order to show the House the results that have attended its establishment, I may observe that in 1833 there were only 789 schools, which were attended by a total of 107,000 children. I shall now take three periods, 1841, 1851, and 1861. In 1841 the population of Ireland was about 8,000,000, and the number of children on the rolls 281,000. In 1851 the population was 8,552,000; there were then 4,704 schools, and 520,000 pupils on the rolls. In 1861 the system had progressed in an extraordinary manner, for while the population had diminished to 5,764,000, the schools were 5,632 in number, and the children were about 804,000. It is, I think, a most remarkable fact that at the present moment one-seventh of the population of Ireland are receiving education under the National system. Surely when, after thirty years' experience, you find one-seventh of the population receiving instruction, it is not a time to come forward and say that the system under which such results have been accomplished is a failure. It never was intended by this system of education to conciliate all the imaginary grievances and scruples of individuals. Lord Derby (then Mr. Stanley) never dreamed of devising a system to which no objection could be taken, nor have subsequent Governments attempted to satisfy every one. Lord Derby, however, thought he could establish a system that would meet with general approval, and in that respect he has been successful. Sometimes men in opposition have hoped to reverse the system of National Education in Ireland, but we have seen that when they came into office they have changed that opinion, and have not dared to imperil a system which educates considerably more than half a million of children.

I will now refer to the main features of the speech in which the hon. Member (The O'Conor Don) has attacked the establishment of the Queen's Colleges in Ireland. He has maintained that, first of all, they were not necessary when they were recommended by the Government of 1845, and when the measure was introduced by Sir James Graham; and next, he contends that during the time they have been in operation they have not been successful.

THE O'CONOR DON: I did not say they were unnecessary, but that as at present constituted they do not effect the object for which they were intended.

SIR ROBERT PEEL: As at present constituted:—the colleges are constituted at present as they were originally founded, and if they do not fulfil their objects now, they could not have done so at any time. I trust, however, I am prepared to show to the satisfaction of the House that these colleges have been eminently satisfactory in their operation, that they have answered the purpose for which they were designed, and that their present position reflects credit on the political foresight of those who established them. The House must first remember how very ill supplied Ireland was in comparison with England and Scotland with educational or collegiate establishments when the Queen's Colleges were founded. Let hon. Members first look at the educational provision of England, Scotland, and Ireland, and then compare this with the population. At the present time the population of England is about 20,000,000. In addition to the great public schools of Eton, Harrow, Winchester, and Rugby, there are at Oxford nineteen colleges, and at Cambridge seventeen colleges. The population of Scotland is 2,500,000. There are six colleges and five universities in that kingdom, educating upwards of 3,000 students. The population of Ireland is 5,700,000. It has (except the Queen's Colleges) only one college—Trinity College—with 800 students on its books. When the Queen's Colleges were founded, and when the population of Ireland was 8,000,000, Ireland had only this one college, while Scotland and England possessed the great educational advantages which I have enumerated. Recollect, too, that Trinity College was administered on an almost exclusive system. To use Lord Derby's words, in proposing to the House of Lords the Bill for establishing the Queen's Colleges, Trinity College had been administered on an exclusive system, for the purpose of supporting the Clergy of the Established Church. Surely then the time had come for endowing Ireland with the same advantages as Scotland and England. For two hundred years the establishment of the Reformed Church and its Liturgy has had the effect of excluding Roman Catholics and Protestant Dissenters from Oxford, from Cambridge, and from Dublin. Trinity College, Dublin, was the first to show liberality, because in 1794 it admitted persons of different religious persuasions to enter its walls. It was therefore greatly in advance of the sister establishments in England, for it was only in 1854 that the matriculation test was abolished at Oxford, so that Protestant Dissenters could enter that University. It was not until 1856 that the declaration regarding religious opinions and belief was abolished at Cambridge. Trinity College had seventy chartered or foundation scholarships up to 1854, in which year sixteen additional scholarships, called "non-foundation scholarships," were created, for the purpose of inducing Roman Catholics and Protestant Dissenters to accept the perfect education she supplied. [Mr. WHITESIDE : More.] But even these advantages failed to induce Roman Catholics and Protestant Dissenters to avail themselves of the education thus offered, because the number of those who had entered Trinity College on an average of twelve years had not been more than sixteen Roman Catholics and twelve Protestant Dissenters. This clearly shows that the great majority of those who enter Trinity College are destined for the Established Church. I would ask the House whether, after we have had a national system in operation for educating the mass of the lower classes, it was not wise on the part of Parliament, in 1845, to afford corresponding advantages to the middle classes? When these colleges were established, there was no country in Europe so deficient in suitable establishments for education as Ireland. In 1835 a Parliamentary Committee was appointed to inquire into the state of education in Ireland, and the means of extending it, and it was in consequence of the recommendations of this Committee that the Act of 1845 was passed. The preamble of the Act sets forth the necessity of making provision "for the better advancement of learning among all classes of Her Majesty's subjects in Ireland." When the Bill was introduced into this House, Sir James Graham, who had, I think, charge of the Bill, said—

> "If the House would give effect to this measure, an education would be provided not inferior to that derived from the Universities of Scotland, and from the University of Dublin."

That was the idea of the Government of that day in founding these colleges. The opinion of Lord Derby, who had charge of the Bill in the House of Lords, was even stronger than any expressed in this House. Lord Derby, in introducing the Queen's Colleges Bill into the Lords, said—

> "I think, that as you have given your sanction to an exclusive system in Trinity College, Dublin, for the purpose of supplying clergymen of the Established Church, and as you have connected theological professors of the Presbyterian creed with the Presbyterian institution at Belfast, so do I think that you have wisely and liberally agreed to contribute to the education of the Roman Catholic priesthood, by endowing the College of Maynooth. All these, however, are theological endowments : when dealing with the laity of these three persuasions, I do entreat of your Lordships to permit the youth of Ireland to be educated in common and under the same teachers in all those branches of learning which do not and cannot affect their religious opinions." [*Hansard*, lxxxii., 734.]

An opinion quite as forcible was expressed by one of the most eminent of the Roman Catholic prelates—Dr. Doyle, the Roman Catholic Bishop of Kildare, which is well worthy of being read on the present occasion. Dr. Doyle said—

> "I do not see how any man wishing well to the public peace, and who looks to Ireland as his country, can think that peace can be permanently established, or the prosperity of the country ever well secured, if children are separated at the commencement of life on account of their reli-

gious opinions. I do not know any measure which would prepare the way for a better feeling in Ireland than uniting children at an early age, and bringing them up in the same school, leading them to commence with one another, and to form their little intimacies and friendships which often subsist through life."

I think that a very remarkable expression of opinion, and one well worth the attention of the House. I know other persons are of a different opinion. I know there are persons who think it quite wrong to send Roman Catholic children either to the National schools, to Trinity College, or to the Queen's Colleges. I think the right hon. Gentleman the Member for Limerick (Mr. Monsell) has asserted that it is far better they should be educated in the Christian Brothers' schools, under the exclusive jurisdiction of the Roman Catholic priesthood. But I for one should be very sorry to see the education of the youth of Ireland under the jurisdiction of the priests. I do not think it would lead to results that would be advantageous to the public. Besides, there are at the present moment a vast number of ecclesiastical seminaries and other institutions belonging to the Roman Catholics in Ireland, and I think, therefore, there is no reason to blame the State for viewing the colleges with favour. There are eighty-four convents, 164 nunneries, and 117 monasteries and Christian Brothers' schools in operation in Ireland at this moment. Well, then, I say, with that large number of Roman Catholic religious establishments, I think we can justly affirm that no harm can result to the Roman Catholic religion in consequence of the aids offered to the youth of Ireland by the opening of Trinity College and the establishment of the Queen's Colleges. But the question has been asked—Have the Queen's Colleges fully answered the purposes for which they were established? The hon. Gentleman (The O'Conor Don) said, they were expensive, and that they had cost since they came into operation over half a million of money. Well, if we consider the benefits that flow from them, I think the money, even if it has reached that sum, has been well bestowed. Now, the Queen's Colleges were established by an Act passed in 1845; about £25,000 a year is voted for Maynooth, and a similar amount for the Queen's Colleges, and yet there are more students at this moment in the Colleges of Cork, Galway, and Belfast than have passed through Maynooth during the last thirteen years. Let us compare the Queen's Colleges now with Trinity College, Dublin. There are about sixteen Roman Catholics and twelve Protestant Dissenters on an average who enter the University of Dublin each year. But compare that with the number on the books of the Queen's Colleges, and you will find that I am justified in asserting that at this moment there are more Protestant Dissenters and Roman Catholics in the Queen's Colleges than have passed through Trinity College during the last fifteen years. I must say that comparison affords the most convincing and conclusive proof that great good must have resulted to Ireland from the establishment of the Queen's University in that country. Then the hon. Gentleman alluded to the large number of endowments that we have in the Queen's Colleges, and I think he said that there was about a scholarship for each student, or something more. Nothing can be more fallacious, nothing more unjust or unfair, than such an assertion. Here are the Queen's Colleges doing an immensity of good in Ireland, and supported only by a Parliamentary grant which is perfectly trifling compared with the revenues of Trinity College, Oxford, or Cambridge. What are the endowments of Dublin University? Dublin University has a property of 199,000 statute acres, 1 per cent of the whole surface of Ireland, extending through seventeen counties in Ireland, and its returns under the Poor Law valuation are £92,362 a year, whilst the average amount of fines alone for the renewal of short leases reaches £9,000. I believe Trinity College is richer in endowments than almost any other university in Europe. Her Senior Fellows, some of them, have larger incomes than some Cabinet Ministers. She has 31 church livings with benefices; she has 70 foundation scholarships, 16 non-foundation scholarships, 30 sizarships, 14 studentships; in fact, 117 permanent exhibitions, amounting to upwards of £2,000 a year. I do not say one word against the excellence of that institution, but I only want to show how fallacious it is to speak of the endowments of the Queen's Colleges as excessive. The Queen's Colleges have really nothing to depend upon but the small grant voted by Parliament, whereas Trinity College is magnificently endowed from the time of Elizabeth, and upwards of £2,000 a year is given away in scholarships and studentships, in addition to the other emoluments to which I have referred. The hon. Gentleman alluded to a subscription which I set on foot for endowments for the Queen's Colleges, and he said that I followed an unusual—I do not know whether he used the term "improper"—course in the part I took in respect to that subscription. I plead guilty to the charge of having got up that subscription; and here I must say that I am glad an opportunity has been given me of expressing my acknowledgments for the magnificent results that have accrued; for in Ireland alone, during the winter months, and hardly with the aid of an advertisement, I have received from resident proprietors, Protestant, Catholic, and Dissenters, promises of subscriptions for a term of years, together with actual payments, amounting to about £9,000. I think that a very strong expression of opinion in Ireland in favour of these colleges. Men of all classes and creeds have united in this subscription; and, that being so, I think it very unwise to sneer at the liberality which the public have displayed in support of those institutions. The hon. Gentleman complained of the endowments of the colleges, and said that too much was given to the students. Now, let me compare "the stimulating force" applied at the Queen's Colleges with the stimulating force in Oxford, Cambridge, and Dublin. By "stimulating force" I mean the average annual pecuniary advantage which each student entering the universities or colleges may hope to obtain. In Oxford there are 1,600 students; the stimulating force is £106 12*s.* to each student. In Cambridge there are 1,600 students; the stimulating force £68 to each student. [MR. MONSELL: As an undergraduate?] Not as an undergraduate—as a member of the University. In Dublin there are 800 students, and the stimulating force for each member of the University is £28 4*s.* The stimulating force for the Queen's Colleges, on the other hand—that is, as I have said, the average annual pecuniary advantage which each student entering the colleges may hope to obtain, taking the number of students, December 31, 1861, at 740, and they are each term increasing in number—and I will vouch for the accuracy of this statement—is only £6. It is absurd, therefore, to speak of the advantages to the student in the Queen's Colleges as excessive, when compared with the far greater advantages which the students of Oxford, Cambridge, and Dublin enjoy. But I will say that there are other reasons why you should continue to give to Ireland those educational advantages which it did not enjoy before. We all know that the system of Civil Service examinations has come in force, and that it has given a great impetus to education in this country. There were in 1858 thirty-five public departments in England, three in Scotland, and nine in Ireland, brought under the operation of this system of Civil Service examination. The Civil Service of the country includes more than 53,000 officers, of the greatest variety of duties, embracing situations which must create an additional demand on the educational establishments of the country, and increase the value of intellectual attainments. I hold in my hand the Sixth Report of the Civil Service Commissioners, and it is most interesting to refer to the satisfactory statement which they make with regard to the Queen's Colleges. This Report of the Civil Service Commissioners states—

> "It is gratifying to us to find that, as in former years, the successful candidates continue, for the most part, to have been those who have been trained at the Universities; and we think it is fair to state that the Irish Universities, as has been the case at previous examinations, send us candidates who do credit to the system of instruction and to the professors at those institutions. No less than thirteen of the successful candidates came from Trinity College, Dublin, and among them the fifth, sixth, seventh, and eighth in the order of merit. Five proceeded from Queen's College. Belfast, including the fourth in order of merit, and one from Queen's College, Galway. We ought to add that eight successful candidates have come from Scotland."

That is to say, Scotland, with some 8,000 students in its Universities, sent eight successful candidates, whereas the Queen's Colleges with numbers very far inferior, have sent six. The Report of the Commissioners shows the immense advantage of maintaining educational establishments and Universities in the different parts of the United Kingdom, and it shows also that the students educated in the Queen's Colleges have profited by the opportunities placed within their reach.

I will now briefly notice another subject, to which the hon. Gentleman referred. The hon. Gentleman appears to wish that the Roman Catholics in Ireland should have a separate educational establishment. He thinks it would be better if the Roman Catholics were educated apart from the Protestants, instead of in the National schools and in the Queen's Colleges. He seems to object also to the Model schools; but I really am surprised that any hon. Gentleman who has had an opportunity of inspecting those establishments, and who has seen the proficiency of the pupils and the admirable discipline maintained in the Model school, should condemn that system. Speaking for myself, I have very strong objections to separate educational establishments for Roman Catholics. God forbid that any other sentiment should be in my mind than that Roman Catholics should have for the exercise of their religion absolute and entire freedom! It would be monstrous to suppose that in Ireland, or in any other part of Her Majesty's dominions, we should wish to prevent the free exercise of their religion to such a large portion of our fellow-subjects. But we must always recollect that the Roman Catholic religion is to be considered under two aspects. I say this not in any carping spirit, but because it is the simple fact. You must consider Roman Catholicism first as a religious system, and secondly as a politically interfering system. Now, as a religion I would give it every liberty; but as a politically interfering system I have the greatest objection to it. I believe that its aim as a political system is to interfere with free institutions, and therefore I have the greatest possible objection to see the educated youth of Ireland placed in the hands of those who, in all countries and in all times, have directed their political efforts towards the arrest of free institutions. To array ecclesiastical censure, as has been done by some Roman Catholic prelates in Ireland, against the National system or the Queen's Colleges, as sanctioned by the State, and thus to narrow the basis of secular education, is, I think, to debar the laity of Ireland from the advantages to which they are justly entitled. Hundreds of thousands of children have received their education under this system, and why should the prelates endeavour to array ecclesiastical censure against such establishments as the Queen's Colleges? The National system is a non-interfering system. The rules which are in force show that there is no interference with the religion of the children, and hundreds of thousands of children have been educated under that system. I do not, therefore, think that we should in any way listen to the motives which actuate the hon. Gentleman and those Roman Catholic prelates who have instructed him. I think that we ought to give every possible educational facility to the middle classes in Ireland, who have long been debarred from their full share of them by conditional sufferance or intolerable exclusions. I see no harm in opening these establishments freely to the Roman Catholic as well as to the Protestant Dissenter; and what was Mr. O'Connell's opinion on this subject? Examined before a Commission, he was asked his opinion as to the system of mixed education, and his answer was—

> "I wish to bear testimony to the advantages of mixed education, and I think it very desirable that the laity of all persuasions should be educated together."

This was in 1835. Again, in 1839, speaking upon the Vote for national education in Ireland, he gave expression even to a stronger opinion. "There is no country in Europe," he said, "where the children of different persuasions are not educated together;" and, instancing the case of Belgium and Holland, he exclaimed, "These present a cheering contrast to the bigotry which allows no freedom of thought." This was a very remarkable expression of opinion on the part of this great and distinguished man. But, in spite of the opinion of men like Dr. Doyle, the Roman Catholic Bishop of Kildare, and of Mr. O'Connell, there are those in Ireland who condemn this system of education; and as the House will recollect, the Synod of Thurles endeavoured to stigmatize, and induce the Pope to stigmatize, these institutions. Although, however, a majority of this synod condemned them, it was only by a majority of one, and I have in my possession a copy of the letter which an eminent prelate, Archbishop Murray, wrote to Cardinal Franzoni, accompanying the memorial of the thirteen Roman Catholic Bishops, who protested against the decrees of the synod. A copy of this letter is, no doubt, in the archives of Dr. Cullen. It is in Latin, but I have ventured to translate the concluding passages. Archbishop Murray says—

> "I beseech, therefore, your Eminence, that it may please you to place at the feet of our most Holy Father the accompanying prayer, signed by thirteen of our Irish Prelates, and humbly begging that, instead of the bitter remedies (*acrioribus remediis*) recommended by fourteen of our brethren, our milder proposals, and, as we believe, much more useful to the peace of our Church (*utiliora ad pacem ecclesiæ nostræ*), may be deemed worthy of acceptance by His Holiness."

This letter to Cardinal Franzoni was dated September 17, 1850, and embodied the opinion of one who, as Archbishop of Dublin, protested against the decision of the Synod of Thurles, and maintained that it ought not to be carried out, supporting, like Dr. Doyle and Mr. O'Connell, the more liberal institutions which the State had endowed, and which were working eminently for the public good.

Now, what is the present position of the Queen's Colleges? The advance of the colleges in public estimation is best shown by comparing the number of students who have entered this year with the number who entered in the two preceding years. In the year 1859-60 the number that entered was 207, in 1860-1, it was 283, and in 1861-2 it was 309. Now, in the year 1861 the number of students who entered the magnificent foundation of Trinity College was 310, of whom 140 were laymen; therefore the Queen's Colleges in Ireland have acquired such an influence with the people of the country, that in the course of one year as many students have entered them as generally enter Trinity College in the same period. But the hon. Gentleman says the Colleges do not succeed with Roman Catholics. Now, during the last seven years 112 Roman Catholic students have entered the Dublin University, and 85 Protestant Dissenters. In the same period 430 Roman Catholic students have entered the Queen's Colleges, and 598 Protestant Dissenters; in all 1,028; and there are at this moment 752 of these students receiving the education these institutions supply. Far from these colleges, therefore, having been attended by a want of success, I think I have shown they have been remarkably successful. Are not these results the best panegyric to the success of the Queen's University. They have met some opposition from a portion of the Roman Catholic hierarchy; but I hope that opposition will moderate, and that these establishments will gradually acquire a larger hold on the country, for I am satisfied they will never be found prejudicial to the political feeling or character of the students who may be induced to enter them. We have, undoubtedly, since the establishment of a national system of education in Ireland, opened a wider path to a liberal education for the middle classes; and I hope the Government and the Legislature will scrupulously maintain that system, which, in spite of all opposition, has had many beneficial results to those who have been brought under the influence of a secular education on the broad basis of religious equality. I must say, from my brief experience of Ireland, I give that system my most cordial and earnest approval. I think it is working great good for the country, and I think we shall observe, as time goes on, that the spirit of religious toleration now manifest among the educated classes of the community will gain in strength from year to year, to the moral improvement and social advancement of the Irish people.

MR. MAGUIRE said, the right hon. Gentleman had distinctly stated, that while fourteen of the Prelates assembled at the Synod of Thurles condemned the system of education in the colleges, a large minority of them were in favour of it, and therefore the condemnation of the system was not so strong as it was generally supposed to be; and that, practically, the alleged condemnation was a fraud upon public credulity. In proof of that statement the right hon. Gentleman read a letter, of which he gave a free translation. He wished the right hon. Gentleman had given a free translation of the entire document, the entire prayer, and the whole of the answer. He would tell the right hon. Gentleman that the real fact was this—all the Roman Catholic Bishops then assembled condemned the colleges; but thirteen of them disagreed with the majority as to the expediency or wisdom of passing a censure upon those clergymen who had given their countenance or support to the system.

SIR ROBERT PEEL: What I read were the words in the letter of Archbishop Murray.

MR. MAGUIRE: Was that an ingenuous answer? The right hon. Gentleman held a high position, and anything that came from him must have great weight, both with the House and the country. But he would tell him, on what he considered ten times higher authority, that his statement was, unconsciously no doubt, a misrepresentation of the facts of the case. He was not there to express an opinion as to whether those Prelates were right or wrong. But as to the facts, he could pledge the highest ecclesiastical authority in Ireland that they were as he (Mr. Maguire) had described. The right hon. Gentleman had taken great credit for the success of the National system of education. But, he would ask, had what was called the National system of education—the mixed system—succeeded in Ireland? He asserted that it had not. In three provinces of Ireland the National system was a monstrous sham. The right hon. Gentleman had quoted figures; he would quote some figures also, from memory. What was the real state of things? Any system of education started to-morrow, as on a *tabula rasa*, would succeed, more or less, in Ireland, because the Irish people had a passion for education, and would make great sacrifices to secure it for their children. But if they availed themselves of the system, it was only for the sake of its machinery of education, and the assistance of the State. It was for that only the Government should take credit. In three provinces of Ireland, on the 1st of June, 1861, there were 500,000 children on the roll of the National schools; and of this number only 9,000 were the children of Protestants and Dissenters. In the National schools in Cork that were under Catholic control there was not a single Protestant child, and in the schools under Protestant control there was not a single Catholic child. This was equally the case in Clonmel, Waterford, Kilkenny, and all the large towns. Was he not right in asserting that the so-called mixed system, or educating children together, was a monstrous sham? It had no real existence in the greater part of Ireland. For an illustration of the advantages of educating children together he must look to the only part of Ireland where the mixed system existed. That was the most prosperous part of the country; that contained thriving manufactures, and he wished they were ten times more prosperous than they were. Was there peace and harmony in Ulster? Nothing of the kind. Three years ago he took an active part in endeavouring to obtain for Ulster a law which should prevent insulting demonstrations that led to riot, to bloodshed, and to murder. The necessity for such a law was no evidence of the happy result of a system of education, which, by raising up children in the same institution, was to promote harmony and concord. It should be also remembered that not long since, in consequence of the melancholy state of things in Belfast, Commissioners were sent down to that town—the very centre and stronghold of the mixed system—and their report was certainly not creditable to the Christian feeling that pervaded its population. The right hon. Baronet had taunted Roman Catholics, because they asked for a denominational system, and insinuated that they were the friends of darkness and intolerance, who would prevent freedom of thought. The right hon. Baronet merely repeated the flippant cant of the day; and being, he supposed, crammed for the occasion, could not help giving expression to the slipslop accusations which, long before the right hon. Baronet was known, had been persistently made against Roman Catholics. Not long ago the Vice President of the Committee of Privy Council for Education, in order to deprecate the hostility which he knew would result from the revision of the Code, took care to tell the House that he did not intend to touch or tamper with the principle upon which education in England was founded. That principle was denominational, religious, and exclusive. It was the very system which Dr. Cullen and the Catholic Prelates were called bigots for demanding for their country. Was it not, then, a gross slander upon the Prelates and the laymen who agreed with them to denounce them as intolerant, because they wished to have the same system as in England, where the people would smash ten Ministries rather than see it tampered with for a moment. In England they left each denomination to educate according to its own principles, and in Ireland they asked for nothing more than that. Would Mr. O'Connell, would Dr. Doyle, would even Lord Stanley approve this fact—that the books for the schools in which six-sevenths of the children were the children of Catholics, were written by English Protestant ministers or Scotch Presbyterian ministers, and had infused into them as much as was possible of malevolence and misrepresentation against the doctrines of that Church to which the great mass of the people belonged. Would they approve a state of things under which 1,800 Catholic children were discovered to be receiving Presbyterian religious teaching from Presbyterian teachers, with the sanction or at the instigation of Presbyterian patrons in certain counties in Ulster? If Mr. O'Connell and Dr. Doyle were alive they would say that the whole thing had failed. Would they have approved of histories in which, under this so-called "National" system, the name of Ireland was almost ignored, and in which the Catholic Church was never referred to, as if it did not exist, and had not a history to tell? The fact was, that while in reality there was no such thing as a mixed system in Ireland, or, as he had shown by the returns of the Commissioners themselves, in three provinces of that country, there were all the inconveniences, the interferences, the restrictions and annoyances of a mixed system. The mixed system did not exist, but the galling and irritating control and embarrassment did. The Catholic Church had adopted the National system, not as a perfect system, but as an experiment, to see whether they could keep their children from the fangs of the proselytizers, who for fifty or sixty years had been waging a constant yet ineffectual war against the religious principles of the Irish people. That it was ineffectual the last census emphatically proved. In spite of famine, emigration, and death, the vast proportion of the people were Catholic, and unless the island were sunk for some time beneath the ocean, as some benevolent gentleman recommended, there never would be a preponderance of Protestantism in that country. He solemnly believed, after long thought, that the only way to get rid of the difficulties which were increasing every day, was to change, by one stroke of the Parliamentary pen, the system which now existed in Ireland, and to substitute for it a system which was dear to the affections of the people of England. Nothing could be fairer to Protestants, to Presbyterians, and to Catholics; and yet Dr. Cullen, who demanded this change, was to be met by some Irish Secretary of a few months' experience rising up and solemnly delivering his boyish rebuke. The leaders of this movement were to be lectured, because they expressed what, after all, must be the conscientious opinion of every Catholic, that it was their duty to protect the young against those who, under the mask of sheep's clothing, showed themselves to be wolves in disguise. There were large numbers of people in Ireland who, in spite of the great inducements held out to them, would not send their sons to the Queen's Colleges. They had a conscientious objection to them. They wished their sons to be educated under a denominational system. He would ask any gentleman who had been educated at Oxford or Cambridge, or Eton or Winchester, whether that was an unfair demand. The people of Ireland did not make any demand upon the taxpayers of the country. They simply asked for a charter for the University which they had raised by enormous pecuniary sacrifices, and which had now become dear to their sympathies. There was not a man who in private must not see that it was an honest demand, and some day or other the charter must be granted. A Protestant gentleman who objected to the system of the Queen's Colleges, could send his son to the University of Dublin; but a Catholic, if he had any conscientious objections to these institutions, must send his son to the University which the Government persecuted. The Government were ready to hold out all manner of inducements to the Queen's Colleges, whether in the shape of patronage or of new scholarships, but they refused to give fair play to the Catholic University. Was the Government afraid of the rivalry of a voluntary institution? If not, why did they so act? Why, if he were the greatest friend of those colleges, he would say, "By all means grant a charter to the Catholic University," because a healthy rivalry would thereby be excited in the cause of education, and at the same time the interests of both institutions would be promoted. But it was said the object of the Church was to arrest the march of human improvement, and to place its shackles upon the intellect of its followers. A more absurd or unjust accusation was never made. He was himself a Catholic, and a representative of those who gloried in giving education to the people—who even gave it with the hangman's noose and the headsman's axe suspended over them—who gave it in the bog and in the wilderness, and by the ditch-side, in the darkest and evilest of times; but he told the right hon. Baronet that he would never get the Catholics of Ireland, as a body, to avail themselves of these colleges. Every Roman Catholic Bishop of that country was in favour of the Catholic University. Dr. Delany, Bishop of Cork—a man to be revered for his moderation and his devotion to everything good and noble—had sent, a few months since, £500 as a contribution from his diocese to that institution; and that distinguished Prelate expressed the pride and pleasure with which he forwarded so large a contribution. The right hon. Baronet was ready to quote a Roman Catholic minority when it was on his own side. Would he not defer to the unanimously-expressed feelings of the Roman Catholic Bishops in this matter. The right hon. Baronet had sent the begging-box round among the Roman Catholics on behalf of his proposed scholarships; but only two of them dropped in a subscription, one being a gentleman who, he believed, was about to be made a sheriff, and the other a person who probably expected to get something else. As a body, the Roman Catholics repudiated the whole thing; and even the heads of colleges themselves, if their real opinion could be taken, would, no doubt, wish that that "infernal thousand pounds" had burnt the right hon. Gentleman's pocket rather than that, by offering it to them, he should have roused such a spirit as he had done among the Irish Roman Catholics. Roman Catholic Gentlemen who had before remained passive now came forward and proclaimed themselves in favour of liberty of education, and insisted on their right to send their sons to the institution most congenial to their own feelings. Well might the authorities of the colleges exclaim—"Save us from such injudicious friends!" The right hon. Gentleman, perhaps taking a leaf out of the book of the hon. Member for Peterborough (Mr. Whalley), and catching a little of his divine *afflatus*, had quoted, with rather an ominous look towards those who were great pillars of the establishment, the number of nunneries, monasteries, and other ecclesiastical institutions in Ireland. Why, no liberal Protestant, who understood the good those institutions were doing in his own locality, would not say, "May God multiply them!" They were the safety of Ireland, and shone like lights in the midst of the very poorest communities. The Christian Brothers of his own city alone educated, without any aid from the State, but depending entirely on the offerings of the Catholics, 2,100 pupils; and in no city in the world was a better education given to the higher class of pupils than in that establishment. It often happened in those schools that the boy who on his first entrance was poor, and ragged, and shoeless, and hungry, rose step by step, and class by class, until, on his leaving them, he was received into the merchant's office, and worked his way to position and to independence. The education thus given by those brothers, instead of cramping, developed the human intellect, and enabled their scholars to battle their way in the world, whether at home or abroad, perhaps in the most distant portions of the habitable globe. Now these were separate and denominational institutions; and he asked the Irish Secretary, in the face of Parliament and the country, what harm had they ever done to the individual or the community? He challenged him to answer that question. He appealed to the right hon. Gentleman, on his responsibility as connected with the Executive of Ireland, to disprove, if he could, that the teaching of those institutions did not produce citizens the most exemplary in every relation of life. There was an election to be decided at Kidderminster, against the Government perhaps, in a few days. Why was this? Because their candidate, one of their own members, was defeated in Ireland. He therefore asked the right hon. Gentleman why it was that Government candidates sustained defeat in Ireland? One of the causes was the blind and bigoted opposition of the Government to the reasonable and just demands of the Catholics of Ireland. That demand was, not that the Catholic University should receive any pecuniary aid from the State, but that it should simply have the power of granting degrees to its own *alumni.* At the same time, he, for one, would not take a single sixpence from the Queen's Colleges. Indeed, if their friends sought a larger subsidy for them, he would not resist it. He would not withdraw from his countrymen an advantage if they desired to retain it. If any man, Roman Catholic, or Protestant, or Dissenter, wished to send his son to a Queen's College, let him do so. But let those Roman Catholics who objected to the Queen's Colleges have a fair opportunity of developing an independent and purely voluntary system. He repeated, he would not take one penny from the Queen's Colleges—he would not pull down a stone of their building, or deprive those institutions of any advantage or honours they might possess or obtain. But, leaving them to to fight their way with the aid of the State, he would demand, in asking for a Charter for the Catholic University, that freedom of education and that respect for conscience which did not exist at present.

Mr. POLLARD-URQUHART said, that in expressing his views on the subject of education in Ireland, and his deep regret at the manner in which the Motion had been met by the Chief Secretary, he must not be understood as wishing to underrate the benefits conferred on Ireland by the National system. He acknowledged the great improvement it had produced, and the still greater benefits that might be looked forward to as its results. The reason why the National system had worked so well was, because under it for a long time education had been given to the people in the manner in which they were willing to receive it, without offending their feelings or prejudices and without exciting their suspicions of proselytism. It was given to them for a long time free from proselytism. It was received in good faith by the Catholics. But was that the case now? Was there one subject on which the great majority of the Irish people were more unanimous than in their hostility to this system? Did they think that a system of education could succeed to which the Established Church was opposed—to which the Roman Catholic clergy and the great bulk of the Irish people were opposed? They might stimulate such a system, they might fence it round as they pleased, and they might expect it to produce grapes, but, depend on it, they would be wild grapes. Such a system would do more harm than good, for it would call forth that spirit of bigotry which the friends of Ireland hoped had long been extinct. The right hon. Baronet (Sir Robert Peel) had referred to statistics in order to show how popular the system had become; and it was asked, why do the people of Ireland now oppose a system which has so long been in favour with them? The real fact was, that in three of the four provinces of Ireland, the so-called National system was almost exclusively Roman Catholic. A great many Roman Catholics had been attracted to it; but he doubted whether that would continue. Why had they now turned against it? For the first fourteen years after its establishment there was the most ample safeguard against any system of proselytism in the rule, that when religious instruction was to be given in the national school, the children whose parents did not wish them to attend should be compelled to leave. But that rule had been altered. It now stood thus — that such children should not be compelled to attend; and under this alteration a very great difference had been introduced. To such an extent had the system been altered that 70,000 Roman Catholic children were now attending the reading of the Scriptures, and receiving instruction in the National schools from Protestant ministers. Surely, in the judgment of every candid man, that was a just and reasonable ground of complaint. He asked, would they continue to force this system down the throats of the Irish people? Would they compel their children to be present during instruction which they regarded with equal horror to that which hon. Members would feel if their children were compelled to be present during the reading of such books as those constantly appealed to by the hon. Members for North Warwickshire and Peterborough? But the right hon. Baronet said they could not overlook the political tendencies of the Roman Catholic religion. Was the Catholic religion, then, dangerous in Canada, where full and ample justice was done to it? Had the Catholics in Canada shown the slightest political animosity to England? Had they not been their most loyal fellow-subjects and friends? And so would the Catholics of Ireland be, if they were only justly and fairly treated. It was said this mixed system would do away with religious rancour. Had that been the case? In those parts of Ireland where the Roman Catholics formed the great majority of the electors, they had shown great liberality in returning Protestants; but would a Roman Catholic candidate have any chance among the Protestant constituencies of Ulster? Let the right hon. Baronet consider this question a little more seriously, lest he revived the old spirit of religious animosity, on the extinction of which the future welfare of Ireland mainly depended. The Established Church had not been referred to in this discussion. Both parties appeared to be agreed to let that plague-shot alone. Like slavery in America, both parties seemed to think the less that was said about it the better. He advised the right hon. Baronet the Chief Secretary not to revive the memory of past grievances in the minds of Roman Catholics, and to assume a more conciliatory attitude toward them, lest the people of Ireland should be induced to look more closely into existing ones. Such a course would be most prejudicial to the future history of that country.

MR. LEFROY said, before proceeding with his observations on the question before the House, he must say he had heard with great pain the concluding observations of the speech of the hon. Member who had just sat down. His reference to the Established Church, he thought, was altogether gratuitous, and he was not aware that there was any such feeling in the north of Ireland as that to which the hon. Member had alluded. He had never heard a Roman Catholic Member of that House make such a gross and uncalled-for attack on the Established Church. The hon. Gentleman had also spoken of the right hon. Secretary for Ireland in a manner totally uncalled for. He thought the conduct of that right hon. Gentleman, and his personal liberality, entitled him to the gratitude of the people of Ireland. He regretted that the Queen's Colleges of Ireland should have been contrasted with Dublin University. He had no ill-feeling to those colleges, and he gave them his support when they were founded. He admitted that these institutions had been followed with increasing success, and at the present time he felt no objection to them on the score of religion, as he did not think that religious teaching was of so much importance in them as it was to the younger mind. He would now come to the point in which he felt most interested. He thought the opinions that had been expressed that evening must have convinced every one that that which had been the great boast of the National system in Ireland, "that it had been successful as a united system," had been a complete failure. It was not his business to inquire into the reasons why the Roman Catholic prelates opposed the system, but he should say that they had every reason to be satisfied with the National Board. The number of convent schools now amounted to 124, and these were, in fact, denominational in their character, and no Protestant could send his children to them. Under these circumstances, he felt it his duty to state a grievance under which the Protestant Church and schools in Ireland rested. They were schools to which the children of all denominations were welcome to come and receive instruction; and the Protestant clergy devoted their time and acquirements to them. All they asked in return was, that they might be allowed to appeal to the Holy Scriptures as the foundation of their moral teaching; and Earl Russell, in a speech which he delivered on the subject of education in England, expressed himself strongly of opinion that the Scriptures should be made the foundation of moral teaching. He said—

> "If the precepts of morality, the rules for the guidance of conduct, had a divine sanction, it ought to be disclosed to the children, and the counsel of God ought not to be withheld."

He could quote the opinion of many great and Christian men to the same effect; but what could be more appropriate on such a subject than the authority of the noble Lord? Why should that not be the opinion of the people of Ireland? He believed that the Roman Catholics did not deny the authority of the Bible as the foundation of moral teaching; and why, he would ask, should they not extend to that country that which they considered necessary for England? He was anxious briefly to allude to the correspondence moved for lately; the House would be perfectly astonished when they found the manner in which the subject had been treated in that correspondence. Very recently a large deputation, headed by the Bishop of Down and a large body of the clergy, wishing to know how far the Scriptures could be used for moral instruction, addressed the Lord Lieutenant. The Bishop and eighty-seven of the clergy presented a memorial to the Lord Lieutenant, which was referred to the National Board, praying—

> "That the rule of the Board in regard to the reading of the Holy Scriptures should not be enforced to prevent the manager or teacher of a school from making such reference to the Word of God as the occasion might demand during the hours of general instruction; provided that in so doing no religious teaching of a denominational character should be introduced."

Strange as it might seem, this application was refused. The Commissioners would not admit the modifications requested, which they considered would prove subversive of the fundamental principles of the National system. The Lord Lieutenant also declined to interfere in furthering the suggestions requested by this large body of the clergy of the Established Church. He (Mr. Lefroy) thought the Protestant clergy, notwithstanding the reproaches cast against them, were perfectly justified in refusing their support to the system, to which they, as well as a large portion of the Protestant laity, had manifested a long and consistent opposition. If the Government could not take steps to remove their objections, it was reasonable and right that Her Majesty's Government and the House of Commons should take the case of the Church schools in Ireland into consideration, with the view of making them a grant. Church schools in England received grants, under the authority of the Privy Council Committee; and though the grants were given conditionally on a certain amount being raised in the particular parishes, he believed that in a very large number of the parishes in Ireland subscriptions would be raised to the requisite amount by the liberality of the Protestant clergy and laity of Ireland, who were deeply interested in this subject. He hoped the Government would take the whole matter into consideration, and by acting in the manner he had indicated, he believed they would confer a great and lasting boon upon Ireland.

MR. M'MAHON said, he should not have taken any part in this debate had it not been for an observation of the hon. Member who had just sat down, who said that the introduction of the question of the Irish Church in this discussion was altogether uncalled for. Now he (Mr. M'Mahon), on the contrary, contended that it was impossible the question of the Established Church could be omitted from a discussion of this kind. That Church was the main source of all the differences about religion and education in Ireland, and it was desirable for the peace of the country that it should be abolished, for ever since its establishment it had been made the engine of disunion and degradation. In the sixth, seventh, eighth, and ninth centuries Ireland did more for the propagation of Christianity throughout the world than all the rest of Europe put together. During those centuries, when there was no Established Church, no church rates, no tithes, no punishment for religious opinions, but a perfectly voluntary system, Ireland got and deserved the name of the "Isle of Saints." Since the introduction of the Established Church, Ireland had ceased to be a missionary nation, and her people had been perpetually fighting upon religious topics, always quarrelling with one another and with England. In the Council of Kilkenny the Prelates of the Established Church denounced everything Irish as abominable to God and man, and laws were passed making it lawful to kill any Irishman or to dishonour any Irishwoman.

Notice taken that forty Members were not present. House counted, and forty Members being found present—

MR. M'MAHON proceeded to state that until the Established Church in Ireland was abolished there would be endless complaints, in the discussion of which the time of that House would be engaged. The people of Ireland would be quite willing to abandon all grants which they now enjoyed for purposes of education if the Established Church were only abolished and cleared off the face of the country. So that the interests of the present occupants were preserved, he would be for sinking all tithes and selling all church lands, in order that the degradation and disunion which had lasted for seven centuries might be finally and for ever removed.

MR. HADFIELD said, he had never heard a speech more refreshing to his feelings than that to which he had just listened. He agreed with every sentence that had fallen from the hon. and learned Member. He believed the Established Church to be the great incubus and curse which weighed down the peace and welfare of Ireland, and in connection with Ireland the peace and prosperity of the United Kingdom; and he assured the hon. Member that there were millions of people in this country who would be ready to support his views. He was delighted to learn that the Roman Catholics of Ireland were willing to relinquish all grants they now enjoyed, provided only they were put on a footing of equality with all other sections of the community. He deplored the discussions which took place annually in that House, and which were decided either by the casting vote of the Speaker, or a majority of one—the contest being for the supremacy of one denomination of Christians over all others —a contest of which Christianity was ashamed. He was gratified with what he had heard as to the feeling in Ireland, and was quite sure that whenever these political attempts at supremacy on behalf of a minority of the people of the United Kingdom—for the members of the Church of England did not number more than one-third of the whole population—could be put down, and the contest should be, as it ought to be, which denomination showed the excellence of its faith and principles by the morality of its conduct, and which could best maintain the character of Christianity, then the glory and happiness of this country would be secured. He thought "there was a good time coming" in reference to these questions.

MR. MACDONOGH said, he rose to vindicate the Church of Ireland from the most uncalled-for attack which had been made upon it by the hon. and learned Member for Wexford. The hon. and learned Member had called it a curse upon Ireland. He (Mr. Macdonogh), a member of that Church, would call it one of the blessings of that country. That Church had succeeded in planting, not only the religion of England in Ireland, but the civilization of England also. ["Oh, oh!"] Exclamations of "Oh!" were no answer to a fact. The attack which had been made on the Established Church in Ireland that night was *apropos* to nothing. The support of the Church of England in Ireland constituted part of the fundamental union between England

and Ireland, and of that union he would say *Esto perpetua.* The attack having been made by the hon. and learned Member for Wexford was followed by the Sheffield blade. To that Gentleman he would say, that the voluntary principle was not popular in Ireland generally, whilst the Presbyterians of the north totally repudiated it. The attack which had been made upon the Church of Ireland was most unwarrantable. Could a single instance be pointed out in which a clergyman of that Church had departed from his sacred calling? Let any one observe the daily course of their lives: in their social circle would be found all those just but inexpensive refinements which dignified and adorned private life. They would be found to be in the discharge of their sacred duties above all praise. The attack which had been made upon them was a most ungrateful one, for in the famine year there was no class to whom the suffering population, no matter what their sect or creed, were so much indebted as to the clergy of the Established Church and their families. Again, he said that the attack which had been made upon them was *apropos* to nothing, for in a discussion upon education in Ireland remarks had been uttered against a body of men, such as he should be ashamed to utter against the ministers of any Church, no matter how he might differ from its doctrines.

Mr. M'MAHON said, he had not attacked the clergy of the Established Church. He had spoken of the Church as an institution, and not of the clergy individually.

Major O'REILLY said, he would endeavour to bring back the attention of the House to the original subject of discussion—the present system of education in Ireland. He thought that the subject might be divided into three parts—the education of the poorer classes in the ordinary National schools; the teaching and training of teachers in what were called the Model schools, as well as the education of the middle and better classes in those schools; and the instruction given in the Queen's Colleges, which might be said to crown the system. By means of that system complete Government control was introduced into every branch of education in Ireland. The first part of this system, and the least objectionable, consisted of the ordinary National schools, or the poor schools of the country. For many a long year the Roman Catholics had been deprived of all assistance for the education of their children; but in 1832 the present system of National schools was introduced by Lord Derby, and was cheerfully and hopefully accepted by the Roman Catholics, not as being all they could wish, but as a fair and frank offer to meet their religious scruples and to afford education to their children without perverting their religious belief. This belief was based upon the two fundamental principles which were proclaimed—one, that it should be free even from the suspicion of proselytism; and the other, that there should be united secular, and separate religious, education. The latter condition was departed from in 1840, and the pledge that the schools should be free from proselytism was destroyed in 1847. Since then the system had wholly forfeited the praise which it had won from such men as Dr. Doyle and Mr. O'Connell. A great number of children received an education in those schools. He rejoiced at the fact. The practice of those schools was by no means as bad as they were made in theory since 1847. The right hon. Baronet said the system had fully succeeded as one of united education. It had certainly succeeded to this extent, that out of 5,420 schools 5,000 were returned as being attended by children of only one denomination. Out of 2,300 of those that were called mixed schools it appeared by the returns that one-fourth obtained the character of mixed schools from having less than five pupils of a different faith to the majority, and some of those schools had only one such pupil. Adverting to another branch of the system—namely, the Model schools, he wished to regard them as what in most instances they were intended to be—as schools for the middle or better classes. It was intended in Ireland to establish in every county, at the cost of the State, what in point of fact were grammar schools for the middle or upper classes, who could well afford to pay for education out of their own means; indeed, in the towns where these Model schools were founded, there existed other and abundant provisions for the education of the children of the middle classes of every denomination. When he mentioned the fact that the mayor of Londonderry sent his childen to one of those Government Model schools the House would at once see that Parliament could never have intended that those schools should confer a benefit upon such a class as that. In that town, as well as Sligo, Omagh, Enniscorthy, Athy, and many other places enumerated, the hon. Gentleman contended that there was no necessity whatever for those Government Model or grammar schools, inasmuch as every religious denomination had excellent schools of their own, at which their children were exclusively taught. But the crowning stone of the edifice of Governmental education in Ireland was, of course, the Queen's Colleges; and it being found that they did not draw scholars, a new source of aid, as explained by the Vice Chancellor of Queen's University, had been suggested as likely to be afforded by the introduction of classical teaching into the National schools, more especially of the higher class under the immediate management of the Commissioners. The House would now better understand the object of establishing these costly grammar schools in every county in Ireland. The Queen's Colleges were founded in 1845, with, he believed, the best intentions. Those who held his opinions with respect to the failure of these colleges were quite ready to admit that the design of the great departed statesman who founded them was to afford means of education to the Roman Catholics and Dissenters of Ireland—more especially to the former. These colleges were at first received by Roman Catholics as a step in the right direction; but the manner in which effect had been given to the original design was such as to compel Roman Catholics to alter their views. The right hon. Baronet (Sir R. Peel) had represented that there was not unanimity at the Synod of Thurles in respect to the condemnation of the Queen's Colleges. He begged leave to endorse the correction of the hon. Gentleman the Member for Dungarvan (Mr. Maguire) and to assert that at that synod the Roman Catholic Bishops were absolutely unanimous in their condemnation of those institutions. It was on a subsequent vote—namely, one as to whether Roman Catholic priests were to be precluded from taking part in the administration of the colleges—that they were divided in the proportion of thirteen to fourteen. The right hon. Baronet, when called on to read the whole of the statement of Dr. Murray, observed that the words which he had read occurred in the letter; but as the right hon. Baronet had read the whole of the document himself, perhaps he was aware of the real facts. The colleges were condemned in the first place; but then it became a question, the evil being admitted, what steps ought to be taken to remedy it; and the minority were for dealing *lenioribus remediis.*

SIR ROBERT PEEL: The words in the letter are *acrioribus remediis.*

MAJOR O'REILLY said, he was aware of that, because the letter was a protest against the evil being met by the sharper remedies, and suggested it should be met *lenioribus remediis.* As regarded the Queen's Colleges, even adopting the right hon. Baronet's own figures, he found that only about 50 per cent of the persons educated in them were of those denominations for which it was intended to supply a want. With respect to results, he would take the liberty of comparing the Queen's University in Ireland with the University of London, of which he had himself the honour to be a member. The latter had been exactly twenty-three years in existence. The number of its graduates in arts was 1,000. The Queen's University had been in existence for twelve years; the graduates in arts numbered only 212. The Queen's University had granted ninety-eight degrees in medicine; the University of London 400. In short, the Queen's University in twelve years had 300 graduates; the University of London in twenty-three years 1,500. Professor Harkness, one of the professors at the Queen's College, Cork, in his evidence gave statistics to show an average of three scholarships to every four students in one of the Queen's Colleges. In the University of London any one who obtained a scholarship must, each quarter on receiving payment, sign a declaration that he intended to complete his education; but a scholar in the Queen's University represented a man who entered for one year, and received from £24 to £40. The right hon. Baronet had gone into some calculations which he implicitly believed—the more so because he could not understand them. No doubt the right hon. Baronet understood them himself, and he estimated the "stimulating power" of the Queen's University at £6 per student. The number of scholarships in the Cork College for the year was 139, as against 151, the number of students. From these figures it appeared to him that the "stimulating power" of that college was much above the amount estimated by the right hon. Baronet. The returns on this head had been very carefully prepared. In one place, where the number of scholarships provided ought to appear, only the number awarded was given, those which could not be given because there was no one to award them to being struck out. Of thirty scholarships open in Cork last year only twenty-three could be given, no more than the latter number coming up to the mark, though the standard could not be very high when the students and the scholarships were so nearly equal in number. It further appeared from the returns that a very large number of those who studied for one year in the colleges did not pass into a second year, so that a considerable proportion of the students must leave the colleges of their own accord or be "ploughed." [An hon. MEMBER: Plucked.] "Ploughed" was the term used in some Universities, and the meaning was the same as "plucked." The fact seemed to be that a large number of boys were attracted to those colleges by the large proportion of scholarships, and that in many cases these lads did not complete their academic course. The question suggested itself, why had not the colleges fulfilled their objects? The answer was that the colleges had not conciliated the confidence and goodwill of those who it was intended should profit by their establishment. The Roman Catholics were the best judges of the kind of education they wanted for their children. Would the gentlemen of this country permit all allusions to religion to be blotted out from the education of their children? The best part of education was its religious element. It had been asked whether geology or history could not be taught without religion? He answered unhesitatingly—it could not. No professor of geology would teach that science without reverting to the Great Creator of the Universe, and what would have been the historical lectures of Dr. Arnold without the glowing religious feeling which pervaded them? The Vice President of the Committee of Council on Education recently said, "The religious element underlies the whole system of education." Earl Russell also declared that religion must intertwine with the whole system of education. The whole life of the Chancellor of the Exchequer had been a pleading for religious education. The Bishop of Down and Connor, in his evidence before the Royal Commissioners, stated that the power and influence of the Dean of Residence—who was the one solitary Professor of religion in these colleges—was most limited on the students. What, then, did the Roman Catholics of Ireland seek? What the Roman Catholics of Ireland sought was a free and religious education, such as every religious sect enjoyed in England. In England every religion was free to teach with equal honour and equal advantage. This was all that was asked for Ireland. They claimed that Ireland should not be subject to one domineering system of Government education, crushing individual exertion, absorbing the whole education of the country into the power of the State. They asked, in short, for freedom of education, and for nothing more.

MR. WHITESIDE: Sir, I have to congratulate the hon. Member on having recalled the attention of the House to the true question before it. Sometimes hon. Members endeavour to atone for the scantiness of their matter by the intemperance of their language, and, not having bestowed pains and time on a subject, seize upon some topic that is irrelevant, and vent their spleen in a futile malignity which does not affect the question under discussion. I should say that the hon. and learned Member for Wexford (Mr. M'Mahon) is on the high road to promotion, and that he has established a claim on the favourable notice of the noble Viscount. As for the hon. Member for Sheffield (Mr. Hadfield), he declared he was quite refreshed by the speech of the hon. and learned Member for Wexford. I am sure I do not grudge him the refreshment he says he enjoyed. I have before remarked that there are intolerant advocates of toleration. Lord Macaulay, in his *History*, says of the Puritans that they seized the Government of the country, overthrew the Church, subverted the monarchy, and tyrannized over the nation. And he remarks upon the excessive joy of the people when liberty in politics and religion became once more the right of the English nation. We are reminded that on one occasion in this House Mr. Miall proposed to sell the property of the Church of England in Ireland by auction. The hon. Member for Sheffield supported Mr. Miall on that occasion; but I believe they could not find tellers, and Mr. Miall has, in this House, ceased to adorn that cause by his eloquence. If hon. Members wish to attack the religion of the country, they ought to come forward and attack it openly, instead of assailing it indirectly by their harangues, and they would then meet the fate they richly deserve. The hon. Member for Roscommon

(The O'Conor Don) introduced this subject with temper, ability, and moderation. The Member for Westmeath (Mr. Pollard-Urquhart) was the first to apply an insulting epithet to the Church to which he professes to belong. The hon. Member for the county of Longford (Major O'Reilly), wisely abstaining from following the bad example which a Protestant had set him, applied himself to the question, in which he takes much interest, and in which the hon. Member for Roscommon has spoken with the voice and opinion of a considerable section of the Roman Catholic people, gentry, and clergy of Ireland. The question introduced by the hon. Member for Roscommon touched upon the topic of University education. I decline to introduce, on this occasion, the subject of national education. That is a separate and distinct question. It is important to consider what are the grievances of the hon. Gentleman, and in what way they have been met by the right hon. Baronet, and how it is proposed to obtain practical redress. There are several colleges in Ireland, and the point aimed at is to set up a new university in the city of Dublin. What is the state of education in Ireland at the present moment? There is a College of Physicians and a College of Surgeons, open of course to persons of all persuasions. There are three provincial colleges. There is the College of Maynooth; and there is the University of Dublin, founded, I will say, by great men in a glorious age. Now, we are told another University is required; and to whom are we indebted for the agitation on this question? I say, to the right hon. Baronet the Chief Secretary for Ireland. I do not doubt his zeal for learning. I honour his disinterestedness and generosity; but on the day in which he made his speech at the Castle—when he indulged in hasty reflections on the University of Dublin, when he contrasted the state of the Roman Catholics and the Protestants, and pointed out the necessity of founding and endowing another University—which I suppose is the thing aimed at by the hon. Members who brought this subject before the House—on that day it was foreseen that the speech of the right hon. Baronet would originate the very agitation and discussion which have since taken place. I do not know whether the right hon. Baronet was authorized by the noble Viscount to promise the endowment of a fourth college. But from the fact of making the proposition—I speak without the slightest disrespect to the right hon. Gentleman—and reminding the Catholics of Ireland of their fancied grievance, he induced the heads of the Roman Catholic Church at once to turn round and say—"Who are you that undertake to educate the youth of our religion?" And they went further and said, "Since there is to be a fourth college, it shall be our college, and a charter shall be granted to us to educate the youth of our Church as we think fit, and not as the right hon. Baronet thinks fit." Now, what was the condition of University education in Ireland some ninety years ago? At that time the Catholics complained, and justly, that they were branded with the accusation of being ignorant, while they were not permitted to receive suitable education. It was therefore proposed to obtain from the Irish Parliament an Act for opening the University of Dublin. The heads of the University consented, and Trinity College was thrown open to Roman Catholics and Dissenters; and when it was not in the power of English Dissenters to obtain a degree in England, many of them graduated at the University of Dublin, one of the most distinguished being the late Sir Fowell Buxton. After the University was thrown open, it was proposed to found a college for the education of persons who wished to become clergymen of the Roman Catholic Church, and there was an interesting document in the shape of a petition drawn up by the Roman Catholic laity and presented to the Irish House of Commons by Mr. Grattan in 1795, which showed what were the sentiments of the Roman Catholic gentry of Ireland on separate education at the time. The petitioners warned the Parliament not to give to trustees, exclusively chosen, the right of directing the education of the youth of that country. They objected to the foundation of a University from which men of any religion were to be excluded, on the ground that such exclusion would tend to maintain the line of separation which had so long existed between the different religions, but which the petitioners conceived it to be the interest of the country to obliterate. The petitioners submitted that the youth of both religions should be instructed together in classical and scientific education, although not in their peculiar and distinctive tenets, which it was hoped would be no hinderance to a friendly communication through after-life. I consider that the petition stated correctly the opinions of the enlightened Catholic laity of that time. I did not gather from the hon. Gentleman who introduced this subject whether the new University which he wishes to see established is to be exclusive, at a time when no person is excluded on account of his religion from Trinity College, the Queen's Colleges, or the College of Surgeons or of Physicians in Ireland. Maynooth is practically exclusive, because that College is intended for the education of the Roman Catholic clergy. The principle upon which our University is conducted is this:—that no member of the Church of England can pass through it without being instructed in his religious duties; but those who do not belong to the Church are not coerced to attend religious instruction. Within the last few days a gentleman of Lincoln's Inn, who states that he is a member of the Roman Catholic Church, has published a pamphlet in which he argues in favour of granting a charter to the new college in Dublin, but he also makes another suggestion that there might be an additional wing to the colleges in Cork and Galway, where provision should be made for the attendance at worship and the religious instruction of the Roman Catholic students. That is a totally different proposition from that of the hon. Gentleman, because by the latter the Government would have no authority over the college as regards the appointment of the Provost or President, and the Professors. I do not understand whether the right hon. Baronet has given up his idea about the fourth college. [SIR ROBERT PEEL: I have not.] Well, every man has his hobby, and the right hon. Gentleman has a right, if he chooses, to found that college, an event which I am afraid will not take place till the Greek Kalends. The right hon. Baronet argues, "You require this college on the ground of population." I am sorry to say the population of Ireland is not increasing, it is rather diminishing; but of all the fallacies that could be brought forward that is the greatest—namely, if the population is 5,000,000, we want more colleges. If the right hon. Baronet were to ask the people of Ireland, in many places, whether they would have colleges or food, I am afraid their gross and vulgar nature would accept the latter alternative. If you would do anything for Ireland, you must look to the condition of the population—you must look to what the majority requires. The great majority of the lower classes are Roman Catholics, the majority of the middle class are Protestants, and in the learned professions the Protestants are as three or four to one. Therefore it is a total fallacy to say, because the population is 5,000,000 you are to have more colleges. I admit the provision ought to be made for the education of the masses and the middle classes, but I think that instead of an unlimited number of colleges a good school would be more useful than this fanciful crotchet of the right hon. Baronet. I will now come to the facts and figures of the right hon. Baronet. I was surprised to hear a man of figures like the right hon. Baronet so little acquainted with what the figures really were. He said that the revenues of Trinity College were £90,000 a year. [An hon. MEMBER: £92,000.]

SIR ROBERT PEEL: No. I said that it had 199,000 statute acres, and an income of £9,000 a year, from renewal of short leases.

MR. WHITESIDE: I took down the right hon. Baronet's words. He said the University had £90,000 a year. He is only wrong by £60,000—it has about £30,000 a year. It is true that the munificent monarchs of England and many wise patrons of learning have given large estates to the University; but many persons have considerable properties out of the estates of the University—Mr. O'Connell has a large property out of its estates; and it is a remarkable thing that the tenants on the Church lands and on the University lands are generally rich, and they are never shot down by the population. The right hon. Baronet is therefore entirely wrong about the income of the University. Now, with regard to the Fellows, the right hon. Baronet said that the income of the Senior Fellows is as large as that of the Prime Minister. The right hon. Gentleman was drawing on his imagination for his facts. Their income is £1,250.

SIR ROBERT PEEL: I said the Senior Fellows had as much as some Members of the Cabinet.

MR. WHITESIDE: First the right hon. Gentleman selected the Prime Minister, who, I admit, is underpaid for his great labours; but my respectable constituents, the Senior Fellows, who after thirty or forty years' devotion to literature, have obtained incomes of £1,250, were endowed by the fancy of the right hon. Gentleman with salaries of £5,000. Now, he says their incomes are equal to the salaries of some of the Cabinet Ministers. I know not who are the unfortunate gentlemen in the

Cabinet so placed, but I hope they will speedily change their positions for others more commensurate with their merits. The right hon. Baronet also spoke of the "stimulating force" of £28 for each member of the University. That is a very peculiar expression. The only stimulating force I recollect at school was not of the most agreeable nature, and probably the right hon. Gentleman's recollections upon that subject are in accordance with my own. But this statement is, like the rest of the right hon. Baronet's statement respecting the boundless wealth of the University of Dublin, all fancy. He has totally left out of consideration the fact that the students, who, he says, receive £26 a year, actually pay £25,000 a year for their education. He is wrong in supposing that every gentleman who enters the University is "stimulated" by £26; it is the love of learning, the desire of attaining to distinction, which are the real stimulants. The right hon. Gentleman said the students at Trinity College were 800, while in fact there are 1,500 on the books. I have marked all the passages in his book for him, so that he may make himself acquainted with the facts. These facts are well known, because a Commission lately inquired into the property and management of Dublin University, as at Oxford and Cambridge. I do not think it was necessary or right to drag into this discussion the question of the property and management of the national University. I say the Roman Catholics are indebted to that University for something more than the miserable pittance to which he refers. For a series of years, while the great question of Catholic Emancipation was discussed in this House, the representative of Dublin University, Mr. Plunkett, sat on one side, and the late Sir Robert Peel on the other. It is to the credit of the latter distinguished statesman that he yielded at last; but for many years the brilliant eloquence and matchless logic of the man chosen by the University and the clergy of Dublin University to represent them were heard in vain, when, if the question had been settled upon terms which Mr. Plunkett then proposed, it would have been a happy thing for the peace and prosperity of Ireland. It was not becoming to allude to the University of Dublin as a seat of bigotry, or as a place where Roman Catholics could not be educated. The best refutation of the charge was to be found in its history. When it was recommended by the Commissioners that further endowments should be given to Catholics, my noble Friend near me (Lord Naas) conducted a negotiation for three months with the heads of that University, and the result was, that they gave up £1,600 a year, which enabled them to found fourteen studentships, to be held for seven years; and these studentships were bestowed on gentlemen according to their success at the difficult final examination. The day after the speech of the right hon. Baronet in Dublin I was told by a gentleman that at that very time an examination was going on in Trinity College, in which two Roman Catholic gentlemen answered best for a studentship, and since then a third gentleman has obtained a studentship at Lincoln's Inn. Many other honours have been borne off by gentlemen of that persuasion in Dublin University, who were inspired by a desire to gain real literary distinction, in open competition with able men of other creeds for the high honours which it is in the power of the University to bestow. The right hon. Gentleman says the subscription for another college was munificently responded to. But I can tell him a curious circumstance in reference to that subject. While the matter was in progress, a Roman Catholic friend of mine, a member of the Bar, told me he had received a circular from the Chief Secretary asking for a subscription; "But," said he, "my answer will be, I have two sons in Dublin University, and I consider them to be much safer there than in any of the new colleges." I understood him to mean that the daily invitation to religious duties, the daily ringing of the chapel bell, although summonses for a form of worship which they did not adopt, still acted beneficially, as reminding them of the necessity of attending to their own religious exercises. I find that twenty-six Roman Catholic gentlemen entered the University in October, while at the same period only twenty-six degrees were given in all to Roman Catholics of the three Queen's Colleges, which is not much to boast of. I do not attack these institutions, nor do I wish to say one word against them. The President of Galway College is an old college friend of mine, an excellent, able, and enlightened man; the President of Belfast College is also a worthy gentleman, and an excellent instructor for the Church of Scotland. The college at Belfast affords instruction for the clergy of that

Church. The Presbyterians are a large and respectable body, numbering 600,000—a sturdy race, deserving of every respect. I found at Belfast that, immediately beyond the college buildings, there was another building, to which the students passed to receive religious instruction according to the tenets of the Church of Scotland, the secular education being given within the College walls and the religious instruction outside, but within a few paces from them. It would be quite open to adopt the same arrangement with respect to the college at Cork. There is, however, one point which the mover of this Motion has not ventured to explain—how is the charter to be drawn, and in whom is the authority to be lodged? The charter must come from the Crown; but is the Crown to have any authority over the institution? Those are questions worthy of consideration by any constitutional lawyer. I will venture to say that no constitutional lawyer will hold that where the original authority emanates from the Crown it should have no authority over the institution. Let me remind the House of the usual course of life in Dublin University. The youth there engage in the same sports and amusements. I heard a musical performance by a choral society of some hundred students, but I could not distinguish between the Protestant and Roman Catholic voices. At the Historical Society, of which I have the honour to be a Vice President, Roman Catholic gentlemen discuss questions with their Protestant fellow-students with equal toleration, courtesy, and ability. They engage in cricket and other manly sports alike. I want to know from Roman Catholic Gentlemen, do they desire to separate the youth of their persuasion from honourable competition with the Protestants of the University? Do they mean to deny them the honour of beating Protestants upon their own ground, and to prevent that noble rivalry which has latterly characterized the youth of Ireland? I hope reflection will induce them to pause, and to consider whether it be advisable to remove the Catholic gentry of Ireland from the national University, where they have been hitherto accustomed to receive the advantages and the honours of learning.

Mr. MONSELL could assure the right hon. Gentleman that he had no desire to alter the constitution of the University of Dublin. He believed that that University was as liberal towards Catholics as it was possible for it to be without deserting those very principles upon which the Catholic case rested. He admitted that Trinity College did everything for Roman Catholics except provide for them religious instruction; but the right hon. Gentleman himself was second to none in the House in proclaiming the absolute necessity of giving religious instruction to every student. How could he defend the present state of things in Ireland? Protestants could obtain religious education for their children. No Catholic, who believed that education without religion was dangerous, could obtain an academical degree. For these persons it was impossible to obtain any degree at all. A degree simply represented certain intellectual attainments, and therefore every person, whatever his religion, should be allowed to obtain one, if he came up to the standard, without sacrificing his religious convictions. The mass of the Catholics of Ireland agreed with the Protestants of England and the Presbyterians of Scotland in believing that education ought not to be separated from religion; yet those who so believed could not obtain an academical degree for their children. What possible harm could be done to any human being by allowing Catholic students to obtain degrees without sacrificing their religious convictions? They asked for nothing more; and, surely, it was not an unreasonable request. Oxford and Cambridge, and the Scotch Universities, were all religious bodies, so that he was obliged to go to foreign countries for illustrations of this description of education. In Belgium the great cause of the opposition to the Dutch Government from 1815 to 1830 was that the Dutch established the same kind of university education now complained of in Ireland. Immediately after the revolution freedom of education was established, and the number of candidates for degrees at once increased. In France, at the time of the first revolution, a system of education was founded very much like that of the Queen's Colleges. And in France the disputed question was not settled only by improving the Royal Colleges, but by giving those who believed that children ought to be educated in a definite religion the means of obtaining such an education. Where a great proportion of the population was excluded from taking academical degrees, there was neither liberty of conscience nor of education. He did not attempt to define the means by which this object could best be attained. A charter might be given to the Catholic university; or some central body in which all colleges were represented, might be established and given power to appoint examiners and confer degrees; but to apply tests, whether religious or irreligious—to make the violation of conscience the condition of obtaining a degree—was persecution. There was another point he would refer to. In the Queen's Colleges, every officer, from the President and Professors down to the porter, was nominated by the Government. Was the right hon. Baronet the Secretary for Ireland, with the strong opinions he held, a fit person to nominate the teachers of the Catholic youth of Ireland? This system of the supremacy of the State was an idea that seemed to pervade the mind of the right hon. Baronet. He held up his hands if any one presumed to question the infallibility of the State. This was Continental liberalism, that meant the State was everything, that all must bow down and worship the State. He protested against that system. He had endeavoured to put the question on a ground common to Catholics and Protestants. He did not believe that the Queen's Colleges were proselytizing institutions. The Catholics of Ireland, like the great mass of Catholics in France and Belgium, believed that such colleges led, not to Protestantism, but to latitudinarianism. Let an academical degree stand for what it really was, a proof of intellectual proficiency, and let it not be made, as it now was made, to depend on theological tests. Let the Catholics of Ireland be allowed to obtain degrees without sacrificing their religious opinions.

MR. HENNESSY said, that the right hon. Baronet had gone over to Ireland, knowing nothing of the country, and had commenced an extraordinary crusade, not against the Roman Catholic religion, but against all its religious educational establishments, beginning with Trinity College, Dublin. He announced to the people that it was desirable to establish new scholarships in the Queen's Colleges; and he announced, in a letter dated from the Castle, and addressed to the registrars of the various colleges, that a scholarship, founded by him, would be placed at the disposal of the students of the second year's course in the Faculty of Arts and Laws in the Queen's College, Galway. Now, he (Mr. Hennessy) had called for a Return of the number of students in the Queen's College at Galway of the second, third, and fourth year's courses of the Faculty of Arts, and also the number of scholarships appropriated to these students. During the recess he had ventured to put some figures before the public on this subject, but they had been disputed and denied. The question was now, however, set at rest by the official Return, and what did it show? In the Queen's College, Galway, in 1850-1, the number of students of the second year's course was 26, who competed for 24 scholarships; in 1851-2 there were 10 students and 15 scholarships; in 1852-3 10 students and 10 scholarships; and so the list ran on, until in 1861-2 there were just half as many students of the second year's course in the Faculty of Arts as there where when the College first opened, the total number of students being 128, and of scholarships 139. And yet these were the students to whom the right hon. Gentleman would give an additional scholarship. In the letter announcing the new foundation it was stated that along with this exhibition a scholarship might be held. The right hon. Gentleman knew that there would be great difficulty in getting any man of the second year who did not hold a scholarship, and so he provided that it might be obtained by a student who already held a scholarship. Referring to the Return from Galway College, he found that of students in the third year's course of the Faculty of Arts twelve attended when the college first opened, whereas in 1861-2 there were only eight who competed for ten scholarships. From 1851 to 1861 the total number of students of the second, third, and fourth year's course of the Faculty of Arts was 310, and the number of scholarships was 324. Now, he wished to know what became of the scholarships which were not taken up? Three gentlemen, advocates of the mixed system, who had reported on this subject, referred to the fact that the number of scholarships was large and the number of students small, and they recommended that the number of scholarships should be diminished and should be made more valuable; that the total amount appropriated from the Parliamentary grants to scholarships in the colleges should be reduced 25 per cent and the number of scholarships 40 per cent. That recommendation had been laid before Parliament; but in the face of it the right hon. Baronet had called upon the whole of Ireland to raise subscriptions for increasing the number of scholarships, and had induced the noble Viscount to give £100 for the purpose, in opposition to the recommendations of the Commissioners, who said that the existing system was injurious in an educational point of view. The right hon. Baronet, if he did not read the Commissioners' Report, did the next best thing; he went down to Galway and probably saw the accomplished Professor, Mr. John O'Byrne Crowe. The learned Professor was examined by the Chairman of the Commission, the Marquess of Kildare, as follows:—

> "Have you any class this year?—No.
>
> "How long have you been Professor?—Since 1856.
>
> "Have you had any pupils since?—No, but two or three intend, I think, to give in their names.
>
> "Do you see any prospect of being able to form a class?—Indeed I think there will be great difficulty."

The learned Professor subsequently suggested that three scholarships at least in the Celtic language—which was the language of 7,000,000 of people in Ireland, Scotland, and America—should be founded in connection with his class. The right hon. Baronet might have consulted Professor Crowe, but he could not have consulted the Commissioners, because they said the scholarship system had done great injury to the colleges, and expressed a hope that the sums for that purpose would be reduced. He was anxious to see the colleges full and flourishing, but to effect that object the Government must consult the views and opinions of the enlightened majority of the Irish people. At present money was voted to force on the people of Ireland a system which the Government imagined would unite them. But, as to union, the most unseemly conduct was exhibited by the students at a recent visitation of the College of Belfast. The report of the Visitors had not been laid upon the table of the House, and he thought the Government were very judicious in not drawing attention to it. No educational establishment, however old and venerable, excelled the Queen's Colleges in the curriculum of education or the mode of teaching; and he believed that, if filled with students, they might well be proud of such an institution. In spite of the difficulties under which they laboured, and which the Government had done nothing to remove, the students of the Queen's Colleges had distinguished themselves in all the examinations which had taken place in this country—a fact which showed that the system, as far as educational machinery was concerned, was excellent. Was it desirable, then, to keep the youth of Ireland from these colleges, as was evidently the case from there being professors without students, and only five in the Faculty of Arts? As a friend of the Queen's Colleges, and as a friend of University education, he protested against the conduct of the right hon. Baronet in endeavouring to force an obnoxious system upon the people of Ireland, and he suggested to the Government the propriety of establishing a college for Catholics, another for Protestants, another for Presbyterians, and another for the advocates of the mixed system.

VISCOUNT PALMERSTON: I should hope that the hon. Gentlemen who take an interest in the Queen's Colleges, and in the education question generally, are satisfied with the discussion which has taken place, and which has now lasted more than six hours. There is other business before the House, and I trust that those hon. Members who may still wish to express their opinions upon the subject will have the kindness to defer their speeches until some other opportunity for delivering them occurs, so that we may be allowed to go into the Orders of the Day, which are of a little more practical and pressing importance.

MR. MORE O'FERRALL said, he had really hoped that a question so interesting to the people would not have been treated with utter contempt by the noble Lord. A question which had occupied six hours in discussion was entitled to the expression of some opinion from Her Majesty's Government. About thirty years ago, when this question was first mooted, the Catholics of Ireland placed such implicit confidence in a Protestant Government as to believe that that Government would lay down a system of education which they might accept. The Catholics of Ireland received from the Government of that day a most solemn pledge that the system would be free from all suspicion of proselytism; and, relying on that assurance, the great body of the Roman Catholic clergy and laity intrusted them with the education of their poor. Things went on smoothly for about nine years; when, unhappily, a positive breach of faith took place on the part of Ministers who were Members of Lord Grey's Government, which gave the pledge to which he had referred, because they sanctioned a change in the security previously given to the Roman Catholics. From that time forward the Roman Catholics had been jealous both of the Government and of their system; but it had taken twenty years entirely to destroy the confidence that was reposed in the Government. For his own part, he had not withdrawn his confidence from them until the refusals given to his repeated remonstrances obliged him to do so. When the Irish Roman Catholic Bishops were about to meet to consider the subject, he warned the Government that if they wished to continue their system of education they must take steps that should prevent those bishops from coming to a resolution from which, once arrived at, they could not recede. He, however, received no answer to his communication. In a subsequent year, when the question became more difficult, he sought an interview with a Cabinet Minister, and saw two. He told them that of all the benefits conferred upon Ireland by the Government within the last thirty years, and not even second to Catholic Emancipation itself, was the establishment of the national system of education; and, disclaiming all extreme opinions, he pointed out the evil consequences of the course they were pursuing, and entreated them, but without success, to reconsider their decision. Since then a strong feeling had grown up in the country, and a strong resolution had been come to unanimously by the Irish Catholic bishops. While the Government, on the one hand, sought to force on the country a system of education which they would not receive, and the Catholic bishops, on the other, held that that system was dangerous to the religion of their people, what chance was there for the tranquillity of Ireland? A gentleman of considerable ability and great fluency of speech, but without the prudence requisite for such an office, had been lately appointed Chief Secretary, and his selection had been defended by high authority, on the ground that he possessed those rollicking qualities for which Irishmen were celebrated. They all knew the story of the man at a fair who, finding the people all peaceable, took off his coat, dragged it along the ground, and tried to get up a fight by threatening to knock down the first man who trod on it. Well, the new Chief Secretary pursued a precisely analogous course, because the moment he got to Ireland he stirred up the most delicate and exciting of all questions that he could have meddled with. For himself he viewed the existing state of things with great alarm, and desired to see the peace of Ireland, above all its religious peace, promoted. There was now really no question between the Government and the people which men of sense and temper might not settle by an hour's conversation. Surely some rational compromise might be come to. If there were any gentlemen free from party feeling in that House, and who looked to the welfare of the country, he entreated them to interpose in order to close that unseemly quarrel.

Motion, by leave, *withdrawn.*

SUPPLY—REPORT.

Resolution *reported,*

"That a sum, not exceeding £150,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for constructing certain Harbours of Refuge."

MR. AYRTON rose to move an Amendment which he thought had been rendered necessary by what had occurred on Friday night. In moving the reduction of the Vote for Alderney Harbour, the hon. Member for Montrose (Mr. Baxter) asserted that the works could not be completed for less than £1,850,000, and the hon. Baronet the Member for Finsbury (Sir Morton Peto), who spoke with great practical knowledge of such matters, estimated the cost at £2,000,000; while three Members of the Government in succession stated that, in addition to the sum expended and to be voted this year, only £230,000 would be required to complete the harbour. There was a great discrepancy between these estimates, and he had searched through all the papers on the subject to see which of them was likely to be correct. The result of his investigation had been to satisfy him that there was no Paper on the table of the House that could satisfy any Member that this great work could be completed at the estimate named by the Government; but, on the contrary, the only conclusion that any reasonable man could draw was, that a sum like that stated by his hon. Friend the Member for Montrose must be expended before the harbour was completed. If that were so, he appealed to the Government to give the House some distinct information which might be placed upon record what this work at Alderney really was, and what sum would be required for its completion. In 1848 the harbour was projected, and in 1850 it was brought under the notice of Parliament as a work that would be completed for £650,000. In 1852 the plan was modified, and reported as capable of being completed for £880,000. In 1855 it was again reported to Parliament in these terms — "An extended scheme having been approved by the Admiralty, the estimate has been increased accordingly." It was now £1,300,000. In 1857 it was again considered, and stated at £1,850,000. The following year the subject was again considered, and the estimate now amounted to £2,000,000. A Committee was appointed to investigate the civil expenditure, and in the Report was found a remarkable document respecting Alderney. It concluded with this remark—"Part only of the 1858 design has been sanctioned by the Admiralty, the whole scheme being at present undecided." The total estimate of the works to certain points indicated was £1,300,000; the only plan of the harbour made public was that of 1848—namely, £620,000. That report was signed by the engineers of the work, and they sent with it no plan. The harbour was to be inclosed within two piers starting from two points on shore extending indefinitely. They had never been told precisely where those points were to end; the harbour was therefore one of indefinite extension and expense until the other *termini* of the piers should be settled. The House was not in a position to say what was the true character of this work, or how much it would cost. The Government should pause before they allowed the House to confirm a Vote come to on the understanding that the harbour would be completed for the sum of £230,000. He had no doubt there was an error made at the moment by the First Lord of the Treasury; but if, having the fact distinctly brought to his notice, the noble Lord allowed them to proceed, he would incur the full responsibility of that statement, and bind himself to the House that no further sum would be required for the completion of these works. The only estimate they now had before them was one for £90,000. If it turned out that the Government was right, there would be no difficulty in confirming this Vote; but if, on the other hand, the noble Lord had fallen into error, he was sure he would be the first to offer the House an opportunity of reconsidering the subject. He hoped the noble Lord would assent to the Motion he now made, that a Select Committee be appointed to inquire into the amount for which the harbour and fortifications at Alderney will be completed.

Motion made, and Question proposed, "That the said Resolution be now read a second time."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the amount for which the Harbour and Fortifications at Alderney will be completed."
—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. BENTINCK said, he would second the Motion. The hon. Gentleman had said a great deal about the ultimate cost of these works, but he did not touch upon what he (Mr. Bentinck) considered the most important part of the question—namely, what would be the utility of these works to the country when completed? It was impossible to separate the two questions of the harbour and the fortifications; but assuming they were both completed, and that this country should find itself unfortunately engaged in a war with France, the smallest number of men required to garrison Alderney was stated at 2,000 and the largest 8,000. Taking it at 5,000, he would ask the House whether the incarceration of such a force on a barren rock at a distance from our own coast would ever be tolerated? The question whether this port was of any utility as a port of refuge or observation was unimportant; for himself, he believed it would be neither the one nor the other. So long as we had command of the Channel, these fortifications were useless; and he did not believe we could retain them a day if we lost that command. The result would be that these strong works would fall into the hands of the enemy. On the other hand, supposing our troops occupied them, could we afford the necessary number to maintain an effective garrison?

Sir HENRY WILLOUGHBY should be glad to know how far the Government were already implicated in respect of these fortifications.

Mr. PEEL could only repeat what he said the other evening, when the question vas before the Committee, that the plan on vhich the Government was now proceeding iad been before Parliament for the last hree years, and had undergone, as far as ie knew, no alteration either as to design r estimated cost. The late Government contemplated an extension of the plan which vould have cost as much as £2,000,000; ind he believed the engineers of the works vere directed to prepare plans and specifications for the purpose. Before the matter vent further, however, the late Government was succeeded by the present Government, who, on inquiry, decided that it was lesirable that the works should not be exended beyond the point to which they had iow been carried. He had every reason o believe that the works would be completed at a cost within the estimated amount of £1,300,000. They included a western breakwater and also a short eastern one, which would cost £100,000. The base of the west breakwater had been laid lown as far as its extreme point, and it only remained to construct a wall of masonry upon it. A quarter of that wall vas still unbuilt, and was estimated at £290,000 or £300,000. As he believed the total estimate would not be exceeded, he saw no use for a Committee of inquiry.

MR. MONSELL thought the explanation of the right hon. Gentleman was unsatisfactory. What was Government doing? At Plymouth and other points they were constructing fortifications on the system made necessary by the late improvements in artillery. At Alderney they were constructing fortifications as though the new artillery had never been invented. Either, therefore, they were wrong in continuing these works at all, or, if they did continue them, they were wrong in continuing them on the old system.

MR. LIDDELL inquired why no specific plan of the works was shown in the engineer's report as in other cases? Was it because the Government had none for the completion of the fortifications? This was no new matter, but had been brought before the House year after year, and the Government had always assured the House that the work was in process of completion. Though there were constitutional objections to relieving Ministers of responsibility by handing matters over to a Committee, yet, on the whole, he thought this ought to be an exception, and that the Committee should be granted.

LORD CLARENCE PAGET said, that owing to the exposed position of Alderney, it was impossible for any Government to state precisely at what date the works there would be completed; but his belief was, that if the House of Commons voted the money required at the rate at which it was asked for this year, they would be finished in about three years. Owing to the form of the harbour—a narrow strip in a line parallel with the coast—the fortifications would be as available for its protection as extended as they were for the defence of the works according to the original plan.

COLONEL KNOX said, that the House was not dealing fairly with the Government in this matter, inasmuch as they were all parties to the original arrangement. Although the House might blink the question as to the original design in fortifying Alderney, he would not blink it. If a war broke out between this country and France, Alderney was of the utmost importance for the command of the Channel. The change of armaments, and the invulnerability of iron ships, made it still more necessary in a naval point of view that these fortifications should be completed, and that we should have this as an advanced point of observation and defence in the Channel; for depend upon it, if ever an attack was made upon us by France, it would be from that direction. Alderney was most important as an advanced post for the Channel cruisers to run to, and he thought it would be perfectly suicidal if we stopped short in making this point as defensible as possible.

MR. BAXTER admired the caution which the noble Lord (Lord C. Paget) had displayed in refusing to pledge himself to the time at which these works would be completed. For his own part, he saw no probability, that if the House voted the money asked for, these works would be brought to a conclusion within three years. There had been no plan submitted to the House since the year 1848, when the estimate was for only £620,000. Parliament had never been consulted upon the subsequent extensions of the works; the House was entirely in the dark upon the matter, and the Government did not seem to know what they were about. He trusted, therefore, that the House would never commit itself to an enormous and unknown expenditure, and would refer the matter to a Committee.

VISCOUNT PALMERSTON; The hon. Member says that we do not know what we are about. If I might make a retort, I should say that he and those who vote with him do not know what they are about. We know perfectly well that we are asking the House to give us the means of completing a work which we think will be of great national advantage. My hon. Friend says we are working in the dark. I say that those who oppose this vote are working in the dark—that they are not aware of the mischief they are attempting to do. They are endeavouring to prevent us from doing that which would be useful to the nation, and from completing works which, if left as they wished to leave them, would be a mischief instead of an advantage. The plan has been before the House. The plan is before the House. The House has only to look at the plan in the Report of the Committee. Does my hon. Friend say that a Report laid before Parliament is not a document in the possession of the House? There is the plan marked D and K, showing precisely the limited extent to which we propose that the works should be carried out. My right hon. Friend (Mr. Peel) stated that it would cost £1,300,000, and then objection is taken because my noble Friend (Lord C. Paget) says, very properly, that no man can foretell precisely the time at which work to be carried on in a situation very much exposed to the sea and the weather will be completed. But in all human probability these works will be finished before the expiration of three years. The hon. Member for Norfolk (Mr. Bentinck) asked a question which I might almost omit to reply to, because it has been completely answered by his own hon. and gallant Friend (Colonel Knox), who spoke from the bench behind him. The hon. Member for West Norfolk has asked what is the use of the fortifications at Alderney. He has already been told, upon good authority, and I concur in the statement, that these works will be of the utmost importance in war with reference to our operations in the Channel. Alderney on the one hand, and Portland on the other, will give us the means of watching all operations in the Channel, which I think will be of great importance to the safety and interest of the country. The hon. Member says the fortifications will require 5,000 men to defend them, and he asks who would lock up 5,000 men on a barren rock? But, as has been stated, the object is not to defend a barren rock, but to occupy a position bearing upon naval and military operations. Moreover, I can assure the hon. Gentleman that so far from 5,000 men being required, in the opinion of Sir John Burgoyne and Lord Hardinge, with whom I have often conversed on the subject, between 2,000 and 3,000 men would hold these works against any force that could be brought against them. Again, if you have these forts, you must have a harbour, because you cannot throw troops upon an insulated position of that kind without the means of communicating with them by sea in order to supply them with provisions, besides having a certain amount of naval force to co-operate with them. Well, the forts are complete, the harbour is nearly finished, and all we ask the House is to give us the means of completing the harbour to the extent which has already been fully explained—an extent which may be carried out for the sum of £1,300,000. I therefore hope the House will not rescind the Vote which has been passed in Committee. The matter has been fully discussed, and I trust the House will agree to the Report now before it.

Sir MORTON PETO said, that if the works at Alderney were finished only to the extent stated by the noble Lord, he pledged his own practical knowledge and reputation that the harbour would be perfectly useless, inasmuch as it would simply have an open mouth towards the sea without the slightest protection. It was true that the late Government proposed a plan which might ultimately have cost about £2,000,000; but if we were to have a harbour at Alderney at all, the only one which could be of any value would be one constructed according to such a plan. He believed that all the money which had already been spent at Alderney had been thrown away, and therefore he should give his hearty support to the Amendment. The noble Lord had asked the House not to rescind the Vote of the Committee. The House was not asked to rescind that Vote, but merely to institute an inquiry, and he thought that the Government could not regard that as an unreasonable request. The opponents of the Vote had no desire to blame either the present or the late Government for what they had done, although he for one had always protested against the expenditure at Alderney; but what they did complain of was that the Government had not the moral courage to look the matter fairly in the face, and to say, that as a great mistake had been made by some one, no more money should be wasted upon these works.

Sir HARRY VERNEY said, the real question before the House was whether they would throw away £900,000 already spent, or spend £300,000 more to turn the whole expenditure to good purpose. The most distinguished military and naval men had pronounced in favour of these works; and we might be certain, that if we abandoned Alderney, and went to war with France, our neighbours would soon take it and spend double the money on it, if necessary. He believed that Alderney and Portland did really give us the command of the Channel, and he hoped that no English Minister would be guilty of the poltroonery of abandoning the island.

Question put.

The House *divided*:—Ayes 174; Noes 118: Majority 56.

Main Question put, and *agreed to.*

Resolution read 2°, and *agreed to.*

House adjourned at One o'clock.

HOUSE OF LORDS,

Friday, May 23, 1862.

Minutes.]—Public Bills.—1ª Public Houses (Scotland) Acts Amendment; Local Government Supplemental.

2ª Peace Preservation (Ireland).

PRINCE AZEEM-JAH.

PETITION PRESENTED.

The Earl of ELLENBOROUGH said, a Petition had been sent to him for presentation to their Lordships, purporting to come from Inhabitants of Bolton, and to be signed by a person named Witherington on behalf of a Committee. The petitioners prayed for an inquiry into the claims of Prince Azeem-Jah, of the Carnatic, with a view to the restoration of his rights. The noble Earl remarked that he knew nothing at all about the subject, but he confessed that it was matter of surprise to him that the inhabitants of Bolton should be as well acquainted with it as they would appear to be. He ventured to suggest to the inhabitants of Bolton and many other places in whose name similar petitions had been sent to that House that it might be advisable for their Lordships to appoint a Committee to inquire into the manner in which petitions were got up. There certainly could not be a grosser breach of privilege than that which was committed in such cases.

The noble Earl *presented* the Petition, which was ordered to lie on the table.

ELECTRIC TELEGRAPH COMPANIES.

PETITIONS.

Lord REDESDALE, in presenting Petitions complaining of Powers of Electric Telegraph Companies and praying for Relief, said, he was anxious to draw the attention of their Lordships to the almost unlimited powers which, in some cases, had been intrusted to Telegraph Companies, and the daring manner in which they had been exercised. His attention had been for some time directed to the subject; and while he admitted that there was a great deal of truth in the complaints that had been made, he was at the same time strongly impressed with the conviction that they must not interfere unduly with the extension of those telegraphs which were calculated to confer important advantage on the country, or prevent that competition which was necessary to secure anything like moderate charges for the transmission of messages. At the same time, there were great abuses in the mode in which these companies had interfered with public and private rights, that called for correction and amendment. The noble Lord opposite (Lord Stanley of Alderley), who adverted to this matter on a former occasion, appeared to think that it would be advisable to wait a little before steps were taken; but his own opinion was that the subject could not be taken up too soon, because if they were allowed to go on as at present, a greater extent of injury would be committed. There had been placed in his hand eighteen petitions from landholders, trustees of turnpike and district roads, and others, complaining of the mischief which had been done by the manner in which these companies had placed their posts and wires in front of houses, and generally interfering with the enjoyment of private property. In one instance, the posts and wires of a telegraph company had been put up in the centre of the line of an unfinished footpath leading to a church, so as to render its completion impossible. Nobody could be more anxious than he was not unnecessarily to interfere with the rights acquired under private Acts; but if Parliament had acted incautiously or made a mistake in granting those rights, it would be extremely objectionable if nothing were done to correct the error. The rights of parties ought to be protected, and compensation given if they were interfered with. It would also be most desirable that these matters should be governed by one uniform law.

Lord HATHERTON said, that as living in the centre of England, through which a great number of these lines passed, he took some interest in this subject, which well deserved the attention of their Lordships. A great number of petitions, complaining of the interference of these companies with public and private property, had come from the district with which he was more immediately connected, where, in several instances, poles and wires had been erected in most inconvenient proximity to private houses, without the owners being at all consulted, and without any one being aware of the existence of the telegraph company or their powers to act in such a manner. He was fully aware of the inconvenience of retrospective legislation; but he thought it highly proper that in all cases parties should have notice, and, where property was interfered with, that compensation should be granted. He thought the subject might safely be left in the hands of the noble Chairman of Committees, who had done so much to secure in the matter of private legislation consistency and uniformity of system.

Lord STANLEY of ALDERLEY said, he was quite ready to admit that the powers given to electric telegraph companies had been most extensive, and had operated, in many instances, most injuriously. Up to a very recent time telegraph companies had been satisfied with laying their wires along railways and canals, giving them the use of a wire for their own convenience, or making some other arrangement for their private advantage; but recently powers had been conferred upon them by Private Bills of which the public were not aware, which had given rise to very great inconvenience, and created a very strong feeling of surprise and animosity on the part of persons whose property had been injured by them. Petitions had been sent to him of the same nature as those which the noble Lord had presented, from persons in the neighbourhood of towns, complaining of the injuries they had sustained by the manner in which telegraphic wires were permitted to be laid. The fact was that the powers given under private Bills had been extremely varied, and, in some cases, very eccentric, sometimes even giving power to cross private property without the consent of the owners or occupiers, and to pass along roads without the consent of surveyors or trustees. He concurred with his noble Friend, that it would be most desirable to have, if they could, a general measure, laying down some principle which might not deprive the public of the advantage arising from the competition of various companies, and which, at the same time, would not violate or interfere with the rights of property. He would undertake, on the part of the Government, that the matter should be taken into consideration, and he should deem it his duty to consult with persons of experience for the purpose of ascertaining whether a measure to regulate the law on the subject might not be introduced and passed during the present Session, if practicable, with the approval of all parties. One peculiarity in this case was that electric telegraphs, unlike docks, harbours, and railways, had never been placed under the Board of Trade. The consequence was, that Telegraph Bills, if unopposed, were passed without any notice being taken of them, and without the attention of Parliament being called to the extraordinary provisions contained in them.

Lord REDESDALE expressed his satisfaction at the statement of the noble Lord, and trusted that the inquiry about to be instituted would result in something being done.

PEACE PRESERVATION (IRELAND) BILL.—SECOND READING.

Order of the Day for the Second Reading read.

Moved, That the Bill be now read 2^a.

Earl DESART said, that considering the recent assassinations in Ireland, and those agrarian crimes which in past times had disgraced that country, and which appeared to be reviving in all their force, the Government had only done their duty in introducing this measure. He believed, however, that the real remedy for the evils that afflicted Ireland was to be found in the spread of education and enlightenment in that country. He expressed his conviction that the Roman Catholic priesthood might, if they pleased, do much towards preventing such acts by exercising their influence in aiding the authorities to bring the offenders to justice.

THE EARL OF CORK said, he was not surprised that the noble Earl connected with Ireland should have called attention to those outrages which had lately occurred in Ireland, but doubted whether the present was the most fitting time to enter upon a discussion of the subject. He denied that the Roman Catholic clergy were in any way chargeable with sympathy for the crimes or the criminals, but, on the contrary, was satisfied that they detested them as much as the noble Earl or any one else, and were as anxious to bring the perpetrators of such diabolical acts to justice. He (the Earl of Cork) had in his pocket an address delivered from the altar by the parish priest of Brandon, in which he called upon his parishioners to give every information they could to the authorities, and to aid the ends of justice in every way in their power. He could assure the House that the great majority of the Roman Catholic clergy by no means shared in those views of religious hostility which the noble Earl attributed to them. The late outrages, as those in former years, were attributable to the misplaced attachment of the Irish people to the land. In Ireland the idea was generally entertained that the occupiers had as much right to the land as the owners, and that no person was entitled to eject them. This feeling was encouraged, and revengeful feelings stimulated, by Ribbon societies and other secret and illegal combinations. He believed, however, that in a comparatively short time, as the condition of the country was improved and confidence was established between the owners and tenants of the soil, that erroneous and dangerous notion would disappear. In other respects the country was unquestionably improving, and he earnestly entreated the Government to make some determined effort to put a stop to a system by which these agrarian offences were rendered comparatively easy of perpetration, and at the same time difficult of detection. He regretted to say that that system was approaching very near to the county with which he was connected, and which up to the present time had been free from it. A neighbour of his, one of the best landlords in that part of the country, or indeed in Ireland, had recently received a threatening notice, and the brother of his own agent had also received a notice simply for having endeavoured to enforce payment of a debt due to him.

Motion *agreed to.*

Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

COPYRIGHT (WORKS OF ART) BILL.

COMMITTEE PUT OFF.

Order of the Day for the House to be put into a Committee on the Copyright (Works of Art) Bill read.

EARL GRANVILLE proposed that the Committee should be postponed till Thursday next, with the view to the consideration of the suggestions offered for its amendment.

LORD OVERSTONE trusted that the postponement of the Bill might be taken as an indication that the Government were alive to the full force of the objections which had recently been urged against it. It was not his intention to propose any amendments in Committee, because the vices of the Bill were so numerous, and so interwoven in its texture, that it would be impossible to bring the measure into a state in which it could be passed with satisfaction to the country; but, nevertheless, he might throw out one or two suggestions for the consideration of the Government. In the first place, he thought it was reasonable and proper that the words "new and original" should be introduced before the word "picture" in the first clause. Secondly, he thought, that if Parliament were prepared to grant a copyright, it ought at once and absolutely, without any necessity for negotiation or arrangement between the parties, to vest that right in the employer, and not in the artist. Such was the law in France, and in the discussion upon the Bill the other night the Lord Chancellor rested his argument upon the expediency and necessity of making our law correspond with that of our neighbours on the Continent. His third suggestion had reference to the question of registration. Not a single word had yet been said in explanation of that extraordinary clause in the Bill, which provided that copyright was to be obtained without the necessity of registration, except after the lapse of a twelvemonth. An arrangement more inexpedient, more impolitic, and more inconsistent with justice, could not well have been devised. He trusted the objections which had been raise against the Bill would lead his noble Friend the President of the Council more carefully to consider its provisions, and introduce into it those modifications of which it stood in need.

He thought, however, that the more the provisions of the Bill were examined, the more they would be found impracticable or disadvantageous.

Earl GRANVILLE said, that as the Committee was to be postponed, he would not now enter into these questions. It appeared to him that the noble Lord was attempting to rediscuss the second reading of the Bill, which had been agreed to last night.

Lord TAUNTON observed, that under the operation of the Bill, as it stood, an artist in Australia who happened to make a copy of a work sent out to the colony, might do so without knowing that the work had been registered in this country; and might, in consequence, unwittingly be subjected to all the inconvenience which the penal operation of the Bill would entail.

Lord CHELMSFORD reminded the noble Earl (Earl Granville) that next Thursday was Ascension Day, when the House would not sit.

Earl GRANVILLE agreed to fix Friday for the Committee.

Committee *put off* to *Friday* next.

House adjourned at a quarter before
Six o'clock, to Monday next,
half-past Eleven o'clock.

HOUSE OF COMMONS,

Friday, May 23, 1862.

Minutes.]—Public Bills.—1° Liverpool Fire Prevention Acts Amendment.
3° Universities (Scotland) Act Amendment (No. 2).

LUNATICS (IRELAND).—QUESTION.

Sir EDWARD GROGAN said, he wished to ask the Chief Secretary for Ireland, If he received a statement from the Lord Mayor and Municipal Council of Dublin on the 29th of September, 1861, praying that the Citizens of Dublin might be relieved from the support of Lunatics not belonging to the Dublin District, and that additional Governors for the Richmond Lunatic Asylum might be selected from the Municipal Council?

Sir ROBERT PEEL in reply said, he had received a statement from the Lord Mayor and Municipal Council of Dublin at the time mentioned, but the hon. Baronet must know that the law as regarded Dublin was the same as was in force all over Ireland, and the Government had no intention of exempting Dublin from the general law with respect to the chargeability of lunatics. As to the request that additional Governors for the Richmond Lunatic Asylum might be selected from the Municipal Council, there were some difficulties in the way of such an arrangement, but the subject was under the consideration of the Lord Lieutenant.

SOUTH AUSTRALIA—MR. JUSTICE BOOTHBY.—QUESTION.

Mr. CHILDERS said, he would beg to ask the Under Secretary of State for the Colonies, What action Her Majesty's Government have taken in regard to the Petitions from both Houses of Parliament in South Australia, praying Her Majesty to remove Mr. Justice Boothby from the Bench of South Australia; and whether there will be any objection to produce the correspondence between Governor M'Donnell and the Duke of Newcastle on the subject of those Petitions?

Mr. CHICHESTER FORTESCUE said, that his noble Friend the Colonial Secretary had not thought it his duty to advise the Crown to accede to the Address voted by both Houses of Parliament in South Australia, praying Her Majesty to remove Mr. Justice Boothby from the Bench. As to the correspondence between Governor M'Donnell and the Duke of Newcastle on the subject of this address, the only objection to print it was its great bulk, if all the voluminous enclosures were given. But if the hon. Gentleman would be satisfied with such a selection as would be fair to all parties, he would lay the correspondence on the table.

Mr. CHILDERS said, he should be quite satisfied with this arrangement.

THE INTERNATIONAL EXHIBITION—THE NAVY.—QUESTION.

Mr. BAILLIE COCHRANE said, he rose to ask the Secretary to the Admiralty, Whether the same privilege will be conferred on Officers serving in Her Majesty's Navy as has been conferred on Officers serving in the Army—namely, ten days' leave of absence to visit the Exhibition?

Lord CLARENCE PAGET said, he was afraid that he could not pledge the Admiralty to give every Officer ten days' leave to visit the Exhibition, but they were desirous of affording every possible facility to Officers who wished to do so.

SEIZURE OF THE "BERMUDA." QUESTION.

MR. MILDMAY said, he would beg to ask the Under Secretary of State for Foreign Affairs, Whether he has any information that the British steamer *Bermuda* was seized on her voyage from one British colony to another by a ship of war belonging to the Federal States of America; and, if it be true, whether the Government have taken any steps in consequence?

MR. LAYARD in reply said, the Government had received information that the *Bermuda* had been seized by an American ship of war; but as the case had been referred to the Law Officers of the Crown, at this moment he was unable to give the hon. Gentleman any information on the subject.

THE CHAPTER-HOUSE OF WESTMINSTER ABBEY.—QUESTION.

MR. CAVENDISH BENTINCK said, he wished to ask Her Majesty's Government, Whether the Chapter-house of Westminster Abbey is public property; if so, whether Her Majesty's Government are about to restore it to the Dean and Chapter of Westminster, and under what conditions?

MR. PEEL said, there was no doubt that the Chapter-house was public property, but no resolution had been come to by the Government on the subject, nor, as far as he knew, had any plan been submitted by the Dean and Chapter upon which action could be taken.

MIDDLE LEVEL INUNDATIONS. QUESTION.

LORD STANLEY said, he wished to ask the Secretary of State for the Home Department, Whether he will lay on the table the Copy of an application from the Mayor of Lynn asking him to interfere for the purpose of preventing the further extension of the floods in the fen districts, together with other Papers on the subject; and whether the right hon. Gentleman will state to the House the nature of the answer which has been given to this application?

SIR GEORGE GREY: Two or three days ago, Sir, I received letters from the Mayor of Lynn and from the incumbent of a parish in the neighbourhood, who expressed their opinion that sufficient means were not being used to arrest the progress of this calamity, and guard against its recurrence. I forwarded these letters immediately to the Middle Level Commissioners, and received a prompt answer inclosing the report of Mr. Hawkshaw, the engineer, which was read in the House yesterday by the hon. Member for Huntingdonshire (Mr. Fellowes). There can be no objection to lay those Papers upon the table. About an hour ago, as the noble Lord is aware, I received a deputation of Members connected with that part of the country, and of gentlemen resident there, and they mentioned several important points to which they wished the attention of the Middle Level Commissioners still to be directed. I requested them to reduce that statement to writing, which they undertook to do. This shall be transmitted to the Commissioners, with a view to call their attention to these points, and urge the necessity of every exertion being made to guard against the recurrence of this calamity at the approach of the spring tides.

POOR LAW INSPECTORS AND THE INCOME TAX.—QUESTION.

SIR STAFFORD NORTHCOTE said, he wished to ask the Secretary to the Treasury, Whether Poor Law Inspectors receiving salaries of £700 a year, and commuted allowances of £300, were charged Income Tax upon £1,000 a year, and allowed superannuation upon £700 a year only; and if so, upon what principle this distinction was made?

MR. PEEL said, the allowance of £300 a year to cover the personal expenses incurred by the Inspectors was not reckoned in calculating the pension, it being the invariable practice to exclude any such payments from the emoluments upon which the pension was founded. As to whether these sums properly formed part of the taxable income of those officers, that was not so much under the control of the Treasury as the other point. He was informed that the assessor in the Office of the Poor Law Board thought that the £300 allowance ought to be taxed, but he was also informed by the Board of Inland Revenue that the question had never been referred to them, and that in their opinion, supposing the £300 to be spent by the Inspectors in the form contemplated by the allowance, it would not be subject to Income Tax.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do leave the Chair."

DISTRESS IN IRELAND.

OBSERVATIONS.

MR. MAGUIRE said, he rose to call attention to the existence of serious and increasing distress in the western and south-western districts of the County Cork; to ask the Chief Secretary for Ireland if his attention has been directed to the condition of these localities; and, if so, whether he has taken any steps himself, or advised any steps to be taken, with a view to their immediate or prospective relief? If he could possibly have avoided again bringing forward that painful subject, he would most gladly have done so; but having introduced the subject on former occasions, he felt it to be his duty to persevere, and more especially as he desired to obtain a statement from the representative of the Irish Government in that House, frankly and fairly admitting that the distress in Ireland—but he (Mr. Maguire) would now say in those particular localities to which he now wished to direct the attention of the House —was worthy of every consideration. The principal object which he had in view in again calling attention to this subject was to induce the right hon. Baronet the Chief Secretary for Ireland to deal with this question in a fair and kindly spirit and not to check the tide of sympathy which he (Mr. Maguire) asserted was ready to flow in the direction of those unfortunate people, who were suffering from no bad conduct of their own, but from a dispensation of Providence. It was his intention, on the present occasion, to confine himself to one locality in Ireland. He would not ask the right hon. Baronet or the House to follow him even over one entire county; but he should take certain portions of that county, and show such a state of distress as must convince any impartial Gentleman that it was well worthy of the serious attention of the Government and of the commiseration of the people of the United Kingdom. He must tell the House that he had sent a confidential person down to certain districts of the County Cork, with instructions to go into the houses of the people, to observe for himself, make minute inquiry, and to represent the real state of things without exaggeration, and without any intention of producing effect. Three letters of that gentleman had been published some fortnight since; and these letters he (Mr. Maguire) at once placed in the hands of the right hon. Baronet the Chief Secretary for Ireland, with a request that he would institute an inquiry himself, and would send down some person to those localities with a view of ascertaining the real facts of the case—because all he (Mr. Maguire) desired was, that the Government should make themselves masters of the precise state of things. The last letter which he (Mr. Maguire) had received was even more distressing and more pitiable than the others, and that letter he had also placed in the hands of the right hon. Baronet. Therefore every impartial man must acquit him, on the present occasion, of any desire to exaggerate. The facts he stated on the authority of a gentleman who was the chief member of the journal with which he (Mr. Maguire) was connected, and he could answer for his veracity, for his faithfulness, and for his powers of observation. Those districts to which he should confine his observations were Cape Clear, Sherkin Island, the village of Baltimore, in the parish of Rath, in the union of Skibbereen, and two or three places in the union of Castletown. He might mention, with respect to these localities, that as a rule the crops had utterly failed. The potato crop did not last longer than from one month to three months, and in no case had it lasted beyond Christmas. The wheat crop was an utter failure, as was the oat crop generally. With two bad harvests and such a failure of the crops, he asked the right hon. Baronet what could there be in these localities, which entirely depended on the success of the harvest, but misery, wretchedness, and privation? The right hon. Gentleman might say by-and-by, "Thank God, there have been no deaths by starvation." But why had there not been deaths from starvation? Because the poor supported the poor. The people divided amongst each other their own last resources. If the neighbour of a destitute person had a small quantity of meal in his house, half of it was given to the poor neighbour; and wherever credit was possessed by any of this stricken community, that credit was exercised for the benefit of those who were more reduced than himself. The most extraordinary instances of this reckless charity on the part of the poor could be adduced. He said this to the credit of his countrymen, and to the credit of those who, though stricken, freely reached out the hand of charity to those who were more wretched than themselves. He asked the House to follow him into the cabins of a few of these people. He asked the House, in the name of common humanity, to give their attention to the descriptions given of these poor people by a faithful narrator, and he was sure they could not fail to enlist their sympathy in their behalf. With regard to Cape Clear, his correspondent stated—

> "Everywhere a picture of misery met the eye. Most of the houses were of the most miserable description, and in scarcely one was a bit of fuel to be seen. Everywhere want and destitution seemed to have reached their extremest limits; the only food to be seen anywhere being yellow Indian meal, and in some houses there was none even of that. Unwholesome as such food must be when badly cooked, it was made still worse by the mixture of a kind of seaweed, which was gathered on the rocks for the purpose of eking out the insufficient quantity of Indian meal."

The correspondent then narrated his visit to several houses on the island, in all of which he described the same misery as existing. One was that of a woman named Shea, a widow, whose stock of food consisted of five quarts of Indian corn, which she had borrowed from the charity of her neighbours; the correspondent observing that he could scarcely credit the extent of this charity of the poor towards each other, if he had not seen it. Another house visited was that of a small farmer who paid £6 a year for his land; but having been unable to pay last year's rent, the only one which he owed, an ejectment was served on him. The condition of the family of that poor man was thus described—

> "When we entered this man's house, his wife and children were there before us. A description of the house would only be a repetition of what I stated before regarding others, but the children and the mother herself appeared to be in a very advanced state of starvation. The children were sitting silently on rude seats near each other. Their faces were deadly pale, their eyes without lustre, and the appearance of the limbs was absolutely frightful—they were literally skin and bone. The lower parts of the legs had lost all human shape, the calves having disappeared altogether, and leaving nothing but the bone tightly covered with a coat of skin. A more complete picture of starvation could not be seen. Their whole food that day—it was then late in the afterneen—had been a basin of Indian meal, which a neighbour, who perhaps was little better off than themselves, had given them, and a morsel of food was not in the house when I visited it."

Several other families were also visited, and with all the destitution was equally great. In most cases the information as to their circumstances was obtained only in answer to direct questions, and the correspondent added that it appeared to him they were on the verge of starvation. He (Mr. Maguire) would only state with reference to Cape Clear that the population was about 600, and, as a rule, all these people were in the most abject misery. They had no fuel properly so called, and the only fuel with which they were able to cook a scanty meal was some firs or dried cowdung. He next came to Sherkin Island. The correspondent discribed similar scenes on this island to those which he witnessed on Cape Clear. He stated that as he was about leaving the mainland for this island, he saw a man named James Driscoll, whom he found leaning against a wall, exhausted, on his way home to Cape Clear from Skibbereen, whither he had gone to get a bag of Indian meal, but without success. He was a fisherman, but his gear had been worn out, and he had no means of replacing it. The writer said "he (Driscoll) had eaten nothing since Saturday morning, and when I saw him it was near two o'clock in the afternoon (Sunday). As he was walking away, his knees were bending under him from weakness." One of the houses visited was that of a man named William Sullivan, who with his wife and five children, had his father and mother also living with them. They were all crouching near the hearth, and the children were wasted and shrunk to skeletons. He had been engaged last year as a fisherman, and had an acre of ground planted with potatoes, but the bad season had reduced them to destitution. When visited there was not a morsel of food in the house. Another family was that of the name of Cadogan, who had often been for days without food, once from Tuesday until Friday. The same was the case with a Protestant family named Connell, consisting of the husband and wife, two sons, and four daughters. Most of the children had only just recovered from fever, and all presented the most wretched appearance. The next case was that of the family of Florence Driscoll, on Sherkin Island—

> "He has four children, and when I entered, his wife and two of his daughters were within. The wife was a respectable-looking woman, of an appearance superior to the generality of her neighbours. The daughters, who were seated at spin-

ning-wheels, were young girls of about fourteen and sixteen years of age, and both remarkably good-looking, but thin and miserably clothed. The mother stated that they had earned some money to buy clothes, but had been obliged to expend it on food for themselves and the other members of the family. They all appeared to be suffering under the deepest privation, and the mother stated that on more than one occasion they had been several days without food—once from Tuesday until Friday."

It might be said there had been no deaths from starvation; the reason was the extreme charity of the poor people towards each other. Here was an instance of it—

"One man, whose own appearance bespoke anything but the possession of wealth, but who had some little credit left, had gone security for about a score of bags of Indian meal for families who have at present no visible means of raising a shilling, nor any prospect of it, unless something is done for their relief, and he will be obliged to pay for all, should those who got it not meet with some piece of good fortune which will enable them to pay, but of which there seems little or no prospect. But this is not all he did. The extent to which the man was involving himself for others seemed to have frightened the dealers, for they finally refused to accept his security any further, and he then handed over to the poor man, on whose behalf he had tendered it, a bag of meal which he had purchased for his own use. This man has a wife and children, and when asked why he ran the risk of involving himself to such an extent, and, perhaps, of plunging his family into destitution, his reply was, that he could not find it in his conscience to see others starving while he could procure them food."

He now came to the village of Baltimore, which was situated on the mainland, and though the destitution there was not so great as in the islands, yet the description given of it showed that the people were in a chronic state of misery. The correspondent stated that the people exhibited singular charity towards each other. A widow of the name of Brown, the holder of a small farm, had gone security for some twenty-six bags of meal for those living near her, although she did not expect that ten would be paid for; and she stated that if she had not done it many of them would have died in a week, adding that she could not abandon them to such a fate while she was able to assist them. Here was another case of misery from the village of Baltimore—

"In the next house we visited, a young woman, remarkably handsome, with features beautifully-chiselled, but pale, wan, and depressed-looking, was sitting on the ground, with a pale, sickly-looking infant in her lap, and another child, a little older, lying asleep in some rags at her side. Near her was seated an old woman, her mother-in-law. The young woman's husband, Timothy Driscoll, was the occupier of the house, which was without a chair or table, or even a bed, except some straw or rags thrown on the floor. He had held a small lot of land, at a rent of £4 12*s*., but had been ejected at the last Bantry Sessions. The young woman was crying as she answered the inquiries put to her. She had often been two days with but one meal; and such was the weakness to which she had been several times reduced that she was unable to hold her baby in her lap, but had been obliged to lay it on the gound alongside her."

The poor people had not brought this misery on themselves by intemperance; and one publican stated that he had received only 2*s*. 6*d*. in two days. In the parish of Aghadown, which was five or six miles to the west of Skibbereen, the condition of the people was not so bad as in other districts. There was, however, little or no employment, and the credit on which the best-circumstanced of the people had lived was fast failing. There was, he was glad to say, an abundance of food in the country; but it was very fine to say there was plenty of cheap food to a man who had not sixpence in the world, and no present means of earning it. You might as well tell a man who solicited alms in a London street, and who was hungry and almost naked, that there was plenty of food and clothing in the shops about him. In the cities of Cork, Limerick, Dublin, Waterford, and Belfast, food was cheap; but when it travelled sixty or seventy miles, and reached the poor people in small quantities, and especially those whose credit was broken down, it was at famine price; it rose in price nearly 100 per cent between the city of Cork and the places he had named, and the rate of interest charged by small dealers was exorbitant. They charged 24*s*. or 25*s*. for a bag of meal which would be sold for nearly half that price in the city of Cork; and they charged 4*d*. or 6*d*. a month for every month the money remained unpaid. The writer, however, remarked—

"In justice to the dealers, it should be added that the risk is very great, and that there are many debts now in their books of which they will never get a farthing. To one of them alone small sums are due amounting altogether to about £4,000, and his prospects of payment depend principally on the next harvest."

And he (Mr. Maguire) was speaking a few days since to a gentleman from the district, who told him that to three meal merchants in two unions debts to the amount of £26,000 were due—which sum represented half the annual Poor Law valuation of those unions. In the parish of Clanlaurence, in the union of Castletown, Berehaven, the correspondent whom he had named described the people as living wholly on credit obtained from small shopkeepers at exorbitant interest, and having the greatest abhorrence to enter the workhouse. He visited, amongst others, in the village of Inchintaglin, a family named Harrington, whom he represented as literally dying by inches of starvation. The description given of this unhappy man was painful in the extreme—

> "The first house I entered there was that of Darby Harrington. Harrington himself was within before us, and the first glance was sufficient to show the extent to which he must have suffered from hunger. He was the very impersonation of famine. His cheeks were sunken and hollow, and there was a wild scared expression in his eyes, which told clearly that his mental faculties were giving way under the strong pressure of hunger. As to his physical powers, they had already very nearly departed, and he was actually dying by slow stages of starvation. A wife, two children, and his mother-in-law composed his family, and all they had to eat was what little the mother-in-law could get among the neighbours. None of them had eaten anything that morning, and over the fire—which was fed by green furze—was a pot in which a small quantity of Indian meal was boiling. A man would have eaten the entire of it with ease, and this was to be the sole meal of the family for the day. It had been collected shortly before by the mother-in-law, but for whose exertions in this way the entire family would have starved. Harrington holds a small plot of ground at a yearly rent of £4. He paid a portion of the last gale with some money which he had earned in Waterford. He could not get work at home; and even if employment were offered to him, when I saw him he could not avail of the offer, for his strength was entirely gone. He had planted some potatoes in his land; but though he had manure for it lying near his house, he was unable, through weakness, to take it to the land and spread it. His appearance bespoke the truth of the statement, for, as I have already remarked, it was that of a man dying of starvation. The only furniture in the house was two chairs. The bed consisted of some straw, with one small thin quilt."

In the village of Derrilough the state of a family named Crowley was described—

> "The children were the very pictures of famine, and a little girl, the child of a neighbour, who had come to the Crowleys' house in the hopes of finding a spark of fire there to warm herself, was a really horrifying spectacle. She was literally reduced to skin and bone; her lower limbs, which were left to a great extent uncovered by her scanty frock when she stood up, were without the slightest appearance of calves, and the bones, covered tightly with skin, were all that remained."

He (Mr. Maguire) could have given hundreds of cases of the same kind, but he had said enough to show that in the islands of Cape Clear and Sherkin, on the mainland of Baltimore, and in the parish of Clanlaurence, there was actual famine; that there was no food except what was obtained by credit; and that the people were steeped to their eyes in poverty and debt. What demand did he make? He wished, in the first place, that the right hon. Baronet the Irish Secretary would frankly admit the existence of grievous distress, and not prevent those who were willing to relieve it doing so. In Ireland the existence of this distress was believed; and so impressed were the merchants and traders of Cork by the statements of the parish priest of Rath, in which Cape Clear, Sherkin, and Baltimore were situated—that in a few hours he collected £100 from them. The people of England believed there was no such distress in Ireland. They were ready to send their money to the artisans of Lancashire, and he wished that those people could obtain more of the bounty of those who had money to spare, for he believed they stood in need of it. He would not charge the Government with wilful cruelty or insensibility to the miseries of the people in Ireland, but they had turned back the tide of human sympathy from Ireland. Many a man who had sent £20 for the relief of the distress in Lancashire, buttoned his pocket tight and hardened his heart when he heard the statement of the right hon. Baronet, that there was no distress in Ireland that could not be met by the ordinary resources of the law. The Poor Law did not touch the distressed people, and it was not that they would not avail themselves of what it offered on account of the Roman Catholic bishops having advocated the amendment of the law. Let not the right hon. Baronet deal with one narrow case for the purpose of disproving his statement; but let him attempt to disprove, if he could, that the general features of the localities referred to were misery and privation of the most extreme nature. Let him deal with this matter as a statesman and as a man with a heart in his bosom. The Chancellor of the Exchequer, a few nights ago, proposed a very questionable plan, which would entail an expenditure of £1,000,000, for building receptables for whales and mammoths of various kinds. That right hon. Gentleman would do much more good by consenting to advance a loan of money for the completion of the railway from Bandon to Skibbereen, the works on which had been stopped by the present depression in that district. That money might be perfectly secured on the baronies, the county, and the line itself. If the Government would make an advance, the contractors would commence work next week or the week after, and thus employment would be given to a large number of the distressed, who would be able not only to support themselves and families, but to relieve those who were more distressed than themselves. It was with a feeling of reluctance and humiliation that he brought this subject again before the House, but when lives were at stake he need not apologize for having done so. He hoped it would be seen that he had stated the case fairly, and he trusted that the Government would now admit that distress did prevail in Ireland.

SIR ROBERT PEEL: Sir, it is not my intention to occupy the attention of the House for more than three or four minutes, because upon three or four occasions I have had the opportunity of answering the remarks of the hon. Gentleman, and showing, that however the Government may regret the distress which they have never denied existed in some portions of the south and south-west, it was still impossible for the Government to foresee all the circumstances to which he has referred. The cases to which the hon. Gentleman has now directed attention, appear to have been brought under his notice by a special correspondent whom he has sent to the district. The Government cannot, however, pay attention to the accounts in every local newspaper, but must gather its information from those sources and from the ordinary operation of the Poor Law. Out of courtesy to the hon. Member, I requested the Poor Law Commissioners to send down an Inspector to inquire specially into the cases to which he referred. The Inspector, Mr. Horsley, stated, that although there was a certain amount of distress and suffering in the islands off the village of Baltimore, it did not exceed that which prevailed in ordinary seasons. Mr. Horsley further reported on May 21—

> "The sanitary condition of the population is, upon the whole, excellent; and that, notwithstanding the privations and hardships to which a considerable portion of it has lately been subjected, fever and sickness, the usual concomitants of a want of sufficient food and other necessaries of life, have not hitherto manifested themselves to any appreciable extent. I do not apprehend that any deaths will occur from actual starvation. Such a calamity will be averted by prompt and liberal action on the part of the Board of Guardians, and by the benevolent exertions now being made."

I would submit it to the House, that it is only through the legitimate operation of the Poor Law Board that the Government can interfere. Of course, if the Government bestow money on the people, it will be a direct assistance to the landlords, who are bound, under the operation of the Poor Law, to contribute what is necessary for the locality. To show the hon. Member that I am not unmindful of the particular districts to which he has referred, I may state, that as far back as October I requested the Commissioners to write to the board of guardians at Skibbereen, expresing my belief that probably one relieving officer would not be sufficient, and urging the necessity of appointing a second officer. The board replied, that in their opinion there was no necessity for appointing a second relieving officer; but that if they found it was desirable, they would immediately do so. Again, in February, I urged on the board the propriety of increasing their staff; but, of course, when representations are made that they have at command sufficient means of meeting the pressure which may arise, the Government must act accordingly. I am glad to hear the hon. Member acknowledge that there is an abundance of food in the country. I believe that throughout the west and south-west of Ireland food was never more plentiful than during the past season. The hon. Member has referred to several cases of distress. I have no doubt that my right hon. Friend the President of the Poor Law Board would also be able to point out many severe cases of privation and suffering in Lancashire, but it is impossible for the Executive to prevent altogether the misery which is endured by those who dwell in very poor cabins and are exposed to great hardships. I trust the House will believe what I have stated on former occasions, that we have done all we could, by earnest attention to the matter, by urgent representations to local boards, and by other means, to alleviate individual cases of distress. I am happy to be able to assure the House that during the six weeks from the 5th of April to the 10th of May there has been a progressive decrease in the numbers receiving relief, amounting in the total to 3,284. Both in Skibbereen and Castletown Unions there is abundance of accommodation for the poor. Not half of either union-house is full. We have given directions to the board of guardians when to give outdoor relief, and I do not see that the Government can do more than urge on the local boards the necessity of taking every possible measure to meet the pressure of the occasion. Great charity has been shown by the landed gentlemen towards the poor, and also by the poor towards each other. With every respect for the hon. Gentleman, I believe his assertions are exaggerated. I have just received a telegram with reference to Aghadown.

Mr. MAGUIRE: It is very important I should remind the House that I stated that Aghadown was not in so bad a condition as other places.

Sir ROBERT PEEL: I sent Mr. Horsley to inquire into the statements of the Special Commissioner of the *Cork Examiner*, and he reports as follows on the 22nd of May:—

> "The statements of the *Cork Examiner* correspondence with the paper of the 14th of May, as to the condition of the population of the marshes of Aghadown, give a grossly overcharged picture of the actual state of the district."

Mr. MAGUIRE: What of the other districts?

Sir ROBERT PEEL: I have already spoken of Skibbereen and Castletown. I have received the following communication from the board of guardians of the latter union, dated the 8th of May:—

> "This Board further states that it disbelieves the very exaggerated reports of destitution spread by a party, and which have had the effect of encouraging idleness and discontent at imaginary wrongs among the poor. They cannot too highly blame the promoters of these false reports; this (Mary Murphy's case) being the only case of alleged destitution, it will hardly support the views of those who had raised this cry of distress."

I think, therefore, I have shown that in the cases of Castletown, Skibbereen, and Aghadown that degree of suffering does not exist which the hon. Gentleman, being no doubt himself misled, asks the House to believe. I have received the following statement from the county of Cork as to the condition of the crops:—

> "From all quarters the most cheering accounts of the prospects of the entire crop in the county of Cork have arrived. For many years there has not been so good a likelihood of an abundant yield of cereals and green crops."

The prospect for the future is therefore encouraging. I hope the hon. Member will not repeat the allegations which he has brought against the Government. From September to the present time I have myself endeavoured to ascertain the real circumstances of every case which has been brought under the notice of the Government. I do not believe the hon. Member will persuade the House that we have neglected the interests of the poor, or been unmindful of those duties which are entailed on us by the position which we occupy.

CAPTAIN COLES'S CUPOLA.

OBSERVATIONS.

Admiral WALCOTT: Sir, my only object in asking the indulgence of the House for a few moments is to remove any impression of incorrectness in a statement on the part of Captain Cowper Coles, of the Royal Navy, in his letter to the editor of *The Times*, dated May 12th, last, in which he said "that the shield now fitted in the *Trusty* floating battery was put together without his knowledge—that it was only through the press that he learnt it was being done—and that he had not been allowed to superintend it." The noble Lord the Secretary to the Admiralty distinctly stated that permission to this effect had been granted to Captain Coles, and perfectly vindicated the accuracy of his statement, that that officer had been consulted by the Admiralty. Allow me to reconcile and explain the apparent—for it is only, of course, an apparent discrepancy in these statements. On Saturday, May 10th, Captain Coles called upon me, and said that his patent and his reputation would be prejudiced and imperilled, if his Cupola shield should be subjected to the fire of a 150 pounder-gun, unless it was placed in a proper condition under his own charge. He mentioned that he had already communicated with the Admiralty to that effect, and received for answer that he would not be held responsible for the result. This, I said, seemed to me decidedly unjust, and I would therefore write a letter to the noble Lord the Secretary to the Admiralty expressing my intention to call his notice to this circumstance in my place on Monday, May 12th. I did so. Captain Coles left London for Portsmouth on the afternoon of Saturday, May 10th. On the evening of that day, at half-past eight o'clock, a letter from the Admiralty, giving him full power over the construction of his shield, was delivered at his town lodging. That letter so delivered after post hours could not be forwarded that night; Sunday was not a post-day, and he did not ceive it until his return to London on Tuesday. On reaching Portsmouth, Captain Coles read a paragraph in a newspaper which left the impression on his mind, that the *Trusty* was to proceed to Shoeburyness, and there would be exposed to a trial which his shield was not prepared to stand in its existing defective condition. Alarmed for his repute and patent, he wrote the letter dated Monday the 12th, to *The Times*. These facts will substantiate the correctness of Captain Coles's statements. He was naturally anxious that the long and costly work of years of anxious thought and toil should not be wrecked in a moment. He felt that he was responsible at once to his profession and to the country, and that every eye would be fixed upon an experiment, which, if successful, would make him a national benefactor, and, if proved a failure, would expose him to certain confusion. It was a matter of professional life or death to him. It is a circumstance of deep satisfaction to me to be enabled to do this act of simple justice to a brother officer, and to clear away any doubts that may possibly have suggested themselves previous to this explanation. I am heartily glad that the Board of Admiralty has now placed the shield so absolutely under Captain Coles's control that it may be tested beyond a doubt, for by the issue the great absorbing problem of the day, the capability of armoured ships to resist ordnance, will be, for the time at least, decisively solved. I feel assured that hon. Members have not only made allowance for an individual officer, confronted with an all-powerful Board on the issue of a question momentous to himself, but have even granted him their sympathy when he availed himself of a privilege which is open to the humblest as well as to the highest in the land, and is used by both—I mean an appeal to the country at large; nor is it to be overlooked that Captain Coles stood in the character of the inventor of the shield. I feel, Sir, that I am only stating an obvious fact, when I say that this officer only asks that consideration which no true Englishman ever denies to another—"Fair play and no favour," and that, in this House at least, he will never ask it in vain.

CRIME AND ITS PUNISHMENT.

OBSERVATIONS.

Sir MORTON PETO said, he wished to call the attention of the Secretary of State for the Home Department to the punishment awarded in recent cases of personal violence. He would first refer to a case which occurred on the 29th April, in which a violent assault was committed upon a barman who was furiously attacked whilst humanely endeavouring to protect a helpless man. The police found him bleeding profusely, and he was for a great length of time unable to return to his service. The person who committed this assault was fined 10*s*., which was immediately paid. The next case he (Sir M. Peto) wished to mention was that of a savage attack upon a respectable young woman, who received a violent blow in the face, cutting it open, so that she bled continuously during the night and fainted several times. The assailant was sentenced to twenty-one days' hard labour. In the same week and at the same police court a person was sentenced to forty-two days' hard labour for breaking a shop window worth 25*s*., so that the punishment for breaking a pane of glass was twice that which was inflicted for nearly killing a young woman. On the 20th of May a man was convicted of stabbing a policeman, and was sentenced to a month's hard labour in prison. On the same day, at the Middlesex Sessions, a person was convicted of a violent assault on two policemen in the execution of their duty, and he was sentenced to nine months' imprisonment and hard labour. On the other hand, a person who was found guilty at the same sessions of obtaining eight shillings' worth of goods by false pretences was sentenced to three years' penal servitude. In most cases of violent assault he found that intoxication was pleaded as an excuse. In his opinion such a plea should never be admitted where the life of an individual was endangered. He trusted he had said enough to call for the interference of the right hon. Baronet the Secretary for the Home Department.

Sir GEORGE GREY said, it was no doubt very desirable that adequate punishment should be dealt out in cases of violent assault. The particular cases to which his hon. Friend referred he knew nothing of, with the exception of two to which his attention had been specially called, and which had been adjudicated upon by the Lord Mayor of London. He did not think, after reading the reports which appeared in the newspapers, that there was anything to justify his interference, or in directing the attention of the Lord Mayor to them with a view to explanation. It would be wrong from merely reading a report in a newspaper to come to a conclusion that a judge had failed in his duty, who had not only heard the evidence, but had seen the witnesses give it, and had made up his mind upon the facts of the case as clearly proved before him. The law necessarily gave a discretion to the magistrates in awarding punishment, and he need hardly observe that the Secretary of State had no power of increasing that punishment. In case, however, of a punishment being too severe, it was in the prerogative of the Crown to mitigate it.

NATIONAL DEFENCES—THE ARMAMENTS OF FRANCE.

PAPERS MOVED FOR.

SIR ROBERT CLIFTON said, he rose to call attention to the increased expenditure for National Defences in time of Peace, and to move for Papers respecting the Armaments of France. The subject was one of great importance, not only to the taxpayers of this country, but to every hon. Member in the House who had come there pledged to retrenchment and economy. He was afraid that when such hon. Gentlemen met their constituents at the end of the Session they would have but a sorry account to give of themselves. He believed that the armaments of France were far from being so large as had been stated, and hoped to be able to show that they had lately been much reduced. The noble Lord stated the other night that France had built and was building thirty-one iron ships and had 646,000 men under arms. [Viscount PALMERSTON: That is a mistake; it should be 446,000.] He must then have misunderstood the noble Viscount. He stated, however, that in addition there were 170,000 conscripts of the present year who might be called out in a moment, besides 200,000 of the National Guard. When M. Fould entered office, Europe was told that France was about to practise economy in all her national expenditure, and especially with regard to her army and navy. The statement of the noble Lord, however, was most inconsistent with the observance of those promises. Last year a law was made that no extraordinary loan should be granted for war purposes; and the Army Estimates for the present year were set down at 375,000,000*f.*, as against an expenditure in 1857—a year in which there was no war—of 411,000,000*f.* Why could not Her Majesty's Government give the House some clear and correct account of the army and navy of our neighbours? Attached to our embassy at Paris there was a naval and military aide-de-camp, whose special function it was to furnish this country with accurate information as to the strength of the united services of France. He believed that every facility was afforded to them by the Government of the Emperor, and he thought that it was most desirable that their reports should be laid upon the table of the House. He spoke from good information when he said that His Imperial Majesty desired nothing more than that the people of England should understand his intentions towards them, and should be in possession of the actual state of his forces. The French Minister of Marine told the two gentlemen he had already alluded to that there would not be the slightest augmentation, but, on the contrary, there would probably be a diminution in the effective of the men, though there might be a slight increase in the number of vessels, on account of the expeditions sent to Cochin China and to Mexico. Within the last fifteen days the army had been reduced by the 101st and 102nd regiments of the Line, and only a short time before the 103rd had likewise been exempted from service. These papers, if granted, would allay the fears of invasion, and nothing more would be heard of exaggerated armaments or of the Island of Sardinia romance. He was not one who wanted to see the country defenceless. On the contrary, he wished the army and navy placed in a position commensurate with the power and the dignity of this great country. But there could be no doubt that the Government of late years had been driving the country into extremes upon that point, for which there was no justification whatever.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, Papers respecting the Armaments of France,"

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

VISCOUNT PALMERSTON: I can assure my hon. Friend that I am not aware of a panic anywhere but on the title-page of a pamphlet. There has been no panic in the country. There has been a deliberate conviction, calmly and very wisely arrived at, that it was necessary for this country to be in a state of readiness as to its armaments, both by sea and land, which would enable it to defend itself in case of attack. I would hardly venture to say that we are at present in that condition; but that is the condition we have aimed at; it is the condition the Government that preceded us endeavoured to place the country in; and we have been following their track in that respect, adapting our course to the change of circumstances, as far as the Votes of Parliament have enabled us to do so. I will state at once that I have no objection to produce to this House, as far as we can obtain it, a statement of the military and naval forces of the French empire, extracted from official documents published in France. Of course, if the hon. Gentleman asks me for confidential communications made by military and naval officers who are employed in France to give us information, I must decline to give them. But the French Government have published in the *Moniteur de la Flotte*, the *Moniteur de l'Armée*, and in their budgets, a statement of their military and naval force which I have no doubt could be obtained in an authentic shape for the information of the hon. Gentleman and of the House. The hon. Gentleman referred to the report of something which I had said here on a former occasion, in the newspaper report of which, notwithstanding its general accuracy, there was a mistake of a figure. On the 1st of January the French army consisted of 446,348 men under arms. There was, besides, a reserve of 170,000 men liable to be called out at a fortnight or three weeks' notice, making altogether 616,548 —not 816,000 as I was represented to have said. In addition to this force actually under arms, or liable to be called out for service, there were 265,417 National Guards, making a total available force of 881,965. And I stated that beside these there were 70,000 men of the conscription for the present year, liable to be called out if their services should be required. I also stated that of the 446,000, it was intended at the time to transfer between 30,000 and 40,000 from the number under arms to the reserve, making no difference in the really available force, though the change is attended with a certain amount of economy. I will not go into details as to the guns; but I abide by the statement I have just made, for I can give the details of the force. These are :—Infantry, 273,418; cavalry, 61,352; artillery, 38,293; engineers, 7,114; gendarmerie, 21,638; field train, 8,803; foreign corps, 19,598; staff, 16,332; making the total which I have already mentioned. With regard to the navy, the number of iron-plated ships built or building—for of course we talk of them only—including the nine or ten floating batteries which were made at the same time as our own for the Crimean war, amounts, I believe, to something like thirty-six. As I stated on the former evening, including our floating batteries made at the same time as the French, we have, I think, barely twenty-five iron ships, built or building. The authentic returns published by the French Government will tally with what I have stated.

MR. DARBY GRIFFITH said, that the whole of the question ought to have been brought before the House and seriously considered on the Estimates. It appeared to him there was some danger of similar questions being used as *ad captandum* arguments to assail the Government. It rather seemed to him that the object of the Motion was to bridge over the interval which existed between that (the Opposition) side of the House and hon. Members below the gangway opposite. He therefore rose to enter a protest against such misapplications as the perversion of such subjects to political purposes.

SIR ROBERT CLIFTON said, that after the statement of the noble Lord at the head of the Government he would beg leave to withdraw his Motion.

Amendment, by leave, *withdrawn.*

THE LONGFORD ELECTION.

PAPERS MOVED FOR.

COLONEL GREVILLE said, he rose to move for reports on the subject of the Longford Election; and in so doing he wished to call attention to a statement made in his official capacity by a Minister of the Crown, and one charged with very important functions in connection with the Government of Ireland. That statement had reference to the Longford election, and was so remarkable a one that he felt it his duty to bring it under the notice of the House at the earliest possible moment, and to ask on what grounds it had been made. It was quite true that some time had elapsed since the statement to which he referred was made; but after he had resolved on bringing it under the notice of the House, he found that the election was likely to form the subject of a Parliamentary inquiry. Under those circumstances he felt that it would be more in accordance with the usages of Parliament that he should refrain from entering into the question till after the close of that inquiry. However, the petition against his hon. and gallant Colleague having been withdrawn, he now felt at liberty to enter into the matter. If it were simply a question between Colonel White and his hon. and gallant Colleague—if it were simply a question of the misrepresentations and exaggerations which had been so industriously circulated through the public Press —he should be satisfied to point to the withdrawal of the petition as an answer to those misrepresentations and exaggerations; but a Minister of the Crown had made statements so utterly inconsistent with what appeared to be the facts that he felt bound to ask that those statements should either be substantiated or withdrawn. The House had been told by a right hon. Baronet, a Member of the Government, that the public accounts of the outrages and intimidation that took place at the recent election for the county of Longford did not by any means come up to the real facts. They had been told, on the authority of the Government, that the facts went beyond what had been publicly reported, and that the proceedings at Longford amounted to a "mockery of election." Having had the honour to represent that county for the last ten years, he felt it his duty to give the Government an opportunity of substantiating or withdrawing those statements. If they did not do so, he must say that his constituents were most unjustly treated in the affair. It would be in the recollection of the House, that Colonel White, having accepted the office of Junior Lord of the Treasury, went to his constituents for re-election. An opposition was got up, and then an attempt was made to make it appear that the struggle or contest was one between a foreign Power and the British Government. He had no doubt that it would be extremely convenient to a Minister of the Crown to have it in his power to influence an election by representing the struggle to be one of that character. As an Englishman and a Protestant, he heartily sympathized with every attempt to establish liberty and constitutional government; but he contended that the policy of her Majesty's Government in Ireland was sufficient, without anything more, to induce the people of that country to withhold from them their confidence. On their Irish policy alone he wished to test the Government. It was matter of notoriety that the Whig Government had year after year become more unpopular in Ireland. The right hon. Baronet the present Chief Secretary for Ireland had done nothing to heal matters; but, in his opinion, he (Sir Robert Peel) had done much to widen the breach, if not to make it irreparable. He would not follow the right hon. Baronet in his tour through the West, which he made on a low-backed car, accompanied by the chief of the police. In the course of that tour he entered Galway at four o'clock on a winter's evening, and left it at eight the following morning. Nor would he dwell on his visit to Belfast, where he charmed the Orangemen by descanting on the shortcomings of a Roman Catholic archbishop. The truth was, that the acts of the Government were wanting in consideration for the feelings and wishes of the Irish people, and they had thereby alienated the confidence of the whole country. An opposition was therefore got up to the return of Colonel White, and his hon. Friend (Major O'Reilly) agreed to contest the county. At the very commencement of the election, however, it was stated, that if Colonel White were returned, it would be in consequence of intimidation, violence, and outrage, and that under any circumstances a petition would be presented against his return. It was true that some undue influence had been exercised, but it was only on the part of the Government. He held in his hand a return of the number of troops sent into the county of Longford. Speaking as an Englishman who had seen something of elections, he should like to ask English Members how they would feel if on the occasion of a contest the Government were to send down an overwhelming force of military—of cavalry, infantry, and police, under the command of a general officer and stipendiary magistrates—and all to insure the freedom of election. Was there one representative of an English county or borough who would not indignantly call on the Ministry to account for such conduct? Such proceedings would not be tolerated in England, but in Ireland anything was tolerated. The military force consisted of four troops of the 4th Dragoon Guards, two troops of the 11th Hussars, a portion of the 15th Hussars, and some of the 11th and 25th Foot. The force comprised altogether 13 captains, 23 subalterns, 42 sergeants, 715 rank and file, and 479 horses. They were placed under the command of Major General Key, who was removed from the camp at the Curragh, a district being created for the occasion. About 1,200 police were also stationed in the county or sent there to secure the freedom of election. It was calculated that, including the police among the military, there was one soldier for every elector. No less than 11 stipendiary magistrates were also brought into the county. He would not say that all these county inspectors, sub-inspectors, and stipendiary magistrates would do anything wrong, but they were looking to the Government for promotion and good-service pensions, and it was but natural, if they had any bias at all, that it should be in favour of the Government, and that they should conclude that unless the Government felt peculiar interest in the election, they would not have sent down a preponderating force to secure the return of their candidate. Such excessive precautions, however, to secure the freedom of election were likely to defeat their object, because the small freeholders, seeing so large a force, would be afraid to trust themselves abroad, not knowing what was going to happen. He believed, that if the papers were granted, it would be seen that officers and stipendiary magistrates gave their testimony to the orderly manner in which the election had been conducted. He thought, indeed, he could himself satisfy the House that the election was not at all of the description which a Minister of the Crown would have the House believe. After the election was over, considerable exaggerations were circulated in the public press with regard to the violence that had taken place. The High Sheriff of the county of Longford, Mr. Walter Nugent, a gentleman of ancient family and considerable property, seeing in one of the Dublin papers an exaggerated account of the election proceedings, wrote to that journal to state that, although present at the election in an official capacity, he had not seen the violence which had been represented, nor had it been necessary to employ the military in the election. That letter from the High Sheriff the *Daily Express*, the newspaper in question, with characteristic fairness, refused to insert. The deputy-sheriff stationed at the town of Granard, one of the three polling-places, made a report to the High Sheriff, in which he stated that the conduct of the people had been orderly, and that the election had been conducted in a peaceable manner. He had yet another authority to quote, which was of so remarkable a character that it could not fail to carry conviction with it. A letter had been spontaneously addressed to his hon. Friend (Major O'Reilly) by a clergyman of the Established Church in this country, who, having property in the county of Longford, went to record his vote in favour of Colonel White. The letter was dated "University Club, Dublin, March 22, 1862," and was as follows:—

"Sir,—I see there is to be a petition with reference to the Longford election. As a native of that county, and an elector, I could not allow the misstatements that are circulated with reference to intimidation used at the election to pass unnoticed; and I wrote to the *Irish Times* the day after Sir Robert Peel's speech in the House, to the effect that I was in Longford on the first day of the election from 11.30 a.m. to 6 p.m.—that I walked several times through the crowd—that I went to Newtownforbes and met with no incivility, nor did I witness during that day any act of violence or intimidation. This I am willing to testify on oath. It is right that I should add that I went down to vote for Colonel White, but the cause of truth and justice is not to be sacrificed to political parties.—I remain, &c.,

"THOMAS ROBERT BURROWES,
"Rector of Hutton, Somersetshire."

He (Colonel Greville) was himself at Granard, where there was generally excitement, if any existed, and he never saw anything more orderly. The people had, indeed, every reason to be satisfied, because they had it all their own way, and they knew that nothing but violence and outrage could endanger the return of their candidate. He did not see one of the Longford men that day with a stick in his hand, nor more than two persons drunk. The people were impressed with the solemnity of the act that they were doing. [*Laughter.*] Hon. Members might think them wrong, and that they ought to have voted the other way, but they thought otherwise themselves, and they did not wish to put in jeopardy by any violence the return of the man whom they supported. He only hoped that Colonel White would not have cause to say that, bad as Longford was, Kidderminster was far worse. A stigma had been thrown on the conduct of the electors of the county of Longford, and that had been done by a Minister of the Crown. He called upon that Minister now either to substantiate the charge by producing the reports which were made to him, and upon the faith of which he had brought the accusations complained of, or else to get up and admit that, as in the case of the distress in Ireland, he was mistaken. If the right hon. Gentleman would not withdraw his statement, let him produce the papers which would enable the House and the country to judge between the hon. Baronet and himself (Colonel Greville), and between the Whig Government and the electors of Longford.

MR. MONSELL seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, a Copy of any Reports on the subject of the Longford Election, or circumstances connected therewith, made previous to the 7th day of March 1862, by the High Sheriff, the Lord Lieutenant of the County, the Major-General commanding the Troops, the Officer in command of the Constabulary, and the stipendiary or other Magistrates stationed in the county,"

—instead thereof.

SIR ROBERT PEEL: Sir, I ask the indulgence of the House while I make a few observations with reference to some remarks which fell from me on a former occasion. The assertion which I then made I am bound to say was entirely founded on fact. When I made that assertion, there was considerable anxiety and alarm in the county of Longford. I believe every gentleman in the county knows it, and it is generally known through Ireland. The hon. and gallant Gentleman says that the feeling in the county of Longford with respect to the election had reference not to the Italian policy of the Government, but to the general unpopularity of the course pursued by Her Majesty's Ministers in Ireland. That statement is not founded on fact so far as the Roman Catholic clergy of the county of Longford are concerned, because, after holding a meeting before the election, they put out a placard, in which they stated that they must return a man who would support the Pope, and not one who supported the policy of Her Majesty's Government, which was in hostility to the Pope. But the hon. and gallant Gentleman referred more particularly to the fact that a large number of troops, stipendiary magistrates, and constabulary were sent to Longford, saying that it was done with a view to intimidate the electors, and that there was almost one soldier to every elector. Now, I have nothing whatever to do with that. The force that was sent was sent upon a representation made by the gentlemen of the county to the Earl of Carlisle. I was in London, and I did not interfere in any way in the election. But as for sending an armed force, it is always done in Ireland. Every Irish Member well knows that where an election is impending the local magistrates or the Lord Lieutenant of the county make a representation to the Government, and a force is sent down. That took place in the county of Longford. The hon. Gentleman read a letter from the High Sheriff, in which he says that peace and harmony prevailed. But I believe there was a considerable amount of violence. I do not wish to say anything disrespectfully of the hon. Member who represents Longford; but the Roman Catholic bishops and clergy having held a meeting, announced that they were ready to receive any suitable candidate who would offer himself to them, and that they were prepared to bear him through free of expense. The hon. Gentleman (Major O'Reilly) was at that time in Brussels, and therefore I entirely exclude him from any responsibility as to what took place. But Colonel White maintains that there was considerable intimidation. I am not directly acquainted with the county of Longford, but I am informed that almost every one of the landed proprietors of that county, except one, supported Colonel White. [Colonel GREVILLE: That is not a fact.] At all events a very large number of the landlords, quite irrespective of politics, seeing the opposition got up against the candidate of the landed proprietary, stood by him; and I am informed that if every one had voted as he intended, Colonel White would have had a majority of 300. I believe that would have been the result if there had been no intimidation whatever. In one particular case, in a town called Arvagh—[Several hon. MEMBERS: Ardagh.] In that town, which is near the boundary of the county, there were twenty-five electors who intended to vote for Colonel White; but the night before the polling they were attacked by a force amounting to five or six hundred men, headed by a priest, named I think, Dr. Dolan, and they were so intimidated that only two were enabled to record their votes. [Colonel GREVILLE: The place is not within the county of Longford.] It is perfectly true that the petition has been abandoned; but I frankly say that there did not appear to me to be a case for prosecuting that petition. I was never asked about withdrawing that case; but I still conscientiously believe there might have been a case for prosecuting the petition. This I say, that what I spoke on a former occasion I spoke from what I believed a knowledge of facts, from the representations which had reached me, and I am quite sure that there are men in this House who know that what I then said was true. I must say that I cannot give the papers for which the hon. Gentleman asks. It is not usual to produce confidential reports. The petition has been abandoned, and I hope good will and good feeling will now prevail. Now, that the petition is at an end, the hon. Gentleman, if he will take my humble advice, will withdraw the Motion. If he does not, the Government cannot conscientiously give the papers.

LORD ROBERT CECIL said, he would venture to say a word on the subject, not because he was in any way interested in Ireland, but because the matter had assumed proportions which ought to interest all who set a value on the dignity of that House, as well as those who took an interest in Ireland. The right hon. Baronet the Secretary for Ireland, on a former occasion, speaking in his place in Parliament, and in his official capacity, characterized the Longford election as being marked with an amount of intimidation greater than ever had occurred before—as being signalized by outrage, intimidation, riot, maltreatment, and almost murder. Those were some of the choice expressions which had been made use of on that occasion; that was the indictment which the responsible Minister of the Government in Ireland had drawn up against the electors of Longford. Now, not only had that Minister made no attempt, by legal proceedings or before a Committee of that House, to prove his statement, but he now refused to give the documentary evidence upon which, if upon any evidence at all, his statement in that House must have rested. That did not seem a creditable state of things. He would not say anything about the policy of the Government in habitually insulting the majority of the people of Ireland, but the right hon. Gentleman was now attempting to hide his own proceedings behind a "No Popery" flare-up. He did not think any person versed in the constitutional practice of this country would at all admire that mode of escaping from a delicate situation. But this he would say, when a Minister of the Crown made charges affecting the character of a number of Her Majesty's subjects, and that, with respect to the particular department over which he presided, and for which he was responsible, he was bound to take some steps to substantiate his assertions when they were denied, and not to refuse the documentary evidence upon which those assertions rested. He thought that the right hon. Gentleman, by the course he had taken that night, would only leave the House and the country under the impression that his words were produced by a feeling of indignation at the discovery of the extent to which the Government had alienated the people of Ireland, and that he really had not in his hands the slightest proof for the charges he so freely scattered about.

MR. NEWDEGATE said, that as a Member for an English county he did not see what the electors of the county of Longford had to complain of. It was perfectly evident that the election had been, in a Parliamentary sense, free; but what was not clear was whether the freedom of election could have been secured without the precautions taken by the Government. It was notorious that a declaration had been made by those who owned a peculiar allegiance to the Sovereign of Rome, that the policy of this country with respect to that Sovereign was to be tested at the Longford election; and he confessed, that, knowing the influence which those persons possessed in Ireland, the Government would have been perfectly inexcusable if they had not taken precautions to secure the freedom of election. They had secured that freedom so well that the return was against the candidate they supported. He was of opinion that what really concerned that House much more intimately than chance expressions falling from a Minister of the Crown, was that the freedom of election should be secured; and if it unfortunately often happened in the sister island that the freedom of election was in danger, that House was bound to support the Government in such measures as would secure the free and unintimidated return of a Member to that House. That had been done, and under circumstances of no slight difficulty. If there had been any abuse, why had not the petition been proceeded with? When it was proposed to withdraw the petition, why did not some hon. Member rise and demand that it should be proceeded with; or why did not the hon. Member for Longford claim an investigation before some tribunal in that House? But for an hon. Member merely to get up for the purpose of attacking a Minister, and of inducing a belief that there had been an invasion of the privileges of the House, when it was perfectly clear there had been none with which the House had the opportunity of dealing, was, he humbly conceived, trifling with the time and dignity of the House.

MAJOR O'REILLY said, he was sure the House would believe that it was with regret and difficulty that he rose to take part in the present debate on a subject with which he was to some extent personally concerned. If, however, the question had been simply between himself and his late gallant opponent, he would not have said one word. Colonel White contested the county of Longford honourably, and having been defeated, made a declaration, on the spur of the moment, that the proceedings had not been fairly conducted, and that he was determined to petition against the return. Having afterwards made, no doubt, inquiries on the subject, and convinced himself that his hasty statement could not be supported, Colonel White took no further step, and did not petition. But there was something else in the matter, and to that it was desirable that the attention of the House should be called. The subject of the general freedom of election was not, as stated by the hon. Member for North Warwickshire (Mr. Newdegate), under consideration; but the question really was, whether a Minister of the Crown, speaking officially as the responsible organ of the Irish Government, was justified in representing, in his place in Parliament, a particular election as a mockery of election, and as more disgraced by scenes of violence and intimidation than any other which had for years occurred in Ireland. His hon. Colleague in the representation of Longford, had called on the right hon. Baronet either to substantiate or withdraw that statement; and the right hon. Baronet had refused to substantiate it in the only way in which any attempt at substantiation could be satisfactory. On the 7th of March, the right hon. Baronet said that his statement was made in consequence of reports which he officially received; the right hon. Baronet now refused to produce those reports, and the only evidence now brought forward was the general allegation of his confident belief that there were Members in that House who knew what he had stated was true. With respect to the alleged instances of intimidation, no evidence was adduced, nor did the right hon. Baronet say that any prosecution had been instituted; and it would be a sufficient answer to the charge to say, that of the whole body of electors on the register for the county of Longford there were not 200 living who had not recorded their votes. The influence which always belonged to a good and kind landlord was not without its weight at the election. Colonel White and his proposer deservedly enjoyed that influence; and he found, on looking to the record of the votes, that but fifteen of their tenantry voted for him, while 450 voted for Colonel White. The right hon. Baronet had said that every landed proprietor in the county supported Colonel White. Now, his hon. Colleague in the representation of Longford was a large landed proprietor in that county, and he had had the honour of receiving that hon. and gallant Member's support. His right hon. Friend the Member for Kildare, who was also a great proprietor there, gave him his support. Sir Percy Nugent was also among the other landed proprietors whom, on a hasty recollection, he could particularize as his supporters at the election. Considering that the statement made by the right hon. Baronet had obtained currency for nearly three months, with all the weight which must attach to words proceeding from a Member of the Government, and feeling that not one word of it could be justified, he had a right, on the part of his constituents, to claim that the statement, if it could not be substantiated, should be withdrawn.

MR. CONOLLY said, he trusted that the House would not allow itself to be led away on the question, particularly when it had taken a decided turn in the direction of an attempt to run a muck against the right hon. Baronet. No doubt it was advisable to afford protection to voters, and the last person to complain should be the hon. Member for Longford. There was no doubt that the hon. and gallant Gentleman was the popular candidate, and that the result of the election was in accordance with the wishes of the bulk of the people in the county. But at the same time there was a strong feeling in the county at that time, and it was quite compatible that at places where there were strong bodies of troops the proceedings were orderly, while in the country districts where there was less protection, violence and intimidation were rife. He had seen similar things on other occasions himself. In country places where voters where coming up to the poll in tens or twelves, no doubt they were intimidated, if not personally maltreated; for such things were not only possible, but occurred every day in Ireland. Since the right hon. Gentleman, however, had been so freely attacked, he would suggest that the proper course for him was to move for a Committee to inquire into all the proceedings at the election. It was not possible for the right hon. Baronet to rest under the stigma which had been cast upon him with more freedom than discretion by the noble Lord below the gangway.

Sir GEORGE GREY: I quite agree with the hon. Gentleman that the result of the last election for Longford was in accordance with the current of popular opinion there, and, having had the opportunity of hearing the hon. and gallant Gentleman address the House on several occasions, I must say he has always done so with ability, moderation, and good temper. However much I may regret the opinions of the majority of the electors of Longford, and however much I may regret the defeat of Colonel White, still I do not think that with these opinions they could have made a better choice than they have made. But that is not the question. A charge is made against the Government that they adopted the course—and I wonder that it should be considered an unusual course in Ireland—of sending into a county on the eve of an election, where party feeling was strong, and where disturbances were consequently to be apprehended, an additional force of police and military. That has been the universal practice in Ireland whenever application has been made to the Government, and it is not without precedent in this country. Upon the occasion of a late election I had a representation made to me by the mayor of a borough that serious apprehensions were entertained that disturbances would occur; and upon that, although I did not send troops into the town, I made such arrangements that they could be brought in at half an hour's notice, should the civil power be found inadequate to preserve the peace. I think in the case we are now considering the Government did its duty, and only its duty. My right hon. Friend is supposed to have spoken from official information; but such is not the fact. He spoke from general information of what had occurred, but, as he has said, with a firm conviction of the truth of the allegations he put forward; and he has since said, with that manly tone which distinguishes him, that he cannot disavow convictions which he still entertains, and he believes that there was serious intimidation at the recent election for Longford. The question is very much like what we have heard about Irish distress. Hon. Gentlemen make assertions which appear to be contradictory, while both are true, the fact being that in some parts of a county there may exist considerable distress, while in other parts of the same county this is not the case, and the opinions of hon. Gentlemen are influenced by the particular facts which come under their personal notice. At this election, I believe, there were parts of the county where serious intimidation was practised, but the hon. and gallant Gentleman is entitled to assume that those acts did not affect the result of the election, and that those who presented a petition against the return must have felt, that although they might establish instances of violence and intimidation, yet they could not succeed in depriving the hon. and gallant Gentleman of his seat, and therefore they withdrew that petition. The only question now for us to consider is, whether these papers shall be produced. I believe it is the invariable practice not to produce the confidential reports of military and constabulary officers. I have not read one of them myself, but my right hon. Friend says he would have no objection to produce them if he could do so without departing from the rule which has invariably been laid down, and which I hope the House will not ignore upon this occasion.

Mr. MONSELL observed, that the right hon. Gentleman had said that it was not the ordinary custom to produce confidential reports made by the police; but his (Mr. Monsell's) experience was, that whenever a Minister of the Crown, in making a statement, read or referred to a report, he was bound to produce it. The right hon. Baronet had stated, upon the authority of official documents, that the Longford Election was a mockery, and had been characterized by singular atrocities and enormities, and therefore he was bound to produce them. What was the rule laid down by Mr. May, a high authority in reference to the practice in such cases. Mr. May said, "It has also been admitted that a document cited by a

Minister ought to be laid upon the table of the House if it can be done without injury to the public interests." But the right hon. Gentleman (Sir George Grey) had just admitted that the right hon. Baronet had no objection to the production of the documents but one of form. Therefore the public interests could not suffer from their production. A remarkable case occurred in the year 1857, in which the hon. Member for Sheffield (Mr. Roebuck) was concerned. The right hon. Gentleman the Secretary for India had cited a private letter from Sir Michael Seymour in reference to the China war; and being asked by the hon. Member for Sheffield to produce it, refused to do so, though he offered to bring it down to the House and show it to any Member who wished to see it. The right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) upon that occasion said it was quite monstrous for a Minister to rise in his place and make an important statement from a document not upon the table of the House. It was a rule that a document used by a Minister in the House became a State paper, even though it was a private paper. There should be no allusion to a paper not upon the table of the House, and not meant to be placed upon the table, for otherwise the opponent of a Minister would have no chance. The noble Lord at the head of the Government said in effect the same thing. The real state of the case was this, that there was no precedent against producing the documents referred to—the precedents were in favour of producing them; and if they were not produced, his humble opinion was, and he believed it would be the opinion of the House and the country, that these documents did not substantiate what had been stated by the right hon. Gentleman.

VISCOUNT PALMERSTON: Sir, it may no doubt be the true doctrine that when a Minister of the Crown reads a document in this House, and founds upon it an argument or an assertion, that document, if called for, ought to be produced. But, unless my memory deceives me, my right hon. Friend the Chief Secretary quoted no documents for this purpose. He relied upon private letters which he had received —[Several hon. MEMBERS: No; official letters]—and said that they contained statements which showed the existence of violence and intimidation. Now, with one exception, which I will mention, I quite concur with my right hon. Friend in the opinion which he entertained of the proceedings at this election. I speak from no official documents, but from general report and from newspaper statements, and I believe that general report is not always so wrong as hon. Gentlemen below the gangway would have us believe. I say, then, that I quite concur with my right hon. Friend in thinking that, although the result of the election was in conformity, as I admit it to be, with the wish of the majority of the electors, yet, nevertheless, that majority exercised great intimidation and violence towards the other side in those parts of the country where they could do so. That is my firm and sincere opinion. But I differ in one respect from my right hon. Friend. He says he believes that this election was conducted with greater violence and intimidation than were known at any other Irish election. Now, in saying this, he lays himself open to the charge sometimes made against him, that he is new to Ireland, and that he is not so well acquainted with Irish matters as those who have been longer in the country. I differ entirely from the *naïve* opinion which he has expressed, because it is well known that intimidation and violence are almost the normal condition of the Irish elections. I remember an election at Sligo—though I was not there —at which great violence and intimidation were beginning to be exercised; and what was done? Very wise measures were adopted. It was at a time when the militia were embodied, and there was a detachment in the town. The first step taken was to lock up the police. Then the militia were sent out of the town. The regular troops were then called in, and, freedom of election being thus established, the result corresponded with the spontaneous opinions of those who wished to go to the poll. At Irish elections in former times the return made used to be of "the surviving candidate." But milder manners have altered the mode of election, and no persons could be more amicable and more courteous towards each other than the hon. Gentleman now Member for Longford and Colonel White. But the old habits, though abandoned by candidates, have not yet been abandoned by constituencies, and therefore I cannot agree with my right hon. Friend in the prominent position which he assigns to the late election for the county of Longford.

With regard to the documents, I think, for the reasons stated by my right hon. Friend the Home Secretary, that their production would be attended with injury to the public service, because it is for the public interest that confidential reports made by the police of transactions in the country should not be made public. It is obvious that you would not get from the police full and unreserved details of facts occurring under their eyes if they were liable to have those reports published to the world, and were thus exposed to all the unpleasant consequences which might arise in the neighbourhood in which they were stationed. I think therefore that my right hon. Friend was perfectly right in refusing to produce the confidential reports of the police, and I equally concur with him in thinking that great violence and intimidation were resorted to at this election. I found this opinion on what I saw in the newspapers at the time when this election took place, these statements having never since been contradicted. Why, people were beaten almost to death; they were assaulted in the high road when they were supposed to be going to vote for Colonel White. However, I think these things ought to be looked upon with more indulgence than if they had occurred in England. I only hope that these discussions will lead to an improved system at Irish elections; and if this is not the most flagrant instance, I should really hope that it will be the last.

Mr. BRADY said, he could not but express his surprise at hearing the noble Lord stand up in his place and malign the people of Ireland. When such a thing was done, it was, he thought, the bounden duty of every Irishman to refute the calumny. He was through the county of Longford on the first day of the election, and in the course of his life he had never seen a county which was more peaceable, and, indeed, that election contrasted most favourably with some which had occurred in England. The right hon. Baronet had said that he had had nothing to do with the Longford election, but he (Mr. Brady) knew that he had canvassed electors in London on that occasion. He did not blame him for doing so, but he did think it strange that, after having done so, he should rise in his place and assert that he had taken no part in the election. The refusal of the papers now asked for would have a most serious effect in Ireland. He joined with the hon. Member who made the Motion in saying that this matter ought not to be allowed to stop here. The character of the right hon. Baronet for veracity was at stake; and unless he produced the documents, and showed that he was justified in his assertions, he would not be in a position to meet society; and if the Government did not produce the letters, if no one else moved for a Committee to inquire into the subject, he should do so.

Mr. LEFROY said, he appealed to the House on the same ground that the hon. and gallant Member opposite (Colonel Greville) had done, as a resident of the county which that hon. Gentleman represented. He (Mr. Lefroy) had represented Longford for a greater number of years than the hon. and gallant Gentleman, and he had had the additional experience of being engaged in many contested elections for the county. He did not now speak as a partisan of the Government; and if the question had been one between his hon. and gallant Friend and the Government, he should not have risen. But his hon. and gallant Friend had made a statement to which he could not give his assent, when he said that Her Majesty's Government had taken a part unbecoming them. Being in possession of the facts, he could not refrain from stating the ground on which he had put the question which had caused so much trouble to the right hon. Baronet the Chief Secretary, and which called forth the reply which had been referred to in the course of this debate. He thought the Government was perfectly justified in the steps they had taken, and would have been much to blame if they had acted otherwise. He put a question to the right hon. Baronet the Secretary for Ireland, in consequence of having received information of violence and intimidation being practised at the election, which made him feel it his duty to do so. His recollection was that the right hon. Baronet gave him in reply a general statement, and he was not aware that the right hon. Gentleman spoke from any official documents. It had been objected that a large number of troops and police had been congregated in the county; but he would say for himself, having been a candidate both in support of and opposition to different Governments, that he could never go to an election in that county without an enormous force of military. He was opposed to Colonel White i politics, and did not care for his success until he heard of the unconstitutional array against him. He did not wish to take part about the election till he found that the tenants of his friends and connections were intimidated by an array of Roman Catholic clergy, such as never was known in that county before. In fact, the position of the county was quite unparalleled. He did not say that there was more violence than had taken place on former occasions, but the apprehensions of danger were greater than he ever knew. Whatever the course of the Government might be, he was prepared to offer to the House the testimony of magistrates and resident gentry as to the violence, and the names of men who had their heads cut through their hats, and who were violently assaulted. [*Cries of* Read!] As he was challenged, he would read the letters, the first of which, from the neighbourhood of Granard, was as follows:—

> "Mr. —— has requested me to send you particulars of violence and intimidation which may have come under my personal notice during the late election in county Longford. From the way I was circumstanced my means of observation were very limited, having entered Granard hedged in by a very strong escort, and having departed in the same manner. I was, with more than 150 others, confined as a prisoner in the Sessions Court from eight o'clock a.m. to 5 p.m., no one daring to go into the streets for a moment. On both occasions, going and returning, we encountered a fierce mob, making violent demonstrations—hooting and yelling and flourishing sticks. In the evening, on leaving the town for home, the mob accompanied us for nearly a mile with execrations, yelling like demons, some declaring that if it were not for the military and police we should never leave the town alive. One of my tenants, after he had voted for Colonel White, was abused in the most violent language by a priest, within a few steps of the polling-booths, and also within hearing of the mob, though fortunately not within their reach. A grand juror and magistrate who was present, and who kindly interposed, informed me he never witnessed a more uncalled-for or a more violent attack. I have only to add that on the Sunday and Monday night before the election the houses of three of my tenants who are electors were visited, shots fired, and the windows smashed."

MR. BRADY: Who fired shots?

MR. LEFROY could not say, but he would be much obliged to the hon. Member (Mr. Brady) if he would find out. The letter he had just referred to was from the Rev. Essex Edgeworth. Another gentleman, Mr. Dopping Hepenstal, a grand juror and a magistrate, wrote thus—

> "Having lately read so very many conflicting statements regarding the late election in this county, and seeing that you are taking a lively interest in the matter, I feel myself called upon to mention the result of my personal observations during the polling days. I assure you that the very greatest intimidation prevailed in this barony (Granard). I saw voters for Colonel White struck with stones, and several voters who were on their way to the town of Granard, intending to vote there for Colonel White, and who, unfortunately, were not in time at the appointed place for the military escort, were turned back under showers of stones, and were not able to record their votes. A report is circulated in this neighbourhood that there must be a new election, and the voters are being threatened already to take care how they vote. An unknown party came to the house of a voter, a neighbour of mine, but not my tenant, and called him out of his house, and would have severely beaten him but for the interference of his own family, who rushed out of the house to protect him. They then left him, saying, 'We will give it to you the first time we meet you in Granard.' I can get sworn informations to this effect, I believe. My own tenants are afraid of their lives to go to the markets ever since the election. I have no doubt that the civil and military authorities can furnish much information as to this fearful state of things, but they are not aware of the outrages which took place in the country, away from the polling-places. I am sure you will kindly pardon me for writing you such a long letter, but as a landed proprietor I feel most anxious that some step may be taken to prevent in future such intolerable bludgeon law."

It was said there was no intimidation at Granard. He had a letter from a resident at Granard, sent to an elector who was going in to vote; and what did the writer say? He urged the voter on no account to come to Granard, the violence prevalent in the town rendering it unsafe for him to do so. It further stated that many of Colonel White's agents, who were with the writer, had to be escorted to and from the booth, although they had several of the police in the house to protect them. He had a host of other letters of the same kind, and he would read one from another part of the county. It was from a gentleman living on the outskirts of the town of Longford, which was said to have been so peaceful. The writer said, that if he had been a Roman Catholic, and had a vote, he would sooner have faced a regiment of infantry than have attempted to walk in by himself without a guard; that he saw six men with bludgeons run after a car of voters, whom they would have murdered if they had caught them; but being unable to do that, they pelted them with stones; that he saw Lord Granard's voters pushed by a crowd of priests, and handed over to a body of ruffians to be carried into the booths; that one man, after much hesitation, would not vote at all; that another said the Bishop insisted on his voting for Major O'Reilly; and that Mr. Crauford, a magistrate, was spat upon from head to foot, and pelted. He had another letter, with five pages of cases, all of which had been verified; and he also had a long list from the chief justice's agent of men who were battered and bruised in a fearful manner. He had himself seen one poor man, who, long after the election, was still suffering. It was therefore a mockery, a mere trifling with the House—it was treating Her Majesty's Government unfairly, and doing that which was not right by the country—to make such representations, or rather misrepresentations, as to the peaceable nature of the election as he had heard that evening. He did not know why the petition against the return had been withdrawn, but that withdrawal could not alter the facts connected with the intimidation that had been practised. He had not interfered about the petition; but he believed, that so far from the fact of the withdrawal of the petition being in favour of the assertion "that violence had not been resorted to," it was rather a proof that, in the opinion of the petitioner, the violence and intimidation of which he complained would, if he succeeded in voiding the election, be repeated.

Lord CLAUD HAMILTON said, he rose to appeal to hon. Gentlemen's sense of justice, and trusted they would not on that occasion imitate the intimidation which had been imputed to the constituency of Longford. The question before the House was a simple one. After an election at Longford, which attracted much attention, the right hon. Baronet, as the mouthpiece of the Government, made a deliberate charge, founded on official documents, against the electors of that county, that they had been guilty of illegal and unconstitutional acts, which, if proved, would place them very low in the social scale. Nay, more; the right hon. Baronet stated that the newspaper accounts of their violence fell short of the actual facts. When that statement was made, a petition against the return had been handed in, and remained to be tried by that House. ["No."] At all events, the right hon. Baronet must have known that such a petition was coming. [Sir R. Peel: No, I did not.] Then the right hon. Baronet must have been one of the very few persons who were not aware of it. At all events, the right hon. Baronet's accusation that the election was a mockery, and attended with outrages that had not been witnessed for years, was addressed to the very body who were subsequently to try the case. He appealed to every man who loved fair play whether that was a fair use to make of official documents. The petition having been withdrawn, the electors of Longford had no means of vindicating their character from the aspersions thus publicly cast upon them. He had himself, soon after the election, met a gentleman, formerly a Member for Longford, and an intimate friend of Colonel White's, who told him that he was present at the contest, and that the statements in the newspapers on the subject contained the grossest exaggeration. Even if certain electors had been prevented from voting, yet, as the entire number unpolled was 200, while Major O'Reilly's majority was 600, that circumstance could have had no practical effect on the result of the contest. He would, therefore, conclude by calling on the right hon. Gentleman the Chief Secretary either to withdraw his charge against the constituency of Longford, or to allow its truth to be investigated.

Mr. LEFROY said, the noble Lord who had just sat down ought to be careful how he threw out insinuations in a matter in which he begged to give him the most direct contradiction.

Sir ROBERT PEEL: After the observations just made by my noble Friend, and after the remarks of my hon. Friend the Member for the University of Dublin, I can now honestly state, without any breach of confidence, what were the foundations—["Order, order!"]

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 114; Noes 32: Majority 82.

LAND TENURE IN INDIA.

OBSERVATIONS.

Mr. SMOLLETT said, he rose to call the attention of the House to the following Motion which he had placed on the Notice Paper:—

"To move an Address for Copy of the Resolutions of the Governor General of India in Council, promulgated in October, 1861, and of the Papers and Minutes on which these Resolutions were framed, the first anthorizing the sale of waste Lands in perpetuity, and the second permitting the redemption of Land Revenues in certain cases; and to call the attention of the House to the presumed importance of these measures on the Colonization, and to their bearing on the development of the Resources, of our Indian Empire."

MR. SPEAKER explained, that by the division the House had decided that the words "that the Speaker do now leave the chair" form part of the Question, and that it was not competent for any hon. Member to move an Amendment, although he might make any statement which he pleased.

MR. SMOLLETT said, that in that case he would, without making any Motion, call the attention of the House and of the Government to the Resolutions which had been promulgated by the Governor General of India in Council in the month of October last. And he hoped the House would grant its attention, because the question was of some importance, although its importance had been considerably exaggerated. He wished it had rested with some more prominent Member to initiate the discussion, although he was perfectly familiar with the subject. The Resolutions, when first published, were received in this country with favour, and almost with enthusiasm. *The Times*, which might be supposed to express the ideas of Gentlemen in authority, said, that by this unpretending proclamation of Lord Canning a great social revolution was effected; that land could be had in India with greater facility, and at cheaper rates, than in Auckland; that India was unreservedly thrown open to British capital and enterprise; and that Lord Canning had successfully grappled with the only difficulty, by fixing the grants at 3,000 acres, and thus excluding land jobbers from realizing colossal fortunes by retailing small plots at fabulous prices to intending emigrants. Prospectuses were issued by influential Societies in Manchester, describing this as the most important document which had ever emanated from the Indian Government, and pointing out that facilities which could not be surpassed were offered for the acquisition and uncontrolled possession of land, capable of growing cotton and every other valuable product. The contrast between the first enthusiasm and the subsequent apathy was extremly striking. The subject had never been mentioned by any official of the Government in that House, and he wanted to extract from the Minister for India his opinion with regard to it. For his own part, he had no sympathy with gentlemen who thought it was inexpedient to introduce colonization and British capital into India. He had always advocated measures having that tendency, and he believed the time would come when they would be surprised that such a policy had been so long and pertinaciously resisted. But he believed at the same time that the measure recently adopted was in itself but a small and a fragmentary measure, and that it was a great mistake to suppose that the sale of waste lands under the proclamation would put a stop to discussions that were going on relative to the land tenure in India. In considering the subject, it was necessary, in the first place, to define what was meant by waste lands. He believed they might be defined to be, first of all, the great jungles in the plains, and secondly, the hills and forest ranges in the mountains. It was quite true, that in most Indian villages—which were not mere streets and houses, as in England, but farms—there were waste lands. These wastes were not saleable; they were part and parcel of the farms, and were needed by the tenantry for agricultural and general purposes. He would inform the House that frequently a good deal of land was left waste because the survey valuation was too heavy and the rents were too high. Well, how did the Governor General intend to deal with these waste lands? Why, he had decreed, that assessed lands which had not been cultivated for five years or upwards should be at the disposal of the Government, and might be sold on the same conditions as unassessed waste lands, except that they should not be sold for less than twenty years' purchase of the rent officially put upon them, which was itself in many cases a rack rent. He (Mr. Smollett) had never heard so extraordinary a proposition. He was sure that the Government could not sell those lands. In point of fact, they formed portions of the different farms, and any attempt to take them from their present proprietors would be resisted, and would probably lead to agrarian insurrection. The jungles, or the waste lands properly so called, in the plains, were in a great degree worthless; but a large portion of the waste lands in the hills were capable of growing coffee, pepper, tea, and other articles of Indian produce. They had in some cases been used for that purpose during the last thirty or forty years; but they had only been held on a leasehold tenure; and it might be found a boon to many colonists to have that tenure altered. But beyond that, he believed that the Resolutions of the Governor General in Council would be productive of no advantage whatever. It was no social revolution; and if any one believed that a large revenue would accrue from the sale of waste lands, or that a great influx of colonization would take place in consequence, or that a considerable impetus would be given thereby to the agricultural resources of India, he would be under an entire misapprehension. To a great extent, the scheme would be inoperative so long as India remained in its present position—so long as Government held in their possession the cultivated area of the country, and were permitted to mismanage it through annual settlements, conducted by their own officers, on an impoverished tenantry. If they really wanted to introduce European capital or colonization, a very different measure would be necessary—a permanent settlement of the cultivated lands; a middle class must be called into existence, a proprietary class must be erected to stand between the Government and the people. The second measure proposed by Earl Canning was the redemption of the land revenues; but he did not think it could be carried into practice. The basis of that scheme was, that the revenue amounted to £20,000,000 annually, and that if the land were sold for twenty years' purchase, a fund of £400,000,000 would be created, which, if invested in Stock at 5 per cent interest, would give back the £20,000,000 a year. But the people of India would not give twenty years' purchase for the land, and for this reason, that they could have no guarantee that the Government would not afterwards levy from them the same amount of revenue under some other form of direct or indirect taxation. Besides, in the Government districts, which constituted three-fourths of India, it would not be possible for the tenantry, in the present state of society, to redeem their holdings; and even if it were a feasible measure, it would, in his opinion, be most mischievous. It would be a great calamity to allow the serfs to emancipate themselves piecemeal as apparently they might do under that Resolution. He believed it would be mischievous to allow 20,000 or 25,000 serfs to emancipate themselves out of a population of 500,000 individuals, who had in the Madras Presidency been permitted to squat on small holdings, and who absolutely paid not more than ten or fifteen shillings each for the spots of land which they occupied. Before any scheme of land redemption could succeed, it was absolutely necessary that they should have a permanent settlement of the soil such as that which had been introduced into Bengal proper in the year 1793, by Lord Cornwallis, who was a great statesman. Under that settlement the Government denuded themselves of the right of proprietary tenure of land in Lower Bengal, and called into existence a new class of proprietors, many of whom now held large estates on titles as secure and less complex than those in this country. Under the provisions of that settlement Bengal became the garden of India, and its agricultural resources had increased three or fourfold since 1793, while Bombay and Madras Presidencies had remained stationary, and, in many instances, had retrograded. Earl Canning's small fragmentary measure was a step in the right direction, but it must be nugatory, and might be mischievous, so long as the Government were permitted to hold all the cultivable land. It seemed to be imagined that these Resolutions of the Governor General in Council had been carried out, but that was not the case. At the end of the proclamation it was stated that the local Governments were to prepare drafts of acts which were to give effect to those measures; but those acts had not yet, he believed, been made public. That led him to say a few words on the subject of legislation for India. He often heard it said in that House, and out of it, that India was a very difficult country to rule. But he believed that that was a great delusion. He would venture to say, on the contrary, that India was a land that might be governed with very great facility, and that a little sense went a long way in that country. In point of fact, they seldom sent out as Governors to the Indian presidencies men of first rate capacity; and when he pointed to the circumstance, that a succession of six or eight noble Lords or right hon. Gentlemen of ordinary ability governed those districts without any great detriment to the public service, he thought he had established his position that India was not a very difficult country to rule. He was convinced it was also a country that required but a very small amount of legislation, and the smaller the better. Nineteen out of every twenty gentlemen connected by property with India were persuaded that one of the greatest evils which had befallen that country was the flood of legislation let in upon it on the most trifling occasions. He could not help thinking, that if two-thirds of all the legislative measures which had been passed for India during the last ten or fifteen years were erased from the statute-book, not only would no inconvenience be created, but the greatest advantage would accrue both to the governing and the governed classes. He looked upon it as one of the worst signs of the times that in the mock parliament which had lately been constituted at Calcutta sixteen or eighteen measures were passed through a stage at its very first meeting, and that at every subsequent sitting five or six measures were introduced. If Legislation proceeded at such railway speed, that assembly would very shortly be found to be an unmitigated nuisance. He recollected that the right hon. Baronet at the head of the India Department had told them last year that it was a very difficult thing to legislate for India, and that that difficulty was greatly increased by the fact that European residents had hardly any means of making themselves acquainted with the feelings of the native population. He referred in proof to the statement of Sir Mark Cubbon, that after a very long residence in India he had not been able to fathom the feelings of the natives towards Europeans. As far as his (Mr. Smollett's) own experience went, he did not think there was any great mystery about the matter. He should say that the Indian community was one of a highly civilized character. They knew that they were a conquered race, but they expected civility from their conquerors, though they did not always obtain it. They held in veneration the religion of their ancestors, and they expected that it would not only be tolerated, but that its possessions would be protected by the law. That protection, however, had been insidiously withheld for many years previously to the late insurrection. They looked up with regard to their native gentry, and they saw with disgust and dismay the pretexts that were frequently employed to uproot them. The middle classes in India were singularly unwarlike; the agricultural classes—he spoke of them from an experience of thirty years—were as a body, when properly treated, the most docile and the most industrious of mankind, and whenever an insurrection arose in that country it was due to the oppressive use of the authority of the Government, or to the bad management of some indigo planter. In their mode of conducting their dealings with one another the people of India would bear a comparison with the most favoured race in Europe. It was legislation like that of Mr. Laing, who sought to bring under penal enactment every civil contract, which made India hard to govern, and the British name cease to be respected. In point of fact, India wanted no legislation, but she did require the presence of a strong, vigorous, and honest Executive, which he hoped she would have under the Earl of Elgin. Nine-tenths of the weal and woe of the people depended upon the executive Government, and not upon legislation. The work of conciliation was not to be accomplished by introducing two or three blacks into a Legislative Council without their having any duties to perform, or any responsibility or emoluments; but by opening up the departments of the State more fairly to native talent and respectability. The Government ought to devote their energies to the formation of roads and communications, which were the great social want of the country, and to leave the improvement of the land to the agriculturists. If India were really governed on the principles of the Queen's Proclamation, 50,000 European troops would be quite sufficient. These were some of the leading reforms which were required, but they would never be achieved as long as Parliament continued to treat the affairs of India with apathy, and as long as mere fragmentary Legislation was the order of the day.

MR. VANSITTART said, he thought that his hon. Friend the Member for Dumbartonshire deserved great credit, not only for the manner in which he had brought forward a question relating to, perhaps, the most important measures which had been passed during the administration of Earl Canning, but for having raised the first Indian debate which had taken place during that uneventful Session. He did not, however, agree with his hon. Friend that these measures should be regarded merely as a fragmentary instalment of what should be done in the matter. On the contrary, he very much questioned whether they did not go quite far enough, although the results to be derived from their adoption might disappoint the expectations of those who had been so clamorous for their introduction, in order to suit their own views, without duly considering the hardships and injustice which was likely to be inflicted upon our native fellow-subjects in India. He wished also to be informed whether, in dealing with the questions, the Governor General had acted with the sanction of Her Majesty's Government. To the first of these measures—the redemption of the land-tax at twenty years' purchase—he saw no particular objection, because he believed it would prove to be purely chimerical, for few, if any, of the zemindars would be found disposed to avail themselves of the privilege. In corroboration he might refer to the evidence of witnesses given before the Colonization Committee, who were of opinion that it was unlikely a zemindar would be satisfied with 5 per cent for his money when he had no difficulty in procuring 10 or even 12 per cent. In a recent conversation, moreover, with a collector of the North Western Provinces, he found that the only instances of its having occurred within his knowledge were those of two natives, who had been rewarded by the Indian Government with estates assessed at half the Government rent for fidelity during the mutiny. With regard to the sale of waste lands, referring to his experience as a settlement officer in Orissa and Cuttack, he thought that great care and delicacy should be exercised so as not to interfere with the vested rights of the zemindars. On making a settlement of an estate it would generally be found that not more than two-thirds of the land were actually under cultivation, the remaining third being described as "culturable but not cultivated." That being the case, the settlement officer imposed an equitable assessment on the two-thirds, but he inserted a distinct provision in the deed of settlement, that in the event of the land described as "culturable but not cultivated" being brought under cultivation at any future period, the zemindar engaged to pay an enhanced rent to Government. It would therefore be the very height of injustice were that portion of his estate to be liable to be sold at any moment to any one who took a fancy to it; and yet by the 35th paragraph of the Government Resolution referred to by his hon. Friend, such was declared to be the case in the event of the zemindar failing to bring it into cultivation within five years after the settlement. In saying that he did not mean to object to the clearance of jungle and forests, but he hoped Government would not sell them below their value, for he believed the time was rapidly approaching when they would become valuable property. He understood that already some of the railway companies complained of the difficulty of procuring timber for sleepers for the railways. He next came to the last, and, in his opinion, the best of the measures, and that to which the question which he had placed on the paper referred—the extension of Lord Cornwallis's perpetual settlement to the North Western Provinces. Although it was notorious that the perpetual settlement of 1793 was made up hurriedly and on imperfect data, and had occasioned great loss of revenue to the Government, yet there was no doubt that the political advantages which had resulted from it had been considerable. The case, however, as regarded the North Western Provinces was very different. The Indian Government was in possession of the actual value and capabilities of every estate in the North West, which had been ascertained from the investigations, measurements, and assessments of their able and zealous covenanted civil servants. The correctness of their proceedings had been furthermore tested by a settlement of thirty years' duration, which was now falling in. A better opportunity, therefore, there could not be found for extending the perpetual settlement of Lower Bengal to the North Western provinces. While on that question he could not help expressing his regret that the field survey of Lower Bengal, which had been commenced, was stopped on the recommendation of Mr. Ricketts, when he was appointed to the Revenue Board. He believed that if, instead of deputing those expensive and useless commissions and special commissions to inquire into the unhappy indigo disputes in the districts of Jessore and Nuddeea, which had terminated in the ruin of a most enterprising section of our countrymen, a field-by-field survey, similar to that in the North West, Madras, and Bombay had been made, these disputes would have been settled long ago to the satisfaction of all parties. What had happened? A ryot took advances from a planter to cultivate 100 acres with indigo, whereas he knew that his holding or field consisted in reality but of 50 acres. The ryot could not fulfil his engagement, and, in the absence of a survey or other authenticated record, a dispute arose, and the planter was deprived of the necessary proof in order to expose the deceit practised by the ryot. As illustrative of that state of things, he would, with the permission of the House, read a very brief extract from the 21st paragraph of Mr. James Hills's letter, dated the 27th of July, 1861, to the Secretary to the Government of India. Mr. Hills says—

> "I do not believe any English gentleman can descend so low as to fathom the cunning, the deceit, and depravity of the Bengalee ryot's character unless he has had monetary transactions with him."

Without being tempted to avail himself of that opportunity to touch upon any of the financial and other measures which were being carried out in India, he would merely express a hope that in sanctioning the several measures under consideration the right hon. Baronet and his Council would not fail to bear in mind, that while affording every facility to the European to settle in India, they were nevertheless bound to protect the interests, regard the susceptibilities, and take care no violence was done to the long-existing rights of the native landlords, to whom they were indebted for two-thirds of the whole of the revenues of their Indian territories.

SIR CHARLES WOOD: Sir, it is not my intention to trouble the House with many observations, because my duty on the present occasion is to play the part of a listener rather than that of a speaker. I feel grateful to the hon. Gentleman who introduced this subject, not only for bringing it forward, but also for the able and temperate manner in which he has treated it. The hon. Gentleman is one of those Indian servants whose presence in this House I gladly hail, because, from their long experience of India, their knowledge, and their judgment, they are entitled to speak with authority in discussions of this kind. I believe the forms of the House will not permit the hon. Gentleman to make the Motion of which he has given notice. However, he has had an opportunity of stating his views to the House; and, as far as the papers go which he wishes to have, I can only say, that if he will give notice either to-night or on some future occasion, he will have them as an unopposed return. The hon. Gentleman thinks that the importance of the measures to which he has referred has been a good deal overrated in this country. I agree with him upon that point; but, on the other hand, I think he himself has rather underrated the importance of the measures in question. It is true that they do not go to the extent which the hon. Gentleman has shadowed out, but at the same time I cannot say that they are of slight importance. With respect, for example, to the sale of waste lands, I do not see how they could go further, because they announce that all the lands in India properly called waste shall be saleable. I agree, however, with the hon. Gentleman that there is a great delusion in this country as to the extent to which waste lands exist in India, and that a good deal of land which appears to be waste cannot in any true sense of that term be so called. There are many acres of land in the neighbourhood of villages which have all the appearance of being waste, but which in reality are no more waste than the common pastures in this country. The native agriculturists are obliged to keep cattle for the purpose of cultivating their arable lands; those cattle must have pasture, and very often the pastures, from which these cattle derive their subsistence, as they look like waste lands, are so called. If they were to be sold, the countrymen would be deprived of the means of maintaining their cattle. It is obvious that the pasture lands are indispensable to the cultivation of the arable land, and it is impossible that these lands could be sold without doing great injustice to those persons who hold them. Of course, therefore, they cannot be sold, and upon that point the hon. Member for Windsor is labouring under a misapprehension.

MR. VANSITTART: What I stated was, that by the 55th paragraph of the Government Resolutions those very lands to which the right hon. Baronet is now referring, if not brought into a state of cultivation within five years after the settlement, are liable to be sold.

SIR CHARLES WOOD: I think there is a difference between the lands to which the hon. Gentleman alludes and the pasture lands of India. However, it is not worth while going into the question now, but I maintain the utter impossibility of selling these lands. I even go further, and say that the rights of the natives of India to these lands should be scrupulously observed and carefully guarded. My own opinion is, that the Resolutions do not take sufficient care to guard some of those rights; and therefore in expressing my general approval of the Resolutions, as far as the sale of really waste lands is concerned, I must add, that I think care should be taken, on the one hand, to preserve the rights of those persons to whom a limited occupation of the lands belongs, and, on the other, to protect the State against loss. The hon. Gentleman who introduced the subject said, that in his opinion the Resolutions would prove to be useless. Let me remind him that most of the coffee plantations in Madras have been established upon land which was formerly waste, and sold as such, and that the same observation may be applied to many of the tea districts. It seems to me, upon the whole, that the sale of the waste lands under the Government Resolutions will introduce English capital where it is much needed, and will be otherwise beneficial to a great extent, though I agree with the hon. Gentleman that the extent to which waste lands are to be found all over India has been rather overrated in this country. The hon. Gentleman has referred to the redemption of the land revenues. I agree with the hon. Member who spoke last, and who possesses an amount of knowledge upon these subjects which cannot fail to be of great advantage in discussions like the present, that in all probabitity the redemption will not be carried out to any very great extent. Indeed, I do not think it desirable that it should be carried out to any great extent, because I do not want to see the State anticipating its revenue and converting its future annual income into capital. I confess, however, that I do not understand what the hon. Gentleman meant by saying that this was the converse of the plan of settlement inaugurated by Lord Cornwallis, because obviously, so far as either the sale of the waste lands or the redemption of the land tax goes, it is a permanent settlement. The fault of the settlement made by Lord Cornwallis was that it erected into landowners those who were not landowners. Government officers employed to collect the revenue were transmuted into landowners, and Lord Cornwallis did not do that which has been done in recent settlements — he did not take any steps to ascertain the rights of the people who were the real occupiers and owners of the land. I agree with the hon. Member for Windsor (Mr. Vansittart), that if the rights of the ryots had been ascertained in Bengal, as they have been subsequently ascertained in the settlement of the North West districts, half of the disputes, which now are certainly very serious, would never have arisen. If it should be thought right to extend the permanent settlement to other parts of India, it is indispensable that, as in the North West Provinces, the rights of each individual occupier should be carefully ascertained and recorded, and all chance of disputes will thus be avoided. The question is one of the most important that can be raised in reference to that country; it is one on which unanimity of opinion by no means exists, for it has been discussed for years by many of the ablest men, holding contrary opinions. But it will be necessary before long to come to a decision on the subject; the matter, in fact, is at present under consideration by myself and the Council of India, many of whom are intimately acquainted with these matters; and it would not be my duty either to the Council or to the Government to express any opinion upon it at this moment. When the proper time comes, it will be my duty to lay all the information bearing upon the subject on the table of the House, and I hope the House will feel that it would not be right for me at present to add anything further.

EXPERIMENTS AT SHOEBURYNESS.

QUESTION.

Sɪʀ FREDERIC SMITH said, the Question of which he had given notice might appear a small one, but it involved the turning-point of the discussion which would take place in a few days with regard to the Spithead forts. Those forts were to stand in the Channel at distances of 2,000 yards apart, and the mid-channel consequently would be 1,000 yards from each. It seemed of the last importance that forts which were intended to stop armour-clad vessels from coming in by day or night, should be able to fire upon them with effect at that distance of 1,000 yards, but hitherto the experiments had been confined to ranges of 200 yards. A section of the *Warrior*, fired at from the latter distance with a 300-pounder gun with a charge of 50 lb of powder, had not been penetrated, so that a vessel under such circumstances would have escaped. What, therefore, would have been the consequence at 1,000 yards? The forts would be powerless to stop an iron-cased ship by day, and at night a wooden vessel might run past them with the greatest ease. He did not want to prejudge the question of the Spithead forts, though it seemed to him that Gentlemen had been appointed members of the Defence Commission whose minds were already made up regarding them. The questions addressed to him as one of the witnesses came rather from advocates than judges, and were framed apparently with a view of confirming a foregone conclusion rather than to ascertain the opinions of the persons under examination. What had taken place at the passage of the Mississippi showed that wooden vessels of very small size were able to pass shore batteries; and, without data more conclusive than the Government had yet obtained, he feared the money they proposed to expend at Spithead would be thrown away. They ought to try experiments at long ranges before further expenditure was incurred in building forts on the Spithead shoals; and if at 1,000 yards they could sink a vessel, then let the forts be built. It was said that a 600-pounder gun was to be constructed which would require a charge of above 100 lbs of gunpowder. They might rely upon it, that if such enormous charges were used, great caution would be necessary to avoid accidents to bystanders. If the new forts were to be armed with guns carrying a 600 lb. shot, they would endanger not only the lives of the gunners, but the stability of the works themselves. He believed that even now a flaw had been discovered in the large Armstrong gun. It was said that the target had been very much battered, and that a sound spot could not be hit at the distance named; but would it not be more economical to construct a new and sound target, than to spend millions upon those forts in complete ignorance of their probable worth? He must protest against the desire for secrecy shown by the Government in the experiments conducted with reference to the inquiries of the Committee on Iron-plates. The results of those experiments were no secret abroad; they were known to a great number of officers, seamen, and civilians, to gentlemen totally unconnected with the service, and he believed were even known to officers of foreign Powers. The experiments conducted by the Austrian Government, on the other hand, were not only published, but he believed their reports would be found almost identical in many points with those of our own Iron-plate Committee. A great deal of time and expense would be saved by the publication of the experiments now going forward, as inventors and manufacturers, in ignorance of the results attained, were applying themselves to the production of targets of the very nature which experience had shown to be useless. For instance, that very day, it was no secret—although the Government wished to keep it so—that Mr. Scott Russell's target, made of eight or nine inches of iron, had been tried and penetrated by the Armstrong gun, whereas the *Warrior* target, only 4½ inches thick, and backed with teak, had resisted the utmost powers of that weapon. The cost of experiments at long ranges need not frighten the Government; they had only to move back the gun 800 or 1,000 yards from its present position, and to construct a new platform at an expense of about £20. In conclusion, he would beg leave to ask the Secretary to the Admiralty, Whether any experiments have been tried to ascertain the effect of the most powerful smooth-bore and rifled Guns on the section of the *Warrior*, or any other target, at ranges about equal to half the interval between the proposed Spithead Forts; and, if not, whether orders will be given to have such experiments, forthwith made; and, in either case, whether the results will be communicated to the House?

SIR GEORGE LEWIS: Sir, I hope the House will not think it necessary to enter at any length into a preliminary and partial discussion of a question which must come before them in a more formal and distinct manner in a short time, when the subject of the Spithead forts is brought under their consideration. I have this evening laid on the table the Report of the Commissioners on the subject, and it will in the course of a few days be in the hands of hon. Members. Now, the gallant Officer who has just spoken says he should have more confidence in the Report of the Commission if those of whom it was composed did not happen to entertain preconceived opinions on the question which they were appointed to investigate; but I think it right to mention, in order to prevent the existence of any suspicion on that score, that four—two military and two naval—members were added to the Commission in whose case the imputation of partiality because of their preconceived opinions does not apply. In answer to the question put by the hon. and gallant Officer, I can only say that several experiments have already taken place at Shoeburyness, but not at the distance of 1,000 yards. I have not myself given any particular directions with regard to those experiments, but I think it might be desirable to make some with the view of ascertaining how far the ordnance in question will act at a considerable distance. It must, however, be borne in mind that the increase in the power of ordnance is rapidly progressive, and that, although no gun at present in existence might be able to pierce the side of an iron ship at 1,000 yards, yet the lapse of six months or a year might bring about quite a different state of things. So far as the general argument of the hon. and gallant Gentleman is concerned, it seems to me that, if pushed to its legitimate extent, it would go the length of proving that all ordnance is useless; because, if a gun on a fort cannot pierce an iron-plated vessel, no more can a gun fired from another ship; so that naval warfare would be reduced to the old system, in accordance with which one vessel tried to run down another by force. I can, however, scarcely suppose that we are likely to revert to so elementary a state of things, while I have no difficulty in stating that it is the wish of the Government that the most complete experiments should be made by way of testing the value of new inventions. With respect to the question of secrecy, I need only say that I believe every one of the experiments which have been made has been viewed by a considerable number of spectators. I may add, that although no authentic information in reference to them has been laid on the table of the House, I have no doubt those who take special or professional interest in the subject have had no difficulty in obtaining accurate information as to the result.

MR. BERNAL OSBORNE: Sir, I regret the absence from the House of my noble Friend the Secretary to the Admiralty on this occasion. Early in the evening our attention was called by the hon. and gallant Admiral the Member for Christchurch (Admiral Walcott) to a correspondence, reflecting in terms, I think, rather unnecessarily severe, on a distinguished gentleman—Captain Coles—in consequence of a letter which he wrote in the public press. Now, I think my noble Friend ought to have taken the opportunity to remove a misapprehension which seems to prevail with respect to the intentions of the writer of that letter; and as the noble Lord is not now in his place, I must ask leave to correct some of the statements on the subject which have been made. The noble Lord objected, and I think justly, to an officer on full pay carrying on a correspondence on professional matters in the public newspapers. That, in my opinion, is a course which in principle is mischievous. But then Captain Coles does not come before the public as as officer on full pay, but as an inventor, and an inventor, too, who has not been treated with the greatest courtesy or consideration by the Government officers. Now, when the noble Lord tells us—as a proof of the great generosity with which he had been treated—that Captain Coles had not only been put on full pay but that he was receiving a sum of £1 a day for his invention, I feel disposed to be rather ashamed of the parsimony manifested in the case of a man so distinguished. Is that the way, let me ask, in which Sir William Armstrong has been dealt with? No, he gets £2,000 a year, and is guaranteed a large sum (some £80,000 or £100,000, I believe) in the event of the Government not carrying out their engagements with him; while actually, when the noble Lord made his accusations against Captain Coles, that gallant officer had requested to be put on half-pay. He was simply told, however, that he might have his £1 a day, of which he has been in the receipt only since last November. It appears to me, therefore, that Captain Coles, who has been kept seven years waiting, and who might have sold his invention over and over again to foreign Powers, but from a strong feeling of patriotism has refrained from doing so, has been somewhat harshly treated. But, passing from his case, I now come to the question which has been put by my hon. and gallant Friend the Member for Chatham, in dealing with which I shall not, I can assure the right hon. Gentleman the Secretary for War, anticipate any discussion which may hearafter take place in reference to the Spithead forts. I may, however, observe that I was somewhat surprised to hear the right hon. Gentleman speak of accurate information having gone forth to the public with respect to the experiments made at Shoeburyness, believing, as I do, that there has been the greatest misrepresentation on the subject. Indeed, I have reason to think that the House at this moment imagines that the experiments which took place on the 9th of this month established the success of the gigantic Armstrong gun—of which we have heard so much, and which, after all, is not an Armstrong gun, but a smooth-bore—in going through a section of the *Warrior*. Now, it is but right that the House and the country should be put in possession of the real facts of the case. This gun was, I believe, fired on the 9th with a charge of 40 lb. of powder at a part of the *Warrior* which had been battered all through the winter and spring, and damaged by the shot of a 68 smooth-bore. Well, at this target two shots were fired at 200 yards under the most favourable circumstances for the gun, and, hitting the damaged part, they penetrated the 4½-inch plate, and lodged in what is technically called the skin of the ship. They did not go through, and are still sticking where they lodged, notwithstanding that the experiment was represented by the noble Lord the Secretary for the Admiralty as perfectly successful. Again, the gun was fired with a charge of 50 lb. of powder, and most extraordinary accounts appeared of the noble Lord and others who were present climbing up the side of the target and congratulating each other on the circumstance that the shot had gone quite through it; but the fact is that it is still sticking in the skin of the ship. Thus much for the experiments of the 9th of May. I now come to those which took place two or three days ago. One shot was fired last Tuesday. Did it go through the target? Not a bit of it. It struck a sound part, and did not even penetrate the skin, and even after such a shot at 200 yards a ship would be in fighting condition. With these facts before us, it seems to me the public are justified in entertaining some doubt with regard to the great merits of this Armstrong gun. Now, it is a somewhat singular fact in the history of naval warfare that, notwithstanding £3,000,000 of money have been spent on these Armstrong guns, the best gun you have, at the present moment, is your old 68 smoothbore. I ask the Chairman of the Ironplate Committee, and other hon. Gentlemen who are well informed on the subject, whether what I have stated is not the fact? Is not your 68-pounder the gun with which every seaman would wish to go to sea? I very much suspect that your Armstrong gun will, after all, be discarded as an instrument of naval warfare. I have stated facts to which I challenge contradiction. I know them to be facts. I do not know whether my hon. and gallant Friend opposite, who wishes more experiments to be made at a geater distance, is aware—evidently the right hon. Baronet the Secretary for War is not aware—that they began those experiments at 500 yards; that so little impression was made at that distance, they reduced the range to 400 yards; and that they have now come down to 200 yards. This being the case, I think it would be a waste of public money to go further with those experiments, which, after all, have been made under very questionable circumstances, because a gunner firing at a fixed object, with no one firing at him, does not afford the most conclusive mode of experiment in matters of this kind. Let us go into the approaching discussion as unprejudiced as possible. Let not the House and the country be led away by the idea that those experiments at Shoeburyness have proved that the Armstrong gun, with a charge of 50 lb. of powder, is able to throw a 150 lb. shot through the side of the *Warrior*, which has, up to this time, resisted all such experiments. I have been told that they fired three times to-day with this gun. In doing so I think the gunners showed the usual valour which distinguishes our countrymen, for they fired at a very considerable risk. I understand that a fissure has occurred in the gun; that, on turning it over the other day, it was found that in the part where the ball fixes in the powder one of the coils had given way. This is the account that I have heard. I am glad this Report is to be laid on the table of the House. The sooner the discussion comes on the better. I hope the Government will do their part, that the Secretary for War will come here well prepared, and that we shall do battle and abide by the result.

SIR JOHN HAY said, that having come that day from the scene of action, he thought it right that he should say a few words on the subject. He had also some little criticism to offer on the remarks made with respect to the Armstrong gun by the hon. Member for Liskeard. The *Warrior* target was a section of the strongest part of the *Warrior*. It was constructed of wood and iron, the plates on the outside being 4½in. in thickness. That target had been put to the severest tests in the experiments which had been conducted. Whether by happy accident, or as the result of the possession of better data than those on which the builders of other ships had gone, it so happened that those who constructed the *Warrior* had adopted the most satisfactory form of side for sustaining the effect of heavy projectiles. Experiments had been made with a gun not rifled, but made on the Armstrong principle, from which 150 lb. shot had been fired with a 50 lb. charge of powder. The target was first struck at a part which was supported in the rear by a piece of framework, which gave that portion of the section additional strength to what it would have in the ship. On the moment it was impossible to examine the target in the rear, and the appearance which it presented was that of being absolutely destroyed; but after taking down the supports it was manifest that less damage had been inflicted on the internal skin than was supposed to have occurred. On a very recent occasion—Tuesday last, he thought—there was another experiment tried, in the presence of a large number of spectators, including several Members of that and the other House of Parliament. A portion of the target, about two feet square, which had not hitherto been hit, was fired at with a shot of 150 lb., thrown with great velocity, the charge of powder being 50 lb. The effect was perfectly clear. The armour plate was totally damaged; a great orifice was made in it, and the fragments were driven into the wooden backing and absorbed by it. And he might say that the internal skin was bulged out, but the interior itself resisted the shot. A person leaning against the inside would have received a severe blow; but a person standing a short distance from the inside of the section would not have received any injury. What he deduced from this was, that as at 200 yards they could not penetrate a ship like the *Warrior*, it was impossible that with such a gun as the one used in those experiments they could penetrate such a ship at 1,200 yards. The gun in question was a very large one, constructed on the Armstrong principle, and as good a one as they were likely to have produced. It consisted of a series of coils, and at the fifth or sixth of these was the chamber in which the powder and shot were placed. A strengthening coil was placed at that part of the gun. On one occasion 90 lb. of powder were put in, and that quantity caused the charge to extend beyond the strengthening coil. The result of firing the gun under such circumstances was to cause an impression to be made on a coil just next the one to which he had referred; but the gun had been fired three times since with a 50 lb. charge, and no further impression had been made on it, which showed that it was quite fit for service with that weight of charge. In conclusion, he begged to state that he entirely disagreed with the hon. Member in the opinion he had expressed with regard to the Armstrong gun, considering it, as he did, by far the most powerful description of artillery that had yet been constructed.

LORD CLARENCE PAGET: Before you leave the chair, Sir, I wish to allude to what has been said by the hon. Member for Liskeard (Mr B. Osborne), with regard to Captain Coles. I greatly regret that I was not in the House this evening when my hon. and gallant Friend the Member for Christchurch (Admiral Walcott) referred to the invention of the gallant Captain; because, I think it right the House should be aware that since the Admiralty first arrived at the conclusion that Captain Coles' shield promised to be a valuable species of armament for the service, they have taken every means to bring it to perfection. It has been stated, I understand, by the hon. Member for Liskeard that the Admiralty never took up this invention till they were forced to do so by public opinion.

MR. BERNAL OSBORNE: I never said anything about public opinion.

LORD CLARENCE PAGET: Well, the hon. Gentleman said we had never taken it up till——

MR. BERNAL OSBORNE: I said for seven years.

LORD CLARENCE PAGET: I cannot answer for former Governments; but my hon. Friend was Secretary to the Admiralty for several years. He was Secretary when Captain Coles brought his plan before the Admiralty; and if he felt so strongly on the subject, why did he not take it up then? However, I only deal with the case as regards my noble Friend the Duke of Somerset. In 1858, during the time of the late Government, Captain Coles submitted his plan for protecting the Armstrong guns by means of an iron-plated machine. No measures were taken by the Admiralty, but the Secretary of State for War thought so well of the invention that he desired Captain Coles to prepare a shield for trial, and the shield was accordingly commenced. As soon as the present Government came into office, one of the first important matters they had before them was the invention of Captain Coles, and very soon afterwards the Admiralty proposed to the War Office to finish his shield, and to put it on board a vessel. That was in 1859—three years ago,—and before there was any question of Merimacs or Monitors Captain Coles was desired to prepare that shield, and put it on board the Trusty, an old floating battery. The trial of the cupola on board the *Trusty* having proved satisfactory in 1861, in January of the present year I proposed that Parliament should vote a sum of money for the construction of a vessel to carry Captain Coles's shield, and the House thought proper to agree to this proposal. Meantime it was thought advisable to submit the cupola to further tests. So stood the matter, when Captain Coles unfortunately thought proper to rush into a correspondence with the newspapers. On Saturday, May 10, Captain Coles came to me at the Admiralty, and also saw the Controller of the Navy. He stated that he thought his shield would not have fair play; that it had been very much shaken by the experiments that had taken place with the 68-pounder and the 100-pounder Armstrong; and that the credit of his invention would be lost if his shield were destroyed by a 300-pounder. I must say I thought Captain Coles's representations on this subject were reasonable, and I mentioned the matter to the First Lord of the Admiralty, who desired that Captain Coles should superintend the strengthening of his shield against the 300-pounder. Unfortunately, Captain Coles was then in the country, and did not receive my letter until the following Tuesday, or else he never would have put that letter in *The Times* if he had known that the Admiralty had, on his representation, ordered that he should himself superintend the strengthening of his shield. I am bound to say that from the first the Controller of the Navy has given Captain Coles every opportunity to perfect his invention, and would have told him to go himself and strengthen his shield; but what was considered necessary to be done was so little that it was not thought of sufficient importance, and Captain Coles was not sent for. The moment, however, he came to the Admiralty, and said he thought it was but just he should have the repair of his shield, orders were given by the Admiralty that he should go and superintend the work and give the best advice as to the matter. That is how the matter stands now, and I think the hon. Gentleman the Member for Liskeard has been very unfair to the Admiralty in his remarks. The Admiralty have taken up this invention in good faith and zeal, and therefore the hon. Gentleman is not justified in making an attack upon the Admiralty on this subject.

Mr. BERNAL OSBORNE: I am not making an attack upon the Admiralty, but upon you.

Lord CLARENCE PAGET: I am thankful that I have to bear the blame, if blame there be, for it is much fairer to attack me than absent men. But I deny the hon. Gentleman's assertions, and I challenge him to the proof that I have been anything but a zealous and ardent supporter of Captain Coles's plan. I have already stated that the first person who called my attention to the value of the plan was His Royal Highness the late Prince Consort. I have been in personal and frequent communication with Captain Coles, and there has not been a day when he came to me that I have not given him a frank reception, with a view to giving him every opportunity of trying his shield. I defy the hon. Gentleman to assert that I have acted in any other way than as a supporter of what I believe to be a clever and promising plan. I may add that Captain Coles is about to receive, as soon as the arrangements are completed, a very fair sum for his invention. He will likewise receive a royalty on every shield that is used by the Admiralty, which will be altogether a suitable but not excessive remuneration for the trouble and expense which he has incurred.

Main Question put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

House in Committee.

Sir William Dunbar in the Chair.

Motion made, and Question proposed,

"That a sum, not exceeding £290,904, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for Public Education in Ireland, under the Commissioners of National Education in Ireland."

Mr. W. WILLIAMS said, there were certain items in the Vote which ought not to be defrayed out of the taxes of the people either of England or Ireland. There was in the first place eighteen establishments denominated "Model literary schools." He did not think that the public ought to be taxed for literary schools. The salaries of the principal and teachers was no less than £6,900, and there were other items, making a total charge of £18,610 for these schools. The salaries of work-mistress and teachers of higher branches of needlework in the industrial schools amounted also to £6,500. That, he thought, was an objectionable charge. In the debates on the Revised Code it had been held that the instruction fitted for English children should consist only of reading, writing, and arithmetic. Again, he took exception to the charge for agricultural schools. Of these establishments there were not fewer than eighteen; and the Vote on their account amounted to no less than £4,690. The charge for the Glasnevin school was £2,351. The items to which he had referred amounted altogether to £32,000; but he did not propose to reduce the Vote by the whole of that sum. He wished it to be understood that he did not object to any money that was voted for the education of the population of Ireland, but he thought it was most unfair towards the taxpayers of this country to call on them to pay for a high-class education for persons who would probably become by-and-by valuers and surveyors of land. He should therefore move to reduce the Vote by the sum of £7,041, the amount asked for the agricultural schools and the model farm at Glasnevin.

Mr. MONSELL said, he had an anterior reduction to propose.

Sir WILLIAM DUNBAR said, he thought the hon. Member might move it afterwards.

Mr. WALPOLE said, the practice of the House was to take the items in order.

Mr. W. WILLIAMS said, he would postpone his Motion.

Mr. MORE O'FERRALL said, he objected to the item of £800 for salaries of two professors employed as training masters and lecturers on the English language and literature, geography, mathematics, political economy, and natural philosophy, at £400 a year each. What was the necessity for sending such persons into the country parts of Ireland to teach the sciences? Would it not be better to give the money granted for their salaries to increase the salaries of the underpaid masters throughout the country? He should move, with a view to test the opinion of the Committee, that the sum be reduced by £400. There was also a classical instructor for special class teachers with a salary of £100. Was it, then, intended to teach all the poor Irish peasantry Latin and Greek?

Sir ROBERT PEEL said, that the Vote was precisely the same as that adopted last year; and as the number of scholars had increased, and there was consequently greater need for the money, he presumed that the Committee would not reduce a Vote which had been approved formerly.

Mr. MORE O'FERRALL said, that he did not consider the explanation of the right hon. Baronet satisfactory. It did not follow that because the Vote was passed last year, it must be passed in the present year.

Mr. WHITESIDE said, he wished to ask whether the Committee were aware of the manner in which it was proposed to spend the public money? He found mentioned in the Vote two professors, who were to lecture on the English language and literature, history, geography, mathematics, political economy, and natural philosophy. There were also two assistants, to these professors, a classical instructor for special class teachers, a literary teacher to agricultural pupils in training, a professor for music, and lecturers on physical science and botany. Every subject in the world appeared to be cared for, except the teaching of the Ten Commandments.

Mr. HENNESSY observed, that the result of the instruction in political economy was that the right hon. Baronet had not a single supporter in Ireland.

Sir GEORGE LEWIS explained that the professors were not intended to be employed in teaching the peasantry, but in teaching the schoolmasters, and it was quite conceivable that a schoolmaster, though he did not teach Greek, Latin, or political economy, might be better qualified for general duties if he had some elementary knowledge of those subjects. The scheme had the support of the National Board and had been in operation for some years.

Mr. BERNAL OSBORNE said, he believed that the question of national education in Ireland was running riot, and he very much doubted whether they were not carrying education in that country far beyond the wants or the intelligence of the people. He was the patron of five or six schools, and he never went to any of them without being struck with the fact that they were not giving to the people the useful, practical education which their circumstances demanded. The right hon. Gentleman said, that the professors were not to teach peasants, but masters; but it was worth considering whether giving such an education to men who received £25 a year—["No, no!"]—yes, £25 to £30 was about the salary of the ordinary parish schoolmaster in Ireland—whether they were not over-educating them, and making them discontented with their remuneration. State education in any shape was questionable; but if the

State did educate, all that it was justified in providing was an elementary education. Those who wanted accomplishments should go elsewhere, and not to the State supported schools. The right hon. Baronet said that the system had been in operation many years, but he (Mr. Osborne) believed that the classical master was only introduced into the Vote last year, and he for one was rather surprised that there was not a dancing master likewise. They had music and moral philosophy, and no doubt next year there would be a professor of dancing, which would, perhaps, be most popular, for the Irish, he believed, were much fonder of dancing than of moral philosophy. It was a question for the House whether the whole system of national education in Ireland should not be overhauled. He maintained that all the State could be expected to give was elementary education. But he wished to have an answer to this question. What was to be the limit of education in Ireland? He was sure they were going too far. Education in Ireland was becoming a mere show system for English visitors; it was not the working system of the country. He shuddered when he saw a model school, built in the very best order of architecture, rising up by the side of the peasant's cabin. Education was fast outstripping the wants and requirements of the country. Not only had they "bloated armaments," but bloated votes for education. The system ought to be checked at once, and he trusted the Committee would take the same view of the subject.

Mr. CONINGHAM said, he thought there was no country so much in need of instruction in political economy as Ireland. As to natural philosophy, no doubt the rudiments of knowledge of this sort were more useful even to the lowest class of peasants. As for the school not teaching the girls to cook, they did not profess to teach cooking. What they undertook to teach was reading, writing, and arithmetic. If Government interference was to be abolished, let that question be fairly raised and settled; but if not, he thought these petty objections were unfounded, and he should not record his vote in favour of any such Motion as the present.

Mr. AUGUSTUS SMITH called attention to the great increase which had taken place in the Vote, the amount having nearly doubled within the last ten years.

Sir HUGH CAIRNS said, he hoped the right hon. Baronet the Chief Secretary would give the Committee further information upon the Vote. The form of the Vote was inconvenient, as, although it showed the aggregate increase, it did not specify the items of increase. There were two professors employed in training masters and giving lectures upon many subjects. Either these gentlemen were men of extraordinary information, or their instruction was of a superficial character. Whichever was the fact, they received £400 a year each. The professors in the Queen's Colleges had been for years complaining of the insufficient amount of their salaries, but without obtaining improvement, although they were men whose lives had been devoted to literature. They received only £203 a year and fees, which in no case exceeded £100 a year. He also wanted to know something about the classical instructor. It might be said that he was to teach classics to the schoolmasters; but if those masters were not to teach classes themselves, why should they be taught classics? He did not at all agree with the doctrine of the right hon. Gentleman, that because the Vote was agreed to last year, it ought to be passed this year. If that rule was to be acted upon, the Votes had better just be placed on the table and passed at once.

Sir ROBERT PEEL said, he would state what were the items of increase and what of decrease on the year's Vote. As to the two professorships, his right hon. Friend the Minister for War had already clearly explained their position to the Committee. The whole amount of increase in the Vote was £5,526 over last year. There were seven items of increase and four of decrease. There was an increase in the metropolitan model schools of £350 3*s.* 4*d.*; in the district model schools, of £687; in the minor model schools, of £300; in the salaries of teachers, £5,700; in inspection there was an increase of £30; in school apparatus, of £10; and in the official establishments, of £149 — making a total increase of £7,226. Then there were four items of decrease, which were comparatively insignificant; £50 for normal establishments; £300 for the Navigation School; £220 for the Royal Albert Agricultural School; and £1,130 for other agricultural schools; making together a decrease of £1,700. Deducting the increase from the decrease, the whole increase became £5,526.

Sir HUGH CAIRNS said, that the right hon. Gentleman the Chief Secretary had not even touched the points of inquiry. He wished to know what were the heads of the increased expenditure; were they in salaries, in books, or in instruments? If the particulars were not furnished, it was impossible for the Committee to know where the increase or decrease actually occurred.

VISCOUNT PALMERSTON: Sir, I confess I have heard with regret the grounds upon which this discussion has turned as to the original principles of education. Those who oppose the vote take, I think, a very low view of this important matter. It is very well to say the object is to teach the peasantry, who want nothing but a knowledge of reading, writing, and arithmetic, and that therefore it is absurd to teach the masters anything beyond that. That doctrine was held thirty years ago, when the principles of education were not understood, and when old prejudices ran against giving the lower classes knowledge even to the extent of reading and writing. The art of teaching is an art like other arts, and for a man to teach anything well his mind must be well cultivated, and above the mark to which he is to bring his pupils. The mind is like the body. Why are the French soldiers taught all sorts of gymnastic exercises? Not because they are going to perform those exercises in the face of an enemy, but because they may acquire a perfect knowledge of the movements of the human body. As it is with the body so it is with the mind. A man who knows nothing but reading, writing, and arithmetic is about on the same level with the pupils he is to teach, and will make a bad hand in teaching them even those small things you expect him to teach. But are these things small? Is it useless to a peasant to know the elementary principles of political economy? We have been for years in this House urging the great importance of teaching the humbler classes the elementary principles of political economy. In consequence of the knowledge the working classes have acquired of those elementary principles a great deal of discontent has been avoided that might otherwise have arisen among men who were suffering from privations, the causes of which they misunderstood. Is natural philosophy useless? What is natural philosophy? It begins with mechanics; and is it not useful for the peasant to know the principles of the screw, the plane, the wedge, and the pulley, things which he may be called upon to put in practice every day of his life? All those arguments that have been urged rest upon the supposition that a man is always to remain in the class from which he springs, and is never to rise above it, and therefore it is unnecessary to furnish him with the means of rising. But is that the case? How many instances are there of men who, originally in humble positions, have, by the knowledge they have acquired, by the cultivation of their minds, by their industry and intelligence, raised themselves in the social scale and amassed ample fortunes? But these men could not have done all this with a mere knowledge of reading, writing, and arithmetic. Many of them acquired a knowledge of natural philosophy and of mechanical arts; and are the Irish less able than Englishmen to do these things? Why, hon. Gentlemen conversant with the country know that no people in the world are so apt to learn, so quick, so desirous of learning, and so able to turn their learning to account as the Irish peasantry. If any one will go into the Model school in Dublin, which has been condemned by the hon. Member (Mr. Osborne), he will not stay there ten minutes before he finds the proof of what I have been saying. I recollect being there one day, and the master brought out the mental arithmetic class. The boys answered a great number of difficult questions. At last the master said, "What will 8*d.* a day make in four years?" That question would, perhaps, puzzle a good many Members in this House. But four boys held out their hands to show that they could answer the question. Three calculated a certain sum, and the fourth a different amount. The master and the three boys said to the fourth, "You are wrong." "No I'm not," replied the boy, "and I'll prove it. We have four years to account for, and you haven't made any allowance for leap year." Was not that ready and clever? Then I say that children who are capable of such activity of mind are deserving of a higher kind of education than mere reading and writing. I do trust that hon. Members will not run riot with this Vote. Men have been appointed to these situations on the understanding that their places are, if not permanent, at all events to be held during good behaviour; and if this Vote is rejected, they will be suddenly cut off from employment, and be condemned to immediate destitution. That is not what anybody can wish to see, and I therefore hope that the Amendment will be withdrawn.

MR. MONSELL said, he quite concurred in the praise of Irish quickness and intelligence which had been pronounced by the noble Lord, who, however, had passed a less favourable judgment upon his countrymen at an early period of the evening. The principle which had been laid down by the noble Lord with regard to Ireland was at variance with that which had been affirmed from the Treasury bench during the recent discussions on the Revised Code. He contended that such things as political economy should not be taught at the public expense. It was right, as far as the national finances would allow, to contribute to the education of those who were unable to educate themselves. He did not object to increase the salaries of the schoolmasters, or to multiply the parish schools; but it was not right to give the public money to afford education of a higher class to people who were well able to pay for themselves. He should certainly support the Amendment.

MR. CHILDERS observed, that the Government granted £3,000 in aid of the lecturers at the training colleges in England, in addition to £4,500 contributed to that purpose by the managers of the training colleges. The corresponding sum for Ireland was only £900.

MR. CONINGHAM said, that the question before the Committee was not whether the children in Ireland, but whether the masters themselves, should receive a superior education. He contended that they ought to do so.

LORD NAAS said, the question raised by the right hon. Member for Limerick was an important one. The right hon. Member seemed to argue that the national system had been done away with. Until that moment he was not aware that there was any Gentleman in the House of Commons who would advocate such a sweeping measure. If the English system was applied to Ireland, the people of that country would practically be left without the inestimable blessings of education. The training establishment in Ireland was not too large for the purposes required. If education was to be carried out to its full extent, there must be training schools. The masters in these schools were selected for their superior attainments, and too much care could not be bestowed on them. Training colleges were intended to teach men the superior branches of education, and he deprecated the turning of the particular inspection in question into ridicule. The study of political economy would be of the greatest use to these teachers. He should have liked, perhaps, to have had more details of the results of the system, but he believed that the education given justified the policy of the Vote. He hoped nothing would be done to weaken the effect of the training college.

MR. MONSELL denied that he had advocated the introduction of the English system in Ireland. He had said nothing against the spread of parish schools; on the contrary, what he had contended was that public money should not be devoted for instruction in political economy to those who could find funds for their own education.

MR. WHITESIDE said, he believed the schools supported by the State had ruined the smaller private schools. They had certainly given very superior schools for the peasantry, and he rememembered a deputation urging that if money was voted for the education of the poor, the intermediate schools should receive support. The Government had not answered the question of his hon. and learned Friend, the Member for Belfast. Classical teachers were provided for "special classes;" were they classes for Herodotus, Euripides, Cicero, or Virgil? He should like to know for what part of Tipperary these classes were intended.

MR. LONGFIELD said, the old village schools of Ireland gave a kind of education very superior to the mere elementary teaching of reading, writing, and arithmetic, advocated by the hon. Member for Liskeard; and as the State had assumed the education of the lower class, it ought not to give it of an inferior description to what the people had before. He trusted that the right hon. Gentleman would not persevere in his Amendment, as he should feel bound to vote against it.

MR. BERNAL OSBORNE said, he questioned how far the House was justified in increasing the Vote year after year, for such a high education in an agricultural country. He recognised in the remarks of the noble Lord the very excellent lecture on education which he had delivered at Romsey, but it did not apply to Ireland, where they were teaching an an agricultural population. If the noble Lord delivered such a lecture in the interior of Ireland, the peasantry, who earned 10*d.* a day, would be very much astonished to hear that they must know all the sciences that they might have an opportunity of rising in the world. He was told he was turning the subject into ridicule by saying they might soon have to provide the schools with a dancing master. It had nearly come to that already, for there was an allowance of £500 for enabling the ordinary teachers in the National Schools to learn singing, drawing, and navigation. To learn to sing, a man must have a voice; for drawing, he must have a peculiar aptitude; and for an inland county of what use to a teacher was navigation? They might easily push the system to an extreme that became ridiculous.

VISCOUNT PALMERSTON: I accept my hon. Friend's challenge. He says what I stated at Romsey might do very well for a town, but not for an unenlightened district of Ireland. [Mr. BERNAL OSBORNE: Agricultural.] I will just give him an instance in point. On my estate in Sligo there was a boy, the son of a labouring man, he received a very good education at one of these schools there; his natural talent was cultivated; he went to the Botanical Gardens at Kew and distinguished himself there; afterwards he was employed by Sir Joseph Paxton at the Crystal Palace, where he was found to be very intelligent. He was then engaged in the Army Corps in the Crimea, and he now holds an excellent situation at a high salary in the county of Sligo.

MR. MAGUIRE said, he did not think the education of Ireland had been raised to a point which ought to excite the alarm even of those hon. Gentlemen who had a prejudice against national education. As to the Vote for teaching navigation, the hon. Member for Liskeard seemed to forget that Ireland was an island having a large seaboard, and that therefore instruction in navigation was useful to her people. In her large cities and towns, too, there were great numbers of mechanics, to whom a knowledge of elementary drawing was of the utmost importance. He agreed in much of the noble Viscount's speech on education, which had been animadverted upon, though he regretted that in that speech the noble Lord had disowned Ireland as his birthplace, stating that he was a Romsey man. Parliament ought to raise the *status* and remuneration of the village schoolmasters of Ireland, whose average pay from all sources did not exceed 12*s.* a week, or much less than was received by a London hodman.

MR. MORE O'FERRALL said, that some of the model schools had no pupils, because neither the Catholics nor the Protestants would send their children to them. Yet an increased grant was proposed for those institutions. It would be better to raise the salaries of the country schoolmasters, and enough might be saved for that purpose upon other items, without diminishing the efficiency of the central system. He would leave his proposal in the hands of the Government, and not trouble the Committee to divide.

MR. W. WILLIAMS complained that the votes for education in Ireland did not all appear in one part of the Estimates. On a former occasion they had voted £66,000 for education in Ireland; now they were asked for this additional sum. He adhered to his previously-expressed desire to see the Vote reduced by the sum of £7,041 for agricultural schools, for which the English taxpayer ought not to pay.

MR. WHITESIDE said, he rose to call the attention of the Committee to the grievance under which the supporters of Scriptural education in Ireland labour. It was a short case and a very clear one. The myth called "united education" did not exist; and it was a mistake to suppose that national education meant united education. It was said that there were 500,000 or 600,000 scholars attending the national schools; but the fact was, that the number was 300,000, and no more. He was interested on behalf of those who supported Scriptural schools in Ireland, which the noble Lord at the head of the Government in Ireland pronounced to be in no way inferior to any schools. It could not be denied that the Protestants paid their share of the income, and of every other tax. The grievance of which they complained was, that while they contributed to the general funds out of which the system of national education was supported, they were excluded from all participation in those funds. The condition of the Scriptural schools was better that year than it was in the last; and as a large number of the Catholic pupils were taught in the same schools as Protestant Dissenters, it appeared that there was more united education in schools where the Bible was read than in schools where it was not. There were on the roll of the Church Education Society 230,000 scholars well taught at the expense of persons who contributed to those schools, as well as to the fund out of which the national system was maintained. Last year he went into the matter rather minutely, and he was followed by the hon. Member for Roscommon. The Speaker then left the House for a few minutes, and while he was absent some active Member of the Government whipped out the House. It was not often that they had to regret the loss of a speech, but they could ill spare the speech of the right hon. Gentleman the Member for the city of Oxford, which was not delivered upon that occasion. So ended the question of united education for that year, but he hoped that the noble Viscount, whose aspirations were to evangelize Spain, to Protestantize Italy, and to upset the Pope, would now do the small act of justice which he demanded. The head and front of their offending was, that they read the New Testament in their schools, and, dealing candidly with the Government, their unequivocal intention was to continue to do that which their forefathers had done before them. Ireland was governed by a number of Boards, and he thought as little of the Board of National education as of any institution in the British Empire. If a person walked into the offices of the Irish Board of Education, and said he wished to be the patron of a school, he would be asked, " What do you believe ?" Suppose he said, "I believe nothing ; my mind is unaffected by religious prejudices." The Commissioners would say, "That relieves us from all doubt. There can be no unpleasant questions with you. If you promise never to allude to the Christian religion, you may be the patron of as many schools as you please." The National system really admitted of a gentleman being patron of a school, who announced explicitly, "I am a disbeliever in the Christian religion, and I undertake that neither I nor my schoolmasters will ever refer directly or indirectly to the Holy Scriptures." [Sir ROBERT PEEL : No.] The right hon. Baronet said no, but the rules said that reading the Scriptures in the Protestant or Roman Catholic form, public prayer, and religious exercises should be avoided. He objected to formulas being mixed up with the doctrines of Christian faith ; but he still more objected to the rule which said there should be no religious instruction in the school-room. In fact, it was a rule which might as well have been indited by that much-abused body, the Inquisition of Spain. But he warned the Government that the persons for whom he claimed justice were not to be snuffed out because they advocated a principle dear to the heart of every true Protestant. Suppose Peturini went before the Commissioners—he was tried for burning the Bible, but acquitted. The Commissioners might say to him, " Oh, we have heard something of you." " Well," but he would say, "I undertake never to refer to the Bible." He would be made a patron forthwith, while the parish minister would be excluded. Then came the nunneries. It was said every school must be open for all classes of the country alike —was it meant that these schools were intended for the Protestants of Ireland ? The Protestants of Ireland were practically excluded. Why were they established ? In order to remove the scruples of the Roman Catholic clergy and people, who, he believed, really wished to have a religious education in certain of their schools, they were taken into connection with this system. There were, however, neither Government masters nor mistresses in those schools, and the only way in which the Government could give assistance was by paying a capitation grant. The right hon. Gentleman the Member for the city of Oxford (Mr. Cardwell) had said that a rule was established that monks were no longer to be masters of schools—did that appear among the published rules ? Monks and friars, and especially those ladies devoted to the purposes of religion in the robes of their order, did teach, and, he believed, honestly and conscientiously, the truths of their religion. Well, then, he asked, if they had made a grant to accommodate the religious scruples of their Roman Catholic countrymen, they ought not to overlook the ancient parochial schools of the country that must teach religion ? They were ready to take their books, their school requisites, their training establishment, and their inspection, only they promised to read the Bible in their schools. What could be more inconsistent or unjust than the course they took in voting money for the teaching of geology and conchology, and all the other ologies, and withholding it from parish schools, simply because religious instruction was therein given ? He had no desire to interfere with parental authority, but there would be no infringement whatever of parental authority if they gave the grant to schools in which the Scriptures were read. What must be the effect of such a system as the one existing upon the schoolmasters ? He did not say that they would not be well instructed and clever men, but they might be most dangerous subjects. He had said before that an infidel might be a patron of the schools, and he now said that a revolutionist might be one, and he alluded to a revolutionary speech made by Mr. Lavelle at a large meeting at the grave of O'Connell, and yet that person was the patron of two schools to which Government aid was given. If they gave assistance to schools of such a character as that, why, in the name of common sense, could they not give it to those who would teach loyalty, piety, submission to the State, reverence to the Sovereign, and belief in God? It was said that Roman Catholics were unfavourable to the teaching of religion in the school. An eminent Roman Catholic writer had acknowledged that the reading of the Scriptures was a duty which belonged to the Church as well as to the Synagogue, and that the Gospels especially were manifestly intended for the use of all. Fenelon held a similar view. A great many Roman Catholics adopted the principle of reading their own version in schools. That version was a very good one, and he would have no objection to the reading of it in Protestant schools. One plan which had been suggested was to annex the Irish schools to the Privy Council system. Another and a much better plan would be for the House to devise the best system of secular instruction—that of the National Board, if they approved it—and enforce it on all who apply for aid, at the same time offering no objection to religious education. It might be said that in such a case the Roman Catholics would avail themselves of the plan. Of course they would do so, and he should be sorry to propose any plan in which they could not share as well as Protestants. The Rev. Mr. M'Gee wrote to him that "if the Government did not establish a system of Scriptural education, as was in fact its duty, it ought not to interfere with religious instruction, but leave it free to the managers of all schools." That was also the plan which was approved by the Bishop of Ossory. It was a simple, practical scheme, and, while securing to Parliament a control over the dispositions of the public money and the superintendence of secular education, would leave the conscience free. On what principle did they refuse to the Irish Church that small meed of justice which was granted to the most obscure sect in England or Scotland? In the Lord Advocate's new Education Bill for Scotland the small body of Episcopalians was duly provided for. The Irish Church was surely entitled to equal consideration. Even the moderate proposal which he made last year, that books should be granted to Church schools, would, he feared, be rejected. The extreme position of the National Board was illustrated by the recent refusal of the application of one of the bishops and a great number of the clergy and laity in the north of Ireland for a slight relaxation of the rule prohibiting religious instruction. He might remind the House of Archbishop Whateley's proposition—"Suppose a boy asks his master which is the true God, Jupiter or Christ, are you to forbid the master to instruct him at some portion of the day on that point?" Again, suppose the walls of a school were covered with texts of Scripture, such as "Thou shalt do no murder," was the master to be required to take them all down as involving religious instruction. When the Earl of Eglintoun first went to Ireland, he was in favour of the National system of education as it existed, but he changed his opinion after he had had the opportunity of investigating the subject. When he (Mr. Whiteside) was appointed Attorney General, and was preparing for his election, he asked that noble Earl whether he believed it was necessary to maintain the rigorous rules of the Board, or whether some reasonable concession could not be made to the friends of Scriptural education. His reply was that some relaxation ought to be allowed, and that if it were not, he did not intend to retain his office. Before, however, anything could be done in the matter, the Government quitted office. He believed that the Earl of Eglintoun, in holding the necessity for a relaxation, did not desire to disturb otherwise the present system. He submitted that he had made out a case, and had shown that the friends of religious education in Ireland suffered under a grievance, the removal of which might be effected without doing any injury to the Roman Catholics, and would do much to render the Government popular in Ireland.

Mr. CARDWELL said, that the proposal which had been made by the right hon. and learned Gentleman was not new, nor had it been enforced by any new arguments. The proposal was as old as the system of united education in Ireland, and it had always been answered by the same arguments, and had always met with the same decided rejection by the House of

Commons. That proposal was to break down the fundamental principles upon which the system of united education was founded. Those principles were two—that during school hours the education of the poorer classes should be of such a comprehensively Christian character that it should be open to the children belonging to every Church into which the population was divided; and that during the hours other than school hours the patron of every school might give whatever Christian education he pleased, provided always that no children should be compelled to be present whose parents objected to their being present. The right hon. and learned Gentleman commenced by saying that under the rules as they now stood infidels might have schools under the National Board. Had the right hon. and learned Gentleman been able to adduce a single instance in which the public money had been applied to support the teaching of infidel doctrines, he would have brought a serious impeachment against the rules and practice of the Board; but he knew very well that there was throughout all Churches and all classes in Ireland so deep and sincere a zeal for the Christian religion, that there was in that country no chance of an infidel being a patron of a school. The right hon. and learned Gentleman had charged him with inaccuracy of statement as to monks' schools, and had gone back to a blue-book nearly ten years old for the information which he had given to the House upon the present state of education in Ireland. There was a rule of the Board, and he believed there always had been a rule, that ordained ministers of no Church should be permitted to be teachers of schools in Ireland; but for a time monks, who were not in holy orders, were allowed to teach in such schools. In the year 1855, as he correctly stated to the right hon. and learned Gentleman on a former occasion, that exception was abolished, and from that time to the present the allowance of monks to teach in schools, except in the case of five schools, which at that time received aid under the former rule, had been discontinued. Probably, however, what the Committee would be most anxious about was to know accurately what was the state of things with regard to Scriptural education in Ireland. He would state to the Committee what might be done, and that he might speak with authority he would derive his information from a right hon. Gentleman who himself represented in that House the Church of Ireland, and preceded the right hon. and learned Gentleman as Member for the University of Dublin. That right hon. Gentleman had published a pamphlet, in which, after saying that he had taken great pains to ascertain what was the exact state of the case, he stated that "any school in Ireland may be opened with prayer. There may be a daily Bible class for all children whose parents consent that they shall attend. None need be deprived of careful daily instruction in the word of God, except those whose parents object."

MR. WHITESIDE said, he wished to ask if there was a rule, according to which a school could, as a school, be opened with prayer.

MR. CARDWELL said, he must repeat what he had stated upon the authority on which he had made the statement, and he would add that he believed it was the practice to open schools in Ireland with prayer. He made that statement in the presence of many hon. Members, who could correct him if he was wrong, but he believed that he was right. [Sir HUGH CAIRNS: Hear!] His hon. and learned Friend the Member for Belfast cheered the statement; and he was sure that it was the practice of the Presbyterians to open their schools with prayer. Such being the state of things at present, what did the right hon. and learned Gentleman want? He desired that the public money should be given to those who insisted upon teaching the Scriptures during school hours to those whose parents did not wish them to receive such instruction. From the very commencement of the undertaking, that had been forbidden by the rules of the Board, and by the highest authority upon the subject. In 1833 Lord Stanley, speaking of the Scriptures, said—

> "To introduce the reading or hearing of any such book during the ordinary school hours—namely, those during which children of all denominations are expected to attend—would be a palpable violation of religious liberty."

That was the doctrine of Lord Stanley at the time of the foundation of the system, and that was the language of Sir Robert Peel, when an appeal was made to him to assist with the public money schools which did not conform to the rules of the National Board. The right hon. and learned Gentleman had referred to the opinion of the Earl of Eglintoun; but did he answer for the opinions of the Government of Lord Derby? but did he mean to assert that the noble Earl, who, to his immortal honour, had founded this system of education, and had by that means conferred upon Ireland one of the greatest blessings which it ever fell to the lot of any individual to confer upon a country—would he undertake to assert that the Cabinet, under the direction of the noble Earl, were prepared to break down the principle of that system, and to withdraw its benefits from the people? The right hon. and learned Gentleman knew that he could give no such information to the House. From the time of Sir Robert Peel down to the year 1858, when the Government of the Earl of Derby, of which the right hon. and learned Gentleman was himself a member, was in power, there had been no departure from the cardinal principles of the system. The Lord Chancellor of the Earl of Derby's Government in 1858, since his retirement from office, had published a pamphlet, in which he stated that the principles applied in the Dublin University were precisely the same as those adopted by the National Board. He preferred the authority of the distinguished writer of that pamphlet to the authority of the right hon. and learned Gentleman opposite. It was by an adherence to those principles—by giving a comprehensive Christian education during the ordinary school hours to all classes of children in Ireland, and by allowing patrons to give religious education according to their own tenets during the rest of the day, provided that no child whose parents or guardians objected was compelled to attend—that the House of Commons had established in Ireland a system of education which had conferred the greatest benefits upon the Irish people. The proposal of the right hon. Gentleman was to return to the principle of the Kildare Place Society, which was established before 1830, and from which Parliament withdrew its assistance. It was that withdrawal which led to the establishment of the National system, and he believed that the Parliament which established that system would now firmly and irrevocably maintain it.

Sir HUGH CAIRNS said, he had always been glad to admit that it would be difficult to exaggerate the benefit conferred upon Ireland by the national system of education. That system in theory was far from being perfect, and he should have been well satisfied if in its inception it had assumed a different form; but he had always thought that great care and caution would be required before any change could be advocated or introduced. At the same time it was necessary to remember that the adherence to the system of the clergy of the Established Church was one of the greatest advantages that could be accomplished if the means existed for obtaining it. He had no doubt that the objections made to the system by a great majority of the clergy had been conscientious objections on their part, and therefore he thought it was of all things in the world incumbent upon those who administered the system to be ready, not only to embrace any overtures of reconciliation, but even to court them. What, however, had taken place within the last month or two? For many years the Bishop of Down and Connor had been one of the warmest advocates of the system of national education. Within the last few weeks, after repeated conferences between himself and the clergy and laity of his diocese, he had obtained the concurence of 87 of the former and 119 of the principal Members of the latter, in a proposition which he desired to make to the Education Commissioners upon the subject of putting the schools of the Church under the National Board. What did the Bishop propose on behalf of his clergy and laity to the Lord Lieutenant? He intimated that they were prepared to adopt the two cardinal rules of the system, which had just been explained by the right hon. Gentleman the Member for Oxford, on condition that if during the hours devoted to secular instruction a child should be found guilty of telling a falsehood, or of committing a theft, they might be allowed to inculcate a moral lesson by a reference to the revealed word of God, provided that no distinctive teaching of a denominational character were introduced. Surely nothing could be more reasonable than such a proposition, and he submitted that the Commissioners were not justified on that ground alone in refusing a number of clergymen who wanted to join the national system. The Commissioners, in reply to the memorial, stated that while they were most anxious to extend the benefits of the National system of education, they could not consent to the proposed modification of their rules, inasmuch as they believed the concession would be subversive of the fundamental principles on which the system was based. Now, what was it, let him ask, which was thus held to be subversive of those principles? Why, the inculcation of precepts of morality during school hours. He for one deeply regretted that such an answer should have been given, and at such a time, because he believed an opportunity of bringing about harmonious action in the working of the system had thus been lost which might not, for a long time to come, again occur.

Lord NAAS said, that although he had the misfortune of differing from his right hon. and learned Friend the Member for the University of Dublin on the question before the Committee, he had always been ready to admit, that the scruples entertained by members of the Established Church in connection with it were entitled to the utmost respect, and ought, if possible, to be met. He was, at the same time, bound to confess that he had always been of opinion that the attempt to meet those scruples might be attended with danger to the National system of Education in Ireland, and might be, as a consequence, productive of much injury to the country. He might add, that his late lamented Friend the Earl of Eglintoun, to whom allusion had in the course of the discussion been made, had for a period of ten years devoted the utmost attention to the subject, and had stated, in his place in Parliament, that he had gone to Ireland as Viceroy with a strong desire to comply with the request of the members of the Established Church; but that, after due investigation, he had arrived at the conclusion that he could hit upon no plan by which that end would be secured without driving the Roman Catholic children from the National schools. To the adoption of a course which would have that result, he would be no party. Such were the views of the Earl of Eglintoun on the subject; and for his own part, he might say, while concurring in those views, that he believed it was perfectly possible to give religious instruction under the National system. In support of that opinion he might mention, that he held in his hand two letters from clergymen of the Established Church, in which they stated, that they had no difficulty in communicating such instruction, and that the children under their charge were admirably provided for on that score. But, further than that, it was clear that the Presbyterians of the North of Ireland all supported the system; but could it be supposed that the descendants of men who were said to have carried the sword in one hand and the Bible in the other, would countenance as they did the National system if they believed it to be of the totally unscriptural character which was represented? Only three systems of education were possible in Ireland, denominational, mixed, and purely secular; and with all its faults, he believed that the existing system was calculated to confer more benefits on Ireland than any other which could be devised.

Mr. WHITESIDE said, the speech of the Earl of Eglintoun, which the noble Lord had quoted, was delivered in 1854, while the conversation of which he himself had spoken took place in 1858.

Mr. NEWDEGATE said, he would warn his right hon. Friends on that side of the House not to hold out hopes which, when in power, they would be unable to carry out. While that House made an exclusive grant to Maynooth, it was not just that the Church schools should be excluded from all aid. That was a claim of justice that would force its way sooner or later.

Mr. BERNAL OSBORNE said, the Vote under discussion was for the model farm at Glasnevin, upon which a discussion upon the religious education of Ireland had been raised. The object of the model farm was to teach agriculture. Now, the best object of a farm was to make it pay. The farm, however, incurred a loss of £54 per annum, and he had never yet been able to find a man who, after having been instructed at the farm, went into the provinces and took a farm. He should like to have some information as to what the real use of the farm was.

Sir ROBERT PEEL said, there were lectures and other advantages connected with the school which prevented its merits from being tested by a standard of pecuniary profit and loss. There was a decrease on the Vote of £220 that year, and further reductions might fairly be looked for in future. The pupils, though they did not take farms, became land stewards in Ireland, and disseminated much valuable practical information through the country.

Lord NAAS said, he thought they had arrived at the time when the institution might be put an end to. Teaching an industrial occupation, such as agriculture, at the expense of the State, was, he thought, founded upon very questionable policy. He thought the Government ought to consider the propriety of making a gradual diminution in the Vote.

Mr. H. A. HERBERT said, that the feeling in Ireland was strongly against these schools. He believed, as his noble Friend had said, that the time had passed when that spoon-feeding system was necessary or advantageous for Irish Agriculture. He had visited the schools, and believed they were intended to do harm rather than good, owing to the unpractical degree of expense with which operations were carried on.

Sir ROBERT PEEL said, he had himself suggested whether a diminution of these Votes might not be possible. An actual deduction had taken place; but there seemed to be a feeling on the part of the Committee to reconsider these Votes.

Mr. KINNAIRD said, that unless he received a pledge that the Vote would not be renewed he should support the Amendment.

Mr. HENNESSY said, that in reference to a statement made by the right hon. Gentleman the Member for Oxford, he wished to state that, according to the rules of the Board, a National school could not be opened with prayer.

Mr. CARDWELL said, he believed, that though the children could not be compelled to attend when the prayers were being said, some of the schools were opened with prayer.

Motion made, and Question,

> "That a sum, not exceeding £283,863, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1863, for Public Education in Ireland, under the Commissioners of National Education in Ireland,"

—put, and *negatived.*

Original Question put, and *agreed to.*

House *resumed.*

Resolution to be reported on *Monday* next; Committee to sit again on *Monday* next.

House adjourned at Two o'clock till Monday next.

HOUSE OF LORDS,

Monday, May 26, 1862.

Minutes.]—Public Bills.—1ª Universities (Scotland) Act Amendment.

2ª Customs and Inland Revenue.

3ª Munbee's Divorce (India); Chancery Regulation.

THE SLAVE TRADE—THE TREATY WITH THE UNITED STATES.

OBSERVATIONS.

Lord BROUGHAM said, he wished to call the attention of the noble Earl the Secretary for Foreign Affairs to what he believed must be an involuntary omission in the recent Convention with the United States. That Convention was in many respects the most important event that had occurred during the period of his sixty years' warfare against the African Slave Trade, inasmuch as it conceded the right of search to our cruisers. Since the Slave Trade had been made a crime of great atrocity by an Act which he had had the happiness of passing through Parliament fifty-one years since, nothing had happened that was more gratifying to him than the recent Convention, whereby the Northern States of America, to their great honour, yielded the right of search, without which the former laws were almost nullities. That concession would, he hoped, speedily put an end to the atrocious traffic. But he observed that the right of search conceded was within so many leagues of the coast of Africa and within thirty leagues of the coast of Cuba; but the island of Porto Rico was more than thirty leagues distant from Cuba, and the consequence would be, if the right of search remained limited to a space of thirty leagues from the Cuban coast, that slavers would land their cargoes at Porto Rico and send the slaves over to Cuba at their leisure. He must say that nothing could be more fair than the conduct of the American Government upon this question had been since the present unhappy disruption took place. He would ask the noble Earl whether he thought it would be possible to arrange some modification of the Convention which should include Porto Rico within the limits of the right of search. Before he resumed his seat he would also ask whether the Government intended to take any steps with respect to an American vessel recently fitted out at Liverpool, and afterwards captured with 600 slaves on board. He was informed that the brother of the captain (taken on board on the coast) was ostensibly a shipping agent in Liverpool.

Earl RUSSELL: I thank my noble and learned Friend for calling my attention to the subject which he first mentioned; but as I received no notice that my noble and learned Friend would refer to the subject, he cannot expect me at once to enter into the details as to what has been done or what can be done. I can only assure him that the United States Government are thoroughly in earnest to suppress the Slave Trade; and if it be necessary for that object to inlude Porto Rico as well as Cuba, there s no doubt the United States Government will listen to any suggestion of the ind with every inclination to adopt it if ecessary. With regard to the other oint to which my noble and learned riend alluded, I inquired specially as to hat could be done in the case to which e referred with the view to a prosecution, nd I was informed that that which would ave been highly penal had the vessel een British was not reached by the law s it now stands in respect to a foreign essel. I will communicate, however, more in detail to my noble and learned Friend the manner in which that case has een viewed, and I am sure, that if any mendment of the law is required in this matter, my noble and learned Friend would e the best person to introduce such an mendment to your Lordships.

LORD BROUGHAM said, that if it should be found, on consideration, that a declaratory Act was necessary to make the offence to which he had referred penal, he should be disposed to bring in such a measure, though he was clearly of opinion that the words of the Act of 1811 were sufficient.

IRISH NATIONAL SCHOOLS.

MOTION FOR PAPERS.

THE EARL OF CLANCARTY rose to move an address for the following papers:—

"1. A Memorial addressed in the Month of March to The Lord Lieutenant of Ireland by The Lord Bishop of Down, Connor, and Dromore, and by certain of the Clergy and Laity resident in that Diocese, relative to the use of the Holy Scriptures in the Irish National Schools:"

"2. A Letter from The Lord Lieutenant to The Lord Bishop of Down, Connor, and Dromore, dated 25th March 1862, with a Communication therein enclosed from the Commissioners of National Education on the Subject of the said Memorial:"

"3. A Letter from The Lord Bishop of Down, Connor, and Dromore to The Lord Lieutenant on the same Subject, dated 27th March, 1862:"

"4. The Reply of the Lord Lieutenant thereto, dated 16th April 1862:"

and said: My Lords, although I do not apprehend that any objection will be made to the production of the papers for which I am about to move, relating as they do to a matter of so much public importance as the education of the poorer classes in Ireland, a few observations may be necessary to explain their purport and their special bearing upon that subject. The papers consist of a Memorial from the bishop and other residents in the diocese of Down and Connor to the Lord Lieutenant of Ireland, and of a correspondence which grew out of it. The prayer of the Memorial was that the Board of Education should grant permission to the managers and teachers of National schools to make, during the hours of united education, such occasional references to the Word of God as they might deem necessary for the moral improvement of the National school pupils; and from the correspondence it appears that the Commissioners would deem such a practice to be subversive of the fundamental principle of the National system of Education. There is, my Lords, no doubt, much diversity of opinion regarding the principles and regulations best adapted to national education, but upon one point there is a very general agreement, and I think it is also the opinion of your Lordships, that education ought to be based upon religion. In Ireland, formerly, as at present in this country, every grant of public money in aid of it was made upon that principle, and prior to 1831 it formed, in fact, an essential condition of any support being given by the State to the schools under its patronage for the education of the poor, that a portion of the Sacred Volume should be daily read by each pupil in attendance. Some of these Schools were under Roman Catholic superintendence, and attended only by Roman Catholics; others were wholly Protestant, and some were mixed; but in all alike it was required that the Bible should be read. Without discussing whether or not it was right, or conducive to the interests of religion, or consistent with the principle of religious liberty, thus to enforce the reading of the Bible in every school, I may observe that when, at the period I have referred to, that requirement was given up, or rather reversed, it was still strongly insisted upon by the Government that some religious and Scriptural instruction should be interwoven with the general teaching in the Irish National schools. The views of the Government were expressed in the letter of the then Chief Secretary for Ireland, Lord Stanley, in which the principles and regulations to be observed in the new plan of education were first promulgated. After stating in what manner denominational religious instruction was to have been separately provided for, and the nature of the control to be exercised by the Commissioners of Education over all the books, but especially those of a religious character, for the use of the schools, the letter goes on to say—

> "Although it is not designed to exclude from the list of books for the combined instruction such portions of sacred history, or of religious or moral teaching, as may be approved of by the Board, it is to be understood that this is by no means intended to convey a perfect and sufficient religious education, or to supersede the necessity of separate religious instruction on the days set apart for that purpose."

Such are the terms in which the views of the Government were announced. From the evidence of the Archbishop of Dublin, taken by the Select Committee of your Lordships' House in 1854, we learn in what manner this new plan of education was at first carried out—

> "Complete religious instruction, he said, it was plain, could not be given in common to those of different denominations; but, as there are some points on which all Christians are agreed, it was desirable that in these the children should be instructed together, leaving a fuller instruction to be supplied to them separately. Accordingly, a summary of sacred history and Scripture lessons, comprising a large portion of the Old and New Testaments, were drawn up and supplied by the Board."

On the same subject the opinions of Dr. Carlisle, the first resident Commissioner of the Board of Education, were given to the Committee. He described the system as having been "an experiment how far Roman Catholics and Protestants could proceed together with perfect unanimity in introducing Scriptural light among the population generally." Such, my Lords, were the views of the two most eminent of the Commissioners first appointed to carry out the plan of education. It purported to be, and they so regarded it, "a system of national education based upon religion." That it was not favourably received by the Protestant clergy, those especially of the Established Church, your Lordships are aware was mainly owing to the restrictions it put upon the use of the Bible in their parochial schools. Their opinions upon the whole subject were embodied in the firm, temperate, and impressive protest of the Irish bishops, headed by their now venerable Primate, which has so often been referred to in the debates on education in this House. It received at the time the assent of the great body of the clergy, and still is, at the end of thirty years, the exponent of the views of four-fifths of that body. By some their rejection of the National system has been censured; by others—and I confess myself to be of the number—it has been commended; and it is my belief that the existence of the Reformed Church in Ireland, at this day, as the Established Church of the land, is very much owing to their faithful, disinterested, and uncompromising conduct, as ministers of the Gospel, in refusing to give up the unfettered use of the Bible in any department of their ministry. But if the clergy have been consistent in declining to accept aid for their schools upon such terms, not less consistent and determined have been the Commissioners of the Board of Education in disregarding their conscientious scruples, and in refusing to the oft-repeated prayer of the Protestant population the opening of a single school in connection with the State, wherein the authority of God's Word might be openly acknowledged. Nevertheless, the system of education was in its origin, intended to be based upon religion; and had it not been so recommended, and by many so regarded, it could never have been established. Its tendencies, however, soon became of so opposite a character, that the Archbishop of Dublin, as well as Mr. Blackburne and the late Baron Greene, whose very names had been a claim to public confidence, were at length, in 1853, driven to resign their seats at the Board. The system, as soon afterwards appeared in evidence before the Select Committee, had failed in the very important object of affording (except in the modern schools of the Board) separate religious instruction to the children of different religious denomination. Hence, when the selected extracts from Scripture, the Book of Evidences of Christianity, the Sacred Poetry, and other works of a religious character prepared and recommended by the first Commissioners for general use in the schools, were afterwards, one after another, prohibited from being so used, the scheme of united education forfeited all title to be any longer regarded as a system of religious education. The Archbishop of Dublin, in his evidence before the Select Committee, on the 10th of March, 1854, made this remarkable statement. He said that "he knew it to have been the design of some of the Commissioners to weed out, bit by bit, everything relating to religion from all the reading books;" and, further on, that he "considered such proceeding to have been a breach of faith with the public, inasmuch as he knew that some who had at first been opposed to the system, as irreligious, had, upon further inquiry, joined in when they found the amount of religious instruction conveyed in the books." Such was the view taken, in 1854, of the practical development of the system of national education in Ireland, by one who had been its most influential patron and most efficient supporter. Whether it has, or could have, since fallen lower as a system pretending to be religious, I cannot say; nor can I conceive for what reason, more cogent in 1862 than in 1853, it should have occurred to the Bishop of Down, and the other supporters of the National Board who were associated with him in the memorial to the Lord Lieutenant, to pray after so many years of a total eclipse of the light of the Gospel in the National schools, to be allowed to make during the hours of general instruction such reference to the Word of God as occasion might demand. But the application and the answer are, nevertheless, instructive, and very important, inasmuch as they have established, upon the authority of the Government and of the Commissioners, the fact, before disputed, that the moral training of the rising generation in the National Schools is not based upon religion, at least not upon the religion of the Bible, and that any attempt to make it so would be subversive of its fundamental principle. The correspondence is further remarkable as indicating the reluctance with which the Commissioners yielded to the necessity of revealing to the public a fact so condemnatory of a system that had always before been represented as fraught with religious training. The memorial itself I have not seen, but it is substantially set forth in the answer of the Commissioners of Education, which was enclosed in the first letter of the Lord Lieutenant to the Bishop of Down. Addressing his Excellency on the part of the Commissioners the secretaries thus write—

"May it please your Excellency,—We have had the honour of laying before the Commissioners of National Education the memorial addressed to your Excellency by the Bishop and eighty-seven of the clergy, and by Viscount Massereene and Ferrard, and one hundred and nineteen laymen of the United Church of England and Ireland, resident in the united diocese of Down and Connor and Dromore, praying that the rule of the Board as regards the reading of the Holy Scriptures shall not be enforced to prevent the manager or teacher of any school from making such reference to the Word of God as occasion may demand during the hours of general instruction, provided that under the appearance of exercising this just right, no religious teaching of a denominational character be introduced. We are directed to acquaint your Excellency, that with the most anxious desire to extend the benefits of the National system as much as possible, the Commissioners cannot approve of the modification of the rule with regard to the reading of the Scriptures as proposed by the memorialists, the Commissioners being decidedly of opinion that such modification would be subversive of the fundamental principle of the National system of education."

In thus answering the memorialists, the Commissioners appear desirous to evade the question submitted to them; but the Bishop, perceiving it, immediately wrote the following reply to the Lord Lieutenant, dated March 27:—

"My dear Lord,—Whilst I beg to thank your Excellency for the kind and friendly spirit in which you have acknowledged the receipt of the memorial which I had the honour, in company with a deputation from my united diocese, to present to you on the subject of National education, I must, at the same time, on the part of the memorialists, draw your attention to an error in which the Commissioners of National Education have fallen. We did not seek any modification of their rule with regard to the reading of the Scriptures during the hours of general instruction, but simply permission to make such reference to the Word of God as occasion might demand. Your Excellency will perceive the marked distinction existing between the reading of Scripture during ordinary school hours, and the occasional reference to the same in the exercise of what will be, we hope, considered as a just right in imparting that combined literary and moral instruction which is required under the rules of the Board. Under these circumstances, I trust I am justified, on the part of the memorialist, in requesting your Excellency to refer the memorial and its accompanying statement to the Commissioners for their reconsideration.—I have, &c.,

(Signed) "Robert Down and Connor."

Some difficulty appears to have been felt by the Education Board in dealing with this reply of the Lord Bishop, and it was only after an interval of nearly three weeks' deliberation that the Lord Lieutenant was enabled to announce to him their final decision. His letter conveying it is dated April 16, 1862. He writes—

"My dear Lord,—I have received an intimation from the Commissioners of National Education that the reconsideration of the proposal made by the deputation from the clergy of your diocese to which you invited them, has not led them to think that they can see their way to make any alteration in the present practice.—Believe me, my dear Lord, yours very faithfully,

"Carlisle."

Thus very reluctantly have the Commissioners unveiled the naked deformity of that system of united education which was so often represented as conferring upon the poor of Ireland the inestimable blessing of a sound moral and religious education. They practically declare it to be a system that so entirely casts off the Word of God that to permit a reference to be made to it, however necessary for the repression of vice, or for the inculcation of right motives of moral conduct, would, in their opinion, be subversive of its fundamental principle. Hence it appears, that if the Lord Bishop of Down, who has been, and, it is said, still continues to be, a zealous patron of the National system, should at any time visit the school under his patronage, he must for the occasion lay aside his character of a Christian bishop, he must submit to present himself bereft of that "just right," for which in the correspondence he so properly contended, of making such occasional reference to the Inspired Volume as might conduce to the moral improvement of the poor children sent to be educated at his schools. If he should notice among them any profane speaking, or taking of the Lord's name in vain, or the disregard of Sabbath observances, or the addiction of any of them to any kind of vice, or if the teacher should call up to him any pupil that had been guilty of lying or stealing, or of any other crime, he may perhaps direct the infliction of punishment, or he may admonish, pointing to the rod, the gaol, or the gallows; but he may not point to the Divine command, or attempt by aid to be derived from Scripture, to awaken and to cultivate better dispositions. Envy, covetousness, hatred, and revenge are dispositions that often manifest themselves in the characters of children. Should he have occasion to notice any such manifestations among his pupils, he may not attempt to repress or correct them by any reference to the beautiful and impressive lessons of unerring wisdom and love with which the Gospels abound. No; the seeds of vice must be left to germinate, the weeds must be left to strengthen, no otherwise checked than as they may be by unaided reason. Is such, my Lords, the kind of education that can elevate the national character?—is such the kind of education that would be tolerated in England? Is such the kind of national education that a Christian Government should uphold? I know my poor countrymen to be by nature warm-hearted, generous, brave, and intelligent; but that they are also excitable, revengeful, and easily misled. When, therefore, you hear of such atrocities being committed as have at times, and particularly within the last few weeks, brought disgrace upon the Irish name, let it be recollected that, owing to the kind of education you have provided for them, the greater part of the population have been brought under no religious influences; that the natural disposition to evil has rather been left to its more certain development by the restrictions put upon moral training. It is, my Lords, by the influence of education that the character and habits of a people are formed; and no Christian can doubt that early religious impressions are necessary to produce right dispositions, as well as to aid in the development of reason and intelligence in the manner most conducive to social happiness and national greatness. It is therefore an important duty on the part of the Government to see that the element of religion is not wanting in the education of the people, as the foundation of the moral character. Great is the responsibility of its being neglected, but still greater is it if, as now under the Irish so-called National system, it is rendered impossible. I do not intend, in these observations, to make any charge specially against the present Government; the responsibility rests quite as much with preceding Governments, and, perhaps more so, as after the inquiry before the Select Committee in 1854, while the facts brought out in evidence were still fresh upon the mind, there was certainly no justification for leaving the education of the poor in the very unsatisfactory state in which it was then shown to be. The expectation was very general at the time, and the hopes entertained very sanguine, that important modifications of the system would have been proposed; but time passed on, the two great parties that divide and alternately govern the country were too much engaged with other interests to care for the educational interests of the Irish poor. Whatever, therefore, have been the abuses of the system, whatever its defects, they have been allowed to continue. No change of any consequence has since been made, except an increase in the number of Roman Catholic Commissioners — a vain and weak attempt to satisfy the Roman Catholic hierarchy. It was, no doubt, the leading object of the Government, in 1831, in the plan of education as then introduced, to obtain the support of that body as essentially necessary to its success; and Mr. Cardwell, the late Chief Secretary for Ireland, probably thought that after all that had been done they might have been satisfied by the further concession of a preponderance of Roman Catholic Commissioners upon the Education Board. It is not, however, thus that the claims of the Roman Catholic body are to be satisfied. It, no doubt, afforded them considerable satisfaction in the first institution of the National system to find that it expressly recognised the principle of their Church of denying to the laity the free use of the Bible, and it may have been with feelings of triumph that they witnessed the rejection from all future countenance and encouragement by the State of every school conducted upon the principles of our Reformed Church for the scriptural education of the poor; but, however gratifying may have been to them the dishonour thus done by a Protestant Government to the principles of the Reformation, they were not disposed in return to do any dishonour to the principles of their own Church. They ask, and I see nothing unreasonable in their claim, that they should be allowed to conduct their own schools upon their own principles. The Church Education Society demands no more and no less; and I do not think it can with any truth be said that there exists in Ireland complete religious toleration, while the clergy alike of the Established Church, and of the Church of Rome, or of any other Christian denomination, are debarred, under rules laid down for public instruction, from affording to the children that may be sent to their schools such moral and religious education, and in such manner, as they may deem most conducive to their best interests. The Government, by means of proper inspection, could effectively check or prevent any abuses, and by proportioning the aid given to the several schools to the number and proficiency of the pupils, there would be imparted to the work of education the powerful stimulus of emulation. But it is not to discuss the principles and details of an altered system of education that I have risen to address your Lordships, but only to point out to the House, and to Her Majesty's Government, the necessity there exists for a change, and, on the other hand, the grave responsibility with respect to the future moral condition and character of the people, of leaving the education of the poorer classes in Ireland to be conducted upon such principles as those laid down by the Commissioners of National Education; and I think that the papers for which I now beg to move fully demonstrate the necessity for a change of system.

THE BISHOP OF KILLALOE said, he did not understand the noble Earl intended to make it an absolute condition that in all schools subsidized by the Government the Holy Scriptures should be compulsorily read. His noble Friend spoke of that as a thing which had existed in times gone by; but as a thing that could not be asked for now. What his noble Friend seemed to want was a system of denominational grants. Now, if such a system were to be established, in the Roman Catholic schools the education of the people would still, no doubt, be based upon religion; but it would be based upon a religion which both the noble Earl and himself considered erroneous. Next came the case of schools in connection with Protestant bodies, particularly those belonging to the Established Church. With respect to religion, so far as it influenced common morality, and, indeed, to a far greater extent, it was to be remembered that the ordinary reading-books of the National Board, which patrons might require to be used at all hours in the schools, were full of such instruction, with most distinct and repeated references to Holy Scriptures. They contained a great mass of Scripture history and moral tales and lessons. Moreover, in the schools were hung up the Ten Commandments, and it had been expressly and repeatedly declared by the Board that they would consider it no breach of their rules to refer to those Commandments for the purpose of common instruction. It would be perfectly impossible, consistently with the principles of the system, to frame a rule giving that liberty which his right rev. Brother the Bishop of Down and Connor asked for without at the same time giving a great deal more. If they were to frame a general rule by which a patron was to be allowed to give religious instruction which he should deem not denominational, the state of things would become vague and uncertain, and it would be impossible to avoid constant collisions between the managers of the schools and the parents of the children. He might mention that in a parish in his late diocese, Cork, in which there were some few years ago only 137 children on the rolls of the schools, the number had increased to 307, at which it stood at the present time; and the religious instruction was every day given by the rector of the parish to the children, and the school opened by prayer. It was true that at that instruction no child was required to attend whose parents objected to his doing so; and he could assure the noble Earl, that if such attendance were made compulsory — for that, no doubt, would be the effect of having the schools opened by prayer—it would be impossible to carry such a system into effect. At many of the schools the majority of the children were Dissenters; and with regard to the Roman Catholic Schools, he did not see how the noble Earl's proposition would improve their position.

The Earl of BANDON contended, that it was not right that Protestant schools should be the only ones which were practically denied Government aid, observing, that while the conscientious scruples of Dissenters were respected in recent legislation, those of the members of the Established Church seemed to be ignored. All that was asked for was that aid should be given to the parochial schools in connection with the Established Church. It was utterly vain to expect to carry out a system of united education in the non-vested schools in Ireland, and he earnestly hoped that the Government would calmly consider whether it was not possible to bring this question to a settlement.

The Earl of CLANCARTY in reply observed, that the right rev. Prelate had rested his defence of the National system mainly upon the religious character of many of the books in common use; but if he knew anything of the system, he ought to know that those books had been eliminated from the combined instruction; and when he said they were full of references to Scripture, he must have overlooked the fact that in the correspondence moved for, such references were distinctly stated by the Commissioners to be at variance with the fundamental principle of the system. The right rev. Prelate had stated that the Church Education was improperly so called; but if he knew anything of its rules and practice, he would have known that it provided catechetical instruction in Church doctrine to Church children, besides extending to all, of whatever Christian denomination, that knowledge of the Holy Scriptures which they were denied under the National system. Their schools were not proselytizing schools; but it was the duty of the Established Church not only to confirm her laity in her doctrines, but to extend, as far as possible, the blessings of Scriptural education.

Motion *agreed to.*

The Bishop of Killaloe

CUSTOMS AND INLAND REVENUE BILL.

SECOND READING.

Order of the day for the Second Reading read.

Earl GREY suggested, that as the Bill would probably cause considerable discussion, it would be convenient that the debate on it should commence upon some evening when the Bill should stand the first thing on the business paper. If an understanding to that effect could be come to with the Government, their Lordships would, perhaps, be disposed to allow the second reading to pass that evening without discussion.

Earl GRANVILLE said, that Her Majesty's Government did not wish to shrink from the fullest discussion; but, in conformity with the suggestion of the noble Earl, he would simply move the second reading now, and take another opportunity of fixing when the Bill might next come on as the first Order of the Day.

The Earl of DERBY said, he thought it would be better to read the Bill a second time to-night, and fix the committal for Friday next, when it could be made the first Order of the Day. The state of the finances of the country were now so serious as to require the earnest consideration of the House, and no doubt considerable discussion would take place on the Bill.

Earl GRANVILLE proposed that the Bill should be committed to-morrow, and that the discussion should be had on the third reading, which he proposed to fix for Friday.

Motion *agreed to.*

Bill read 2^{a}, and *committed* to a Committee of the Whole House *To-morrow.*

House adjourned at half-past Six o'clock,
till To-morrow, half-past
Ten o'clock.

HOUSE OF COMMONS,

Monday, May 26, 1862.

Minutes.]—New Writ Issued.—For Shrewsbury, *v.* Robert Aglionby Slaney, esquire, deceased.

Public Bills.—1° Police (Counties and Boroughs).

2° County Surveyors (Ireland).

3° Unlawful Oaths (Ireland) Act Continuance; Oxford University.

COVENANTED CIVIL SERVICE OF INDIA.—QUESTION.

MR. VANSITTART said, he would beg to ask the Secretary of State for India, Whether his attention has been directed to the Memorials of Her Majesty's Covenanted Civil Servants which have been forwarded to him and laid upon the table of the House?

SIR CHARLES WOOD said, in reply, that when last the hon. Gentleman called his attention to the subject, he had received two Memorials from the Covenanted Civil Servants in India. Since that time a third had been received, and he could assure the hon. Gentleman that the careful attention of himself and the Council of India would be directed to the subject.

CAPTAIN COLES'S INVENTION.

QUESTION.

MR. W. WILLIAMS said, he wished to ask the Secretary to the Admiralty, If any money has been paid to Captain Coles for his claim for the invention of the Cupola Iron Tower for ships?

LORD CLARENCE PAGET replied, that as yet no sum of money had been paid to Captain Coles on account of his invention of the cupola shields; but it was intended to grant to him, on consideration of his giving up to Her Majesty's Government the sole use of his patent, both with respect to the Admiralty and also with respect to the War Office, a sum of £5,000; and further, that during the continuance of his patent, he should receive £100 for every shield or cupola which was made for the use of the public service, whether by the Admiralty or by the War Department.

ACCOUNTS OF MILITARY EXPENDITURE.—QUESTION.

GENERAL PEEL said, he rose to ask the Secretary to the Treasury, Whether he will undertake that the audited accounts of the Military Expenditure of 1860-1 will be laid on the table of the House in time to be printed and in the hands of Members previous to the discussion which is to take place next week, with reference to the public expenditure? By Act of Parliament it was provided that these accounts should be laid on the table previous to the 1st of June.

MR. PEEL replied, that he could give no positive assurance that these accounts would be ready to be presented before the end of the week, but he would take care, if possible, they should be.

EDUCATION (SCOTLAND) BILL.

[BILL NO. 56.] SECOND READING.

Order for Second Reading read.

THE LORD ADVOCATE said, it was not his intention to move the second reading of this Bill, but, on the contrary, to move that the order be discharged. He wished shortly to state his reasons for taking that course. He certainly should not have been deterred from proceeding with the Bill by the criticisms that had been made in Scotland on the subject; for although there were many objections urged against the Bill, yet they were of a nature so much connected with its details, and were in themselves so inconsistent, that they rather confirmed him in his impression that the provisions of the Bill were fair to the country in general, and did not lean improperly on any section of the community. That the Bill made extensive changes was true; and it was true that several sections of the community, the Established Church and the Free Church, were in turn affected by it. But that effect would have been, he thought, for the public benefit. Even the composition of the Commission that was to carry the Bill into operation had been made a ground of opposition to it. It was said that the Commission was composed of persons who were otherwise occupied. He wondered that objection was never raised to the University Commissions of 1826 and 1858 which consisted almost wholly of Gentlemen with a large practice at the bar or of Cabinet Ministers, and hardly at all of persons who could be supposed to have much leisure. He thought he should have been entirely wrong if he had not followed the same course. The country would not have been satisfied if the important interests involved had been intrusted to men not already in possession of marked public confidence by being in positions of responsibility. But, looking at the difficulties of the question, and the differences of opinion in Scotland upon it, he had thought it right, before proceeding to the discussion of the Bill that evening, to ascertain the opinion of the representatives of Scotland. He found, though there was a general feeling in favour of the measure, that there were difficulties in some quarters not easy to surmount. He thought it undesirable that he should place his hon. Friends in a position of difficulty unless he saw a reasonable prospect of success. Finding that such a prospect could not be reasonably entertained, it would not be right, either to the House or to his hon. Friends, to enter into a discussion of something of a party character without any real practical advantage. He could have wished that he had been allowed to read the Bill a second time, in order that he might have been enabled to reprint it with amendments which had been suggested by the discussions that had taken place, but he found that course was objected to by hon. Members opposite. Therefore, he should give notice that he would move for leave to introduce a Bill with a similar title, for no other purpose than merely to show to the country the shape in which it was intended ultimately the Bill should have been presented. The proposal of the noble Lord (Lord H. Scott) for a previous inquiry into the question was not a new one; and in the course of the summer the Government would consider whether any course of that kind could be adopted. It was thought by many friends of education in Scotland that the present opportunity might never recur of placing the whole system on a proper footing. But if an inquiry were instituted into the state of education, it would embarrass the whole question. There were many parts of the system this measure was not intended to touch; but it would be impossible to except any part of it from the inquiry. He very much regretted the course which his duty to the House compelled him to take, but he was induced, for the reasons which he had stated, to move that the order be discharged.

Lord HENRY SCOTT said, he had given notice of a Resolution, as an Amendment, to the effect that legislation was inexpedient until the House was in possession of more accurate information on the subject of education in Scotland. He could not, therefore, but express his gratification at the course pursued by the learned Lord Advocate, which he thought would give satisfaction throughout Scotland, as the objections to the Bill were general in that part of the kingdom. It was condemned by the General Assembly, and by a Committee appointed to consider it. Only one county had petitioned in its favour, fourteen counties had petitioned against it, and the remainder wished a full inquiry. No one would more readily acquiesce in a complete investigation than himself; and if the Bill had been persevered with, he would have been prepared with statistics in support of the Amendment.

Mr. BLACK said, he was quite sure that the public of Scotland would be much disappointed when they found that the Bill was withdrawn. The General Assembly of the Church of Scotland was against every liberal measure. When it was proposed to repeal the university tests they unanimously petitioned against it, and they were only acting in character when they opposed the Bill before the House.

Mr. BLACKBURN said, he did not think it expedient to enter into a discussion upon education at that time, but he rose to express his opinion that the Lord Advocate had taken the wisest and best course in withdrawing this Bill. He was sure, that if the right hon. and learned Gentleman would only propose a measure to extend the parochial system, it would meet with support from both sides of the House.

Mr. DARBY GRIFFITH said, he rose to order. He had always understood that when a Motion was made to discharge the order on a Bill a debate could not be raised upon it.

Mr. SPEAKER said, it was inconvenient that any lengthened debate should arise in such a case, but he would remind the hon. Member that there was a question before the House.

Major CUMMING BRUCE said, he could assure his right hon. Friend that the friends of the parochial system in Scotland courted every inquiry, and believed that the more it was inquired into the better it would be for them.

Order *discharged;* Bill *withdrawn.*

HIGHWAYS BILL.

[BILL NO. 66.] COMMITTEE.

Order for Committee read.

Mr. BARROW observed, that there were a number of provisions in the Bill of which he could not approve. He would not, however, oppose the Motion, although he thought that the measure had not received the amount of discussion which its importance to the ratepayers required.

Lord HENLEY observed, that there were several points in the measure which ought to be considered before they went into Committee, and dealt with it in detail. He hoped he should be able to suggest some amendments in its provisions, which, if adopted, would render it much more palatable to the ratepayers of the country. The Bill proposed to place the management of the roads exactly under the same system as that of the Poor Law. Now, though it must be generally admitted that the Poor Law of this country was administered in an admirable manner, he thought it was exceedingly doubtful that the application of the same administration to the public roads would be equally advantageous. In the first place, the expense of such an administration would be exceedingly great, and out of all proportion to the amount of the funds absolutely necessary for the repair of the roads. The sum expended on the roads was not one-third as much as was required under the Poor Law. He would take for example the county of Northampton, which was rather a small one. He did not think it was possible to put the system proposed by the Bill in operation in that county, under an extra expense of £3,000 a year. The present outlay on the roads was £32,000 a year; so that the expense of management would be nearly 10 per cent on the whole sum required for the roads. There would be at least as many districts for road as for Poor Law purposes. As there were seventeen Unions in Northamptonshire, there would therefore require to be seventeen districts of roads, each of which would include, on the average, about 200 miles of roads. There would, of course, have to be a surveyor for each district, and, on the lowest estimate, his salary would be £80 a year, and £40 for the keep of a horse. For surveyors alone there would therefore be an annual charge of £2,040. A number of clerks, a treasurer, a place of meeting, &c., would also be necessary, and would cost £50 a year for each district, or £850 for the whole. The total expenditure on account of the working of the measure would therefore be £2,890 a year; and yet it was very doubtful whether the roads would be better managed under the new system than at present. Farmers were interested in taking care of the poor, who were their labourers, but they cared little about the public roads. If farmers, as individuals, cared little about the roads, why should it be supposed that farmers, when constituted a body for the management of roads, should take much care about them? He was glad to perceive that a wise alteration had been made in the Bill—namely, that which declared that the local magistrates should *ex officio* be entitled to seats at those boards. He, however, protested against the power of voting those expenses being lodged in the Court of Quarter Sessions without the ratepayers having the least power over them one way or another. The Court of Quarter Sessions was aristocratically constituted; it did not contain a single representative of the taxpayers. To avoid that objection he should move an Amendment in one of the early clauses of the Bill, providing that no district should be formed until the consent of a majority of the boards of guardians had been signified in writing. He admitted that the guardians as guardians of the poor had not much to do with the roads; but, as they were the only representative bodies which existed in the counties, he thought that in them might properly be reposed the power of preventing the formation of these districts. At the same time, he should not, if it was thought more desirable, object to repose that power in the vestries. In conclusion, he doubted whether the Bill would produce any results adequate to the expense which it would entail upon counties, and he should much prefer a Bill which would make it necessary for each county to appoint one or two surveyors, whose duties should be to inspect the roads, not to repair them, and to make their complaints of the acting overseers, as complaints are now made, to the justices in petty sessions. The salaries of these surveyors would not amount to more than a tenth of the expenses which would be caused by the system contained in the Bill now before the House.

MR. BENTINCK said, he agreed with the hon. Member for South Nottinghamshire (Mr. Barrow), that the Bill had been allowed to arrive at its present stage with but a small amount of discussion, considering the large interests involved. He was bound to say that he had heard from that part of the country to which he belonged opinions expressed of a diametrically opposite character regarding the merits of this Bill. In many cases the measure was viewed as a positive evil, whilst other persons declared that it was one which was much required. Now, that fact alone showed the difficulty of dealing with the subject. His two objections to the Bill were these: he thought that it had too much of a centralizing character, and that it trenched too much upon the control exercised by the ratepayers. It appeared to him that those were two important points, which ought to be closely considered. No opportunity, however, had been given to the House of dealing with them in a regular debate. There were, however, on the paper certain amendments bearing upon the subject, which he trusted would meet with the approbation of the House.

Mr. SCLATER-BOOTH said, as there was a general wish that the Bill should pass, he did not wish to oppose any obstacles; but if it were to be a permissive Bill, he should prefer to the Amendment of which the noble Lord had given notice one which he had himself placed upon the paper, providing that the final order for the formation of a district should not be made if within forty days after the issuing of the provisional order, the vestries of a majority of the parishes proposed to be formed into such district should object to its formation.

Mr. NEWDEGATE said, he had received a great many communications from his constituents, which showed that their objections to the Bill were strong, he believed almost universal, and entertained by persons of political opinions as various as those represented by the noble Lord the Member for Northampton (Lord Henley). The House would, perhaps, permit him, in his character of a representative, to lay before them the feeling of the county of Warwick in reference to this measure, so far as he was informed of them. His constituents felt that there was little need of any interference in the matter of highways. Nevertheless, if the House were of opinion that some legislative interference should take place, and that in some parts of the country the public roads were neglected, it was their conviction that all that was needed was the appointment of some officer who should have power to enforce the duty of repairing the roads incumbent on the parish. The law provided amply for the process by indictment. It further provided the means by which a combination of parishes in a particular district were enabled to improve the roads. The existing law, therefore, provided the requisite machinery for the improvement of the public highways. All that was needed was an additional motive power. Now, whether they considered the state of the roads or any nuisances which needed remedy in towns or districts, what did they find? Why, they found universally existing shyness on the part of individuals to put the law in force. That was the origin of the whole machinery of the quondam Board of Health. There was a law regarding nuisances, which, if put in operation, would have been quite sufficient, but individuals were not found willing to take the initiative in such matters. Consequently, the law became almost a dead letter. So with the question of roads. It was his firm conviction that all that was needed was some such provision as this—that the magistrates in Quarter Sessions, or some other recognised authority in each county, should appoint a surveyor of roads, and that that officer should have a sufficient number of subordinates to take a general survey of the roads; that he should be the recipient of all complaints; that on receipt of such complaints the state of the particular road or roads in question should be investigated; and if the complaints were found correct, it should be the duty of the officer to institute an indictment. By that means they would not disturb the existing parochial organization. The Bill made the magistrates accusers and judges of the matter, then administrators, and then judges again. That was a highly objectionable feature of the measure. By adopting his suggestion such a confusion of authority would be altogether avoided. Entertaining a strong opinion upon the matter, and finding himself supported by his constituents, he felt it to be his duty to urge that opinion upon the consideration of the House. His constituents thought the law was quite sufficient regarding the repair of the roads. They desired that it be left to the parishes themselves to find out what was the best course to take to effect that object; by the appointment of the officer he alluded to they would ensure the work being done effectually. He confessed he viewed with great alarm the centralizing system that would be established by the Bill. He believed it was the general feeling of the country, that if it were possible to avoid interference by the Secretary of State in matters of local government, it would be better to do so. It had been said that the Secretary of State would only interfere as a mediator. He believed that such interference was rendered necessary only by the confusion which the Bill itself produced; for what other reason for such interference could there be than to prevent the representative bodies quarrelling with the magistracy, or the magistracy quarrelling with the representative bodies? He believed that everything connected with the improvement of the roads could be accomplished by simply appointing an officer to put the present law in force, which law, when so enforced, would be amply sufficient to ensure all due facilities of transit.

Mr. DODSON said, if the hon. Gentleman looked to the 36th clause he would see that no magistrate was to act on a bench with regard to any matters in which he might have been concerned as a member of a highway board. The judicial and administrative functions were not conjoined; but, on the contrary, they were carefully kept distinct. Again, so far from the Bill promoting centralization, it appeared to him to be rather a Bill for increasing the powers of local self-government. At present the roads in a particular district were under the management of a surveyor, who was simply a ministerial officer, and the control over him was vested in the magistrates; while under the Bill the control was to be given to a board elected by the ratepayers of the district. In fact, it was a Bill to constitute, so far as roads were concerned, a local parliament; it gave increased powers to local bodies. The hon. Gentleman also said the law was quite perfect, and all that was wanted was to put it in force. Well, that was just the point where the present law broke down. Nobody did put it in force. As in other cases, what was everybody's business was nobody's. Doubtless, any patriotic individual might put the law into operation; but what would he have to do? He must summon the surveyor of highways. First of all he would have to go to the magistrates to get the summons; next he must go to their clerk; next he would have to appear on the day when the summons was made returnable; then the magistrates would go and view the road, or appoint some one to view it for them. Meanwhile the surveyor might have taken some steps to put the road into decent order; and then the complaining party, having given his time, would, perhaps, lose the costs also. As to indicting the parish, that was a most expensive business. Doubtless there existed a remedy, but the machinery for putting it in force was most difficult. What the Bill proposed was the substitution of machinery of a simple kind, by forming a board consisting of representatives elected by the ratepayers of different parishes, and giving each parish an interest in making the surveyor do his duty. So far, then, from the Bill being one to do away with local government or add to the existing expense, its purport was to effect the object by an easier and a cheaper method.

Mr. ALCOCK said, he rose to thank the Government for having introduced the Bill, as he could state several instances which had come under his personal observation to show that the present system was very inadequate and most unsatisfactory. Although justices had power to unite parishes when invited to do so, it rarely happened that such invitations were addressed to them. In a particular area, with which he was familiar, there were six separate vestries, surveyors, and ratings, and the cost of maintaining twenty-eight miles of road exceeded £36 a mile. In another parish quite close to it, of about equal extent, there was one united administration, and the roads were kept in as good, if not better, order for £12 a mile.

Mr. AUGUSTUS SMITH said, that his chief objection to the Bill was the additional districts it would create, which would necessitate a separate staff and additional machinery. No doubt an enlarged area was required, because the conflicting jurisdiction of small parishes prevented a uniform system of roads. He thought the administration of the highways might be advantageously intrusted to boards of guardians, whose duties in many cases were very light. The main object to be secured was not great lines of road running parallel to the railways, but good serviceable roads leading from railway stations to the great centres of population. He did not see why the expense of maintaining the road should not come out of the poor rates.

Sir GEORGE GREY said, he had not understood the hon. Member for Nottingham to conclude with any Motion; he believed the debate, as far as it had proceeded, was intended merely as a preliminary discussion. In answer to the hon. Member for Norfolk, he felt bound to remind the House that, after full consideration, the principle of the Bill had been affirmed by a large majority, that the substance of the measure had been more than once before the House and before Select Committees, and that really very little that was novel could now be said either for or against the Bill. The objection to it on the ground of centralization was revived, and its machinery had been compared to that of the Poor Law. But although District Boards were to be elected on the same principle as boards of guardians, there was this distinction between them, that under the Poor Law system there was a general Board meeting in London, and exercising supervision over all the others. As regarded highways, there would be no such central Board. The intervention of the Secretary of State had been referred to, but it was only to be exercised by way of ultimate appeal, and for the sake of greater security against the effects of hasty decisions which the magistrates might adopt. The Home Office, moreover, was the ordinary channel through which accounts were obtained and furnished to Parliament, but there would be no interference by the Secretary of State of his own motion, and the local management would be left untouched, except that it would cease to be parochial. His hon. Friend the Member for Truro (Mr. A. Smith) had remarked upon the great change which railways had brought about, and upon the necessity of keeping in repair the country roads which formed the communication between railway stations. Now, surely that was not a matter to leave to parishes. In the North of England a parish might consist of many townships, each of which for the purpose of road repairing constituted a parish in itself. Some science and skill were necessary in constructing and repairing roads, and these were not generally possessed by the parish surveyors. An hon. Member had observed that opinions in reference to this Bill were conflicting; that from some parts of the country he received statements that it was necessary, and from others statements that it was not required. Well, in places where the former opinion was entertained no doubt the magistrates would bring the provisions of the measure into operation, and in places where a contrary impression prevailed that impression could be acted on. The Bill was not a compulsory one. At first it was his opinion that it ought to be a compulsory measure; but he had yielded in order to meet some of the objections urged against the scheme. With regard to the question of expense, he apprehended that in the end the Bill would tend to diminish greatly the cost of maintaining roads. As the principle of the Bill had been affirmed repeatedly in that House, he hoped any further discussion on its provisions would be taken in Committee.

Sir MATTHEW RIDLEY said, there was so much conflict of opinion on the subject, that he did not believe the Government or the House of Commons would succeed in passing any Highway Bill which would be satisfactory to the counties. Though not an ardent admirer of the Bill, there were many parts of it which met his approval; and he trusted it would go through Committee and then be submitted to the country, where its merits and defects would have fair trial at the hands alike of the magistrates and the ratepayers.

Major WINDSOR PARKER said, the hon. Member for Sussex (Mr. Dodson) had stated that the roads were generally bad, and yet that no one could be found to complain of them; but, surely, if the roads were in such a wretched condition throughout the kingdom as to jeopardize people's necks, the community would rise to a man to take advantage of the existing law, which, it was said, provided an ample remedy. He held it to be unreasonable and unjust to require any class of people to pay others for performing a duty which they themselves were able and willing to perform. Look to the position of the farmers. They had teams and servants; many of them had conveniently situated stone-pits or gravel-pits; and they were ready and willing to perform the repairs which the roads in their localities required. Under the Bill, however, they would be called on to appear at the board sitting in a remote town, where those local advantages would be lost sight of. Again, in villages there would always be found poor men who, although not able-bodied, might be advantageously employed in breaking stones, repairing the roads, and generally keeping them in order. The Bill would have the effect of depriving them of that employment. Again, the village bricklayer and carpenter were occasionally employed in doing slight repairs to bridges, or in repairing or erecting posts and rails. That occasional employment they would lose under the operation of the Bill; and if they were thus broken up for want of sufficient employment, what would persons in the country do for the intelligent bricklayer and carpenter who repaired their dwellings, their barns and stables, and their farming implements? He should go into the lobby with the hon. Member for South Nottinghamshire if he divided the House.

Sir JOHN TRELAWNY said, he had

no wish to prejudge the Bill; but he thought the argument of the right hon. Baronet, that the measure did not tend to centralization, a somewhat extraordinary one. He thought that something in the nature of a Poor Law authority would be desirable in a measure of this kind. Magistrates, being land-owners, were too much disposed to shut up footpaths and bridle-roads. He should not oppose the Committee, but hoped that the Bill would be considerably modified.

MR. SPEAKER: Do I understand that the hon. Member for South Nottinghamshire intended to make a Motion?

MR. BARROW: No, Sir.

House in Committee.

Clause 5 (Provisional Order of Justices).

LORD HENLEY said, he would propose an Amendment, the object of which was to introduce the principle of representation before taxation, and providing that the consent of the majority of the boards of guardians of the said county should be first signified in writing.

SIR GEORGE GREY pointed out that it would be very inconvenient to require the consent of the boards of guardians of the whole county, whereas these applications might be made in respect of particular portions of the county only.

MR. BARROW remarked that the clause gave power to the magistrates at Quarter Sessions and no power to the ratepayers. It would deprive parishes of any sort of representation, and would be a compulsory Bill so far as the landowners and ratepayers were concerned. He did not think the state of the roads required any such interference.

MR. DEEDES said, the observation of his hon. Friend commended the Bill to his approval, for he objected to permissive legislation altogether. He hoped the Committee would steer of mixing up boards of guardians with districts. Boards of guardians had enough to do in carrying on the business intrusted to them, and ought not to have fresh administrations placed in their hands. How his hon. Friend could stand up and intimate that the roads in his part of the country did not require supervision and improvement was surprising. He had recently an opportunity of seeing some of those roads, and never had he met with any carried on in a manner so utterly subversive of all principle of effecting good, and confirming every notion that could be entertained of money thrown away. Some of the materials used were neither stone nor metal, but simply broken drain tiles, which were so placed that neither man nor horse could get on without suffering.

MR. BARROW said, he believed the roads in his district to be as good as the roads in any part of England. There was not one over which a light four-wheeled carriage could not be driven without danger. In Newark, and some by-lanes in Lincolnshire, perhaps, there might be some such roads as his hon. Friend had described; but he (Mr. Barrow) had never seen any roads made of broken tiles.

SIR JOHN SHELLEY said, in his district of Sussex the board of guardians had very little to do. That representation and taxation should go together they were all agreed; and if it was not advisable to mix up the boards of guardians, the power of assenting to the formation of districts might be given to the majority of the parish vestries. He believed the Bill, as at present framed, would not work. It might be necessary in the north of England, but in other parts of the country the law was sufficient as it stood.

MR. HENLEY said, he could not support the Amendment of the noble Lord the Member for Northampton. Some of the guardians of a Poor Law union might belong to another county, and might in that case be called on to deal with a matter in which they had no concern. To the Amendment of the hon. Member for Hampshire (Mr. S. Booth) he was prepared to assent. The parishes concerned ought to have a voice in the question. If the majority of parishes objected to the formation of a district, the process ought to stop, though one parish ought not to stop the formation of a district. He should be best contented to have no Bill at all. The roads of the country were gradually improving under the present law. The efficiency of the Bill would all depend on whether they got good or bad surveyors.

LORD HENLEY said, he would withdraw his Amendment on the understanding that the principle for which he contended would be carried out by the Amendment of the hon. Member for Hampshire.

Amendment, by leave, *withdrawn.*

MR. SCLATER-BOOTH said, he would then move the following addition to the clause:—

"Provided always that no such final order shall be made, and all powers of the justices in that behalf shall cease and determine in cases where a majority of the parishes proposed, under any provisional order, to be united in any Highway district, shall, by their vestries specially summoned for that purpose, object thereto, and signify such objection before the time for making such final order, by petition addressed to the Court of Quarter Sessions."

Sir BALDWIN LEIGHTON said, he thought, that if they allowed the parishes to have much voice in the matter, there would be hardly any use in passing the Bill. Seeing how wisely the Poor Law Commissioners had exercised the powers intrusted to them, there was no reason why the magistrates, who were usually the largest ratepayers, should not be intrusted with these powers as to the roads.

Sir GEORGE GREY said, he thought that the Amendment would very much impair the efficiency of the Bill. If there were ten parishes in the district, each parish would have an equal voice, but one parish might have a population of 20,000, and another a population of only 500—one parish might have twenty miles of road, and another not half a mile. Being unequal in extent, population, and length of roads, the minority in interest might overrule the wishes of the real majority, simply because they were more numerous.

Mr. STANILAND observed, that the parishes proposed to be included in a union must take action, and acreage generally bore a proportion to mileage. The Amendment appeared to be a valuable one, and he trusted the Committee would assent to it.

Mr. W. E. DUNCOMBE said, he cordially approved the Amendment. It did not require the consent of a majority of parishes to be asked. It only gave power to a majority of parishes to object.

Sir GEORGE LEWIS said, there was an argument from precedent which seemed to him material. Under the existing law, six counties in South Wales were subject to a system very similar to that which it was now proposed to introduce into the rest of the country. They were divided into districts for highway purposes. The districts were formed of parishes or townships. The county road boards were called upon to divide each county into districts, and there was no option, and no appeal to the vestries or inhabitants. Being an inhabitant of one of those counties, he could state that the Act had given general satisfaction, and had tended to improve the highways without increasing the expense. By the 3rd section of the Bill, "parish" meant any place maintaining its own roads, so that a district might be formed of one or two large parishes, and might also contain several townships. According to the Amendment, a majority might consist of small townships, and they would be able to overpower the larger, more populous, and more wealthy parishes which composed the numerical minority. He hoped the clause would be maintained, as it was his opinion that the Amendment would materially impair the efficiency of the Bill, if not altogether destroy it.

Mr. HUNT said, he wished to ask how the county road boards in Wales were elected.

Sir GEORGE LEWIS said, they were composed principally of magistrates. There were few elected members. He was not speaking, however, of the constitution of the county boards, but of the compulsory power to form districts without reference to the opinion of the vestries.

Mr. HENLEY said, the distinction was manifest. The Welsh Bill was a compulsory Bill, and the boards had simply to divide the counties into districts. The Bill before them was a permissive Bill, and the vestries ought to have a voice as to whether the discretion of the magistrates should be exercised.

Sir GEORGE GREY said, he would ask the right hon. Gentleman whether, looking to the fact that many of these townships had no vestries, he thought the Amendment would work.

Mr. HENLEY said, the language of the Amendment could be easily altered, if necessary, when the Bill was reported; but it put in issue a great principle, whether the ratepayers should have a voice in the question of coming under the operation of the Bill, and he should cordially support it.

Mr. NEWDEGATE said, that the parishes of England did not wish to be placed under martial law in regard to roads, like those in Wales.

Mr. WALTER said, that whether the principle for which the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) contended was desirable or not, the Amendment did not assert it. So far from asserting it, it was calculated to mislead. In the part of the country in which he lived, a district would be composed of two or three large parishes and a considerable number of small parishes. His belief was, that the large parishes would generally agree to the new Bill, and the small parishes would object to it. It was in the small parishes that the roads were most neglected, and the surveyors most incompetent. According to the Amendment, the small parishes, with a population of only one-third or one-fourth that of the larger parishes, would overbear the opinion of the larger, wealthier, and more enterprising parishes, where the ratepayers desired to see the roads properly managed. He objected altogether to such a test of public opinion, and should therefore support the clause.

MR. DEEDES said, he would advise the right hon. Gentleman the Home Secretary to withdraw the Bill if the Amendment were agreed to, because the effect would be to make the measure inoperative.

MR. THOMPSON said, he thought that the arguments against the Bill were futile. He had always found that the ratepayers, where the roads were exceedingly bad, were the least conscious of their defects.

Question put, "That those words be there added."

The Committee *divided:*— Ayes 66; Noes 138: Majority 72.

Clause *agreed to.*

Clause 6 was also *agreed to.*

Clause 7 (Restrictions on Formation of Highway Districts).

MR. BARROW said, there were certain townships in which endowments existed for the maintenance of the roads. It would be manifestly unjust that a township of that kind should be united with an adjacent one in which there was no such endowment. He should therefore move, that the last proviso of the clause be omitted.

SIR BALDWIN LEIGHTON supported the Amendment.

SIR GEORGE GREY said, the words proposed to be omitted formed no part of the original Bill, but had heen adopted in the Select Committee to which the Bill had been referred, by nine to three. Though he had supported the proposition in the Select Committee, he thought great weight was due to the objection of the hon. Gentleman, and that the Bill would be better without the latter part of the proviso.

Clause, as amended, *agreed to.*

Clauses 8 and 9 were also *agreed to.*

Clause 10 (Election of Waywardens).

MR. BARROW said, it was only fair that parishes of much greater extent and population should have a larger number of waywardens than other parishes. He begged therefore to move to insert the following words in the second paragraph:—"Regard being had in fixing the number to the amount of population and the acreage of such parish or district maintaining its own highways."

MR. SOTHERON ESTCOURT wished to ask, whether the hon. Gentleman meant that if one parish had 1,100 and another 1,000 acres, the former should have two waywardens and the latter only one?

MR. BARROW said his object was, that the justices might see that the number of waywardens should be in some measure proportioned to the extent and population of the district.

SIR GEORGE GREY said, that the population and acreage of the parishes would, as a matter of course, be taken into account in appointing waywardens; but he thought the vagueness of the Amendment would be likely to perplex the justices in fixing the number to be appointed.

MR. HENLEY said, he should oppose the Amendment, as he did not see what the population of a district had to do with the extent of its roads.

MR. BARROW observed that it was the practice under the Poor Law to allow more guardians in populous districts than in parishes of less magnitude.

SIR GEORGE LEWIS said, he would admit that under the Poor Law the number of guardians varied, but there were no words in the Poor Law Amendment Act making it imperative upon the Commissioners to be governed by the population or acreage. The hon. Gentleman did not mention property, which was a point that might well be considered by the magistrates. A proportion in accordance with population alone would be an injustice towards small parishes, which would obtain no real representation.

MR. BARROW said, he was willing to add the word "property" to his Amendment.

SIR GEORGE LEWIS said, that even then, if the proportion was strictly observed, the small parishes would scarcely get any representation at all. He thought that the Bill was quite sufficient as it stood to effect the object it contemplated.

Amendment *negatived.*

Clause *agreed to.*

Clause 11 was also *agreed to.*

Clause 12 (Power to Board to appoint Officers).

MR. HUNT observed, that the treasurer, clerk, and district surveyor were to be appointed for an indefinite period, subject to removal. The result would be that unless actual fraud were committed, no one would propose the removal of such officers. He thought some stimulus to active exertion should be given by making the appointments for a limited time, subject to re-election. He would move as an amendment that the officers be elected for three years, subject to removal.

SIR GEORGE LEWIS said, he thought the experience of the Poor Law Board was against making officers removable after short periods. He doubted whether an insecure tenure of office would be found a stimulus for the proper discharge of its duties. So long as the Board had the power of removal for due cause he could see no harm in electing the officers for an unlimited period.

Amendment *negatived.*

MR. ROGERS said, he thought that when officers were removed a notice ought to be given of the intention to appoint fresh officers, in order to prevent even the appearance of a job. He would therefore propose, as an Amendment, that in every case of a fresh appointment a week's notice should be given by publication upon the church doors throughout the district.

SIR GEORGE GREY said, he agreed that there should be some interval between the removal and the new appointment. He would look into the practice in similar cases under the Poor Law, with a view to consider whether a similar provision could not be introduced into the Bill before the Committee, and would communicate with the hon. Gentleman.

Amendment *withdrawn.*

MR. DODSON said, he wished to move as an Amendment, the addition of the following words:—

> "Provided that before the Treasurer enters upon the duties of his office, the Board shall take sufficient security from him for the due performance of the duties of his office."

MR. DEEDES inquired whether in cases where banks were the treasurers, security would be required?

MR. DODSON said, that under the Poor Law banks were sometimes treasurers, but the requirement of security was the rule.

MR. SOTHERON ESTCOURT suggested the insertion in the Amendment of the words "not being a banking firm" before the word "treasurer."

SIR GEORGE GREY said, he thought the treasurers should give some security.

MR. THOMPSON was of opinion that the words "not being a banking firm" should be inserted.

SIR GEORGE LEWIS said, that under the Poor Law Acts it was the practice that a member of a banking firm might be treasurer, but not the firm; and that it was the invariable practice to require good security, and not to give any salary.

MR. BRISCOE said, he could not see the least reason why good security should not be given on behalf of the ratepayers.

Clause, as amended, *agreed to.*

Clauses 13 to 17, inclusive, were also *agreed to.*

Clause 18 (Proceedings where Roads out of Repair).

MR. HUMBERSTON said, he wished to simplify the proceedings in cases where roads were out of repair. He thought there should be only one summons instead of two, and that the justices should be allowed, if they chose, to hear and determine the case when it first came before them. He moved an Amendment to that effect.

SIR GEORGE GREY said, the clause as framed was carefully considered by the Committee, who were of opinion that every precaution should be taken against a hasty decision which would affect the liability of the parish.

Amendment *negatived.*

Clause *agreed to;* as was also Clause 19.

Clause 20 (Expenses now charged).

MR. MITFORD said, he would suggest that the average of the expenditure during the last three preceding years, instead of the last year only, should be the basis of the calculations as to the proportion which each parish should contribute to the district fund. He moved an Amendment accordingly.

Amendment *agreed to.*

Clause *agreed to.*

Clause 21 (Mode of defraying Expenses).

MR. BARROW complained that the clause contained a most extraordinary power over the occupiers of land. In point of fact the Bill gave the board of waywardens power to tax the parish to the extent of 2*s.* 6*d.* in the pound, or about six times what the farmer paid for income tax, without the parish having a voice in the matter. In his part of the country, with very good roads, the average payment was 6*d.* in the pound. By the old Act the parish could not be taxed more than 10*d.* in the pound without the consent of the vestry. If, as he thought it should be, the tax were thrown in reality on the landlords and not on the tenants, t would render the Bill a little more just n its operation. He would suggest that wherever the rate exceeded 10*d.* in the pound the tenant should deduct it from the rent.

Mr. NEWDEGATE said, he considered that the point required grave discussion. A tenant took a farm on a calculation of the average rates, and he might, under the Bill, be assessed at three times the amount. The Bill, by suddenly defeating n that way the arrangements under which land had been taken, would inflict great njustice on tenants.

Sir GEORGE GREY said, the clause ixed the same *maximum* rate as was leviable under an existing Act. There was no reason to suppose that that *maximum* would be reached in practice. Indeed, he believed that economy would result from the measure, and that the rates would be owered. No rate exceeding 10*d.* in the pound could be imposed without the consent of four-fifths of the ratepayers present at a parish meeting.

Mr. BARROW said, that the three rates of 10*d.* each made up the half-crown for the whole year; and he maintained, that if the roads of the country were anything like as bad as they had been described, the economy promised from the measure must prove wholly illusory.

Mr. HENLEY said, he rose to move the addition of a proviso to the clause to meet the case of certain districts in Oxfordshire, called the Beechwood districts, some of which were rated to the highway rates while others were not. By strict law none of them were liable to be so rated, a decision having been given to that effect ast century; but in some districts advantage had been taken of the decision, and in others it had not. It would produce a great disturbance if the proprietors of that description of property were not eft to go on as they had been accustomed to do; and therefore he had drawn up his proviso. Some of these proprietors said they used the roads and were willing to pay for them. He believed that Oxfordshire and Buckinghamshire were the only counties in which the circumstances to which he had referred existed. The proviso he begged to move was as follows:—

> "Provided that in any parish where, for a period of not less than seven years immediately preceding the passing of this Act, it has been the custom of the surveyor of highways for such parish to levy a highway rate in respect of property not subject by law to be assessed to poor rates, the monies payable in pursuance of the precept of the Highway Board shall not be paid by the overseers, but may be raised and paid by the waywarden of such parish out of a highway rate, to be assessed and levied in manner and in respect of the property in and in respect of which the same would have been assessed and levied if this Act had not passed."

Mr. ROGERS said, he should support the proviso, which would extend to his county (Cornwall), where there were copper and other mines, some of which were assessed to highway rate, while others enjoyed exemption.

Sir GEORGE GREY said, he thought the terms of the proviso would meet the necessities of the case, and he had no objection to its insertion.

Proviso *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

Clauses 22 to 24 inclusive, *agreed to.*

Clause 25 (Accounts to be made up to 25th March, and Statement to be published).

Mr. MITFORD said, he would move to insert words providing that for the space of seven clear days immediately following the day to which they are made up, the accounts shall lie open at the office of the clerk, or in some convenient place for the inspection of the ratepayers.

Amendment *agreed to.*

Clause *agreed to.*

Clauses 26 to 39, inclusive, *agreed to.*

Clause 40 (Carriage of Materials).

Major WINDSOR PARKER proposed the omission of paragraph 7, thinking it unreasonable to call on farmers to pay for the carting of materials, when they had teams and waggons of their own.

Sir BALDWIN LEIGHTON said, that great difficulty was found in inducing farmers to draw stone. It was necessary that the operation should be performed while the roads were dry, and at such times the farmers had work enough of their own for their teams to do.

Mr. DEEDES thought the omission of the clause would lead to much practical inconvenience.

Amendment *negatived.*

Clause *agreed to.*

Remaining Clauses *agreed to.*

Sir GEORGE GREY then brought up an additional clause, which he stated had already received the approval of the Committee, but by some mistake had not been printed with the others. The clause was one containing a provision "for the discontinuance of the maintenance of unnecessary highways."

Clause *agreed to.*

Mr. DODSON said, that in the absence of the hon. Member for Macclesfield (Mr. Egerton) he would move the insertion of a clause giving power to Highway Boards to borrow money. There was a general feeling among the ratepayers in favour of the clause.

Sir GEORGE GREY said, he must object to the clause, which had been rejected by the Select Committee.

Mr. DEEDES said, he thought the clause was necessary, but he would suggest that the Boards should not be empowered to borrow a sum exceeding the gross amount that might be levied in any parish for a period of three years.

Sir WILLIAM JOLLIFFE said, the insertion of the clause would prevent the adoption of the Bill in many parishes.

Mr. HENLEY said, he was satisfied, that if the waywardens were empowered to borrow, there would be no end to their extravagance, and they would become very unpopular with the ratepayers.

Clause *withdrawn.*

Mr. BASS said, he wished to move the insertion of a clause prohibiting the cutting of turf on the sides of highways.

Sir GEORGE GREY said, he had no objection to the clause, but it did not come within the scope of the Bill. It was not intended to increase the power of Highway Boards.

Mr. DEEDES said, that if the clause were agreed to, it ought to be made to go further, and prevent horses being turned out and eating the turf.

Sir BROOK BRIDGES said, he doubted whether the turf belonged to the highways at all.

Clause *negatived.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Thursday,* and to be *printed* [Bill 135].

Mr. Deedes

MERCHANT SHIPPING ACTS, &c. AMENDMENT BILL—[Bill No. 89.]

COMMITTEE.

Order for Committee read.

House in Committee.

Clause 65 *agreed to,* on the understanding that certain Amendments should be brought up on the Report.

Clause 66 *agreed to.*

Clause 67 (Lien to be discharged on Proof of Payment).

Mr. CAVE proposed the following Amendment:—In p. 24, line 26, to leave out from "due" to "and" in line 27. Line 28, after "thereof" to insert "or of a release of freight from the shipowner." He said there were three parties in the transaction—the shipowner, the owner of the goods, and the wharfowner. The shipowner kept a stop on the goods till the owner paid the freight. He then gave the owner a receipt, which he kept. He also gave him a release, which he delivered to the wharfowner, and thus got his goods. The document given to the wharfowner was not the copy of the release, but the release itself. This Amendment was simply to make the clause consistent with the usual practice.

Mr. MILNER GIBSON assented to the Amendment.

Clause *agreed to.*

Clause 68 (Lien to be discharged on Deposit with Warehouse Owner).

Mr. CAVE proposed the following Amendment:—In p. 24, line 32, at end, to insert "without prejudice to any other remedy which the shipowner may have for the recovery of his freight." He said the shipowners had expressed alarm lest there might be collusion between the wharfowner and the owner of the goods, and that they might have as much difficulty in getting the money from the former as the latter. In London the shipowner was protected by the Sufferance Wharves Act, by which he could insist upon the freight being paid into the bank, but these words were desired by the shipowners in the outports.

Mr. MILNER GIBSON assented to the addition of the words.

Clause, as amended, *agreed to.*

Clauses 69 to 77, inclusive, were then *agreed to.*

The postponed clauses were next proceeded with.

Clause 24 (Certificate to be delivered up).

In answer to a question by Mr. Henley,

Mr. MILNER GIBSON said, the Amendment on Clause 22 would be brought up on the Report.

Clause 24 *agreed to.*

Clause 52 (Shipowners' Liability linited).

Amendment proposed,

In page 20, line 7, to leave out from the words 'be answerable," to the end of the Clause, in rder to add the words "in damages in respect f loss of life or personal injury either alone or ogether with loss or damage to ships' boats, oods, merchandise, or other things, to an aggreate amount exceeding fifteen pounds for each on of their ship's tonnage; nor in respect of oss or damage to ships' goods, merchandise, or ther things, to an aggregate amount exceeding ight pounds for each ton of the ship's tonnage, uch tonnage to be the registered tonnage."

Sir HUGH CAIRNS said, that in the ct of 1853 the words "sea-going ships" vere used in reference to the subjectnatter of the clause. He did not undertand why the right hon. Gentleman should ropose to leave out these words, and to nake a distinction between steamers and ailing vessels.

Mr. MILNER GIBSON said, the obect of the Amendment was, that in case f injury to life, or personal injury, the onnage of a ship which was to regulate he liability in damages, limited by the ld Act at a *maximum* of £15 a ton, hould be the gross measured tonnage, nd not the registered tonnage in the case f sea-going steamers. In this case, the egistered tonnage was estimated after eduction of engine room from the gross onnage. Unless, therefore, the provision vas inserted, it might be possible for a ery heavy steamer, having very large ngine room and comparatively little stowge, to do great damage, and yet afford ery little capital to go against, if she vere estimated only at her registered onnage, that is, her gross tonnage less er engine room. Injury might be inlicted by a ship of little intrinsic value, which yet might be the property of an pulent owner, and it would be unjust hat he should escape payment of the penalty.

Sir HUGH CAIRNS said, as to the likelihood of fraud to which the right hon. Gentleman referred, he did not see how that could be the case, as it was the Government that fixed the registered tonnage, and not the owners. The proposal of the Government appeared to be a complete departure from the basis of the Act of 1853, which provided that the *maximum* liability in the case of steamers as well as sailing vessels should be £15 per registered ton. In the case of light dues and harbour dues steamers were taken according to their registered tonnage, and he did not see why that should not be done in the case of damage also. If the present proposal were adopted, it would have the effect of throwing impediments in the way of improving the engine-power of vessels. He had been informed that in the case of the *Scotia* her liability would be raised to £56,000 by the proposed change of the law, whereas at present it was £36,000, which was surely a sufficient liability for any damage that she might inflict. If it was thought proper that there should be a smaller liability in the case of a sailing vessel than a steamer, let it be on the registered tonnage. At the proper time he should be prepared to move words which would have the effect of making the liability of both classes of vessels depend on the registered tonnage.

Mr. MILNER GIBSON observed, that the observations of the hon. and learned Gentleman proceeded upon the principle that they were increasing liability, which was not the case. By the common law the liability for damage was to be measured by the loss and injury sustained. They ought to be cautious in limiting liability, because it was from incurring liability that persons were cautious, and owners took care to put their vessels in the charge of vigilant and careful persons. With regard to the *Scotia,* she would be liable, under the present law, to her full value, together with the value of the freight she was earning, and that would be considerably more than £56,000. Therefore the clause before the Committee would limit her liability instead of increasing it. But what would be the effect of adopting the registered tonnage in some cases? If a tugboat were to run down a valuable cargo of silk, ought the liability to extend to only £8 per ton on the registered tonnage? If the tugboat was of seventy tons, her registered tonnage would probably be only twenty tons. If taken on the gross tonnage, her liability would be eight times seventy, or £560. Ought it to be only eight times twenty, or £160, on the tonnage registered? Besides, it should be borne in mind that liability was caused only by culpable neglect, and therefore the Committee should be very cautious in diminishing it. Lord Campbell's Act left shipping, like railways, liable to an unlimited extent; the Merchant Shipping Act confined the liability to the value of the ship and the freight, and now it was proposed that the owners should be liable for a sum estimated on the gross tonnage of their vessels. There might, indeed, be a little increase of liability under the present scheme, as far as the owners of ships were concerned; but that was quite right, because an old ship, or one of small value, might do great damage, and might belong to a wealthy owner or company. Ships of the largest tonnage were those which did the greatest damage, and therefore it was not unreasonable to give ships, as against one another, that amount of claim which depended on the tonnage.

Sir HUGH CAIRNS said, he was astonished at the principle on which the right hon. Gentleman argued the question. The case of steam-tugs was exceptional. They were all engine room, and furnished no analogy for the principle when applied to passenger and cargo steam-ships. He simply asked the Committee to adhere to the principle laid down in the Act of 1853. All agreed that a limit of liability should be fixed, and, in his opinion, it was properly determined in the Act to which he referred. There was no connection between railways and steam-vessels in the present instance.

Mr. AYRTON said, the real question for consideration was the mode of ascertaining the value of the ship. The principle hitherto adopted had been that the owner should be responsible to the full value of his ship. The Government did not intend to depart from that principle, but they endeavoured to find some rule by which the value could be ascertained. The measurement on the register was simply the carrying power of the vessel, and not its actual capacity. In the case of steamers, the more the engine room the less would be the value of the ship according to the system recommended by his hon. and learned Friend. He thought that the true basis on which to proceed was the entire capacity of the ship. The real difficulty, however, was that the shipowner found himself responsible for the lives of his passengers. He took one passenger in the receipt of a large income—say £10,000, and another with £1,000 a year. They all paid the same passage money; but if any accident happened, the shipowner found himself an assurer of the life of each passenger, according to risks of which he had no knowledge. It seemed only reasonable, that if persons thought their lives of such extreme value, they should themselves assure them, and not call upon the shipowner to be the assurer because he happened to be the carrier. The shipowner ought, he contended, to be at liberty to limit his responsibility for each life on board his vessels.

Mr. LIDDELL said, in the case of steamers carrying passengers it might be desirable that some limit should be fixed. But there were many steamers that never carried passengers at all, and it was hard that an absolute limit of £15 per ton should be fixed without allowing for the space for the engines. If a man made arrangements for expensive machinery, and allotted to it a sufficient space for its proper working, the practical effect of the Act would be to fine him for taking such precautions. He thanked the Government for the concessions which they had made in the case of sailing vessels, in reducing the liability from £15 to £8 per ton; but he thought they would do a grievous injustice if they exacted from the shipowner an amount of liability calculated on the gross tonnage of the ship, allowing nothing for the space occupied by the engines and machinery.

Mr. CRAUFURD said, that he had no objection to the clause on principle, but he objected to its form, because it contained no apportionment of the £15 per ton—that was to say, it did not declare how much was to go where loss of life occurred, and how much where only loss of goods took place. There were no words in the clause which distributed the damage, and therefore the putting it into force would be attended with disputes and difficulties.

Mr. BLAKE said, he agreed with those who thought that great injustice would be inflicted upon owners of steam-ships if the clause were persevered with, and it would also be injurious to the public, because a premium would really be put upon the diminution of engine power on board steamers. The result of an insufficiency of engine power had been proved in the case of the Royal Charter.

Mr. MOFFATT urged, that the owners of steam shipping were somewhat hardly dealt with. He should ask the Committee to strike out the Amendment of the President of the Board of Trade, and revert to the original intention of the Bill. It was proposed originally to have only such a rate of liability as would give something like a fixed value to each ship. It was a fact patent to all that before the rupture of the United States the Americans were becoming the great carriers of emigrants, even to our own colonies; and within the next three years but little of that passenger traffic would have been left to English shipowners. The reason was that English shipowners were under heavier liabilities for loss or damage than those of any other nation. As to the conveyance of emigrants, the American shipowners were under no restrictions whatever. The clause violated every previous agreement and understanding with regard to steamships. The measured tonnage differed from the registered tonnage, and in steamships a great portion of the carrying power was taken up by the engine. By his Amendment he simply proposed to give such a distinct definition of the liability as should represent an equal degree of it both for sailing ships and steamers.

Mr. MILNER GIBSON said, the clause set up no new liability for shipowners. It should be borne in mind that there was a third party, the general public, whose interest they were also bound to consider. The liability could only arise in cases of culpable fault on the part of those who actually did the damage; in that case the owners were, in accordance with the general law of the country, liable for the acts of their servants. The Bill did, to a great extent, limit the liability of shipowners. It was a question of degree; many persons objected to any limitation at all. The principle of unlimited liability had been broken in upon, and the Government had now made a further reduction in the amount of it; but, on the whole, he thought they had gone as far as they ought to in justice to the public. By placing the particular amount on the tonnage of the ship they did away with all differences between the liability of a valuable ship and of a ship of comparatively small value, and they also carried out the unanimous recommendation of the Committee.

Mr. COLLIER said, the question was, upon what principle would they make a distinction between steamships and sailing vessels? The proposal of the President of the Board of Trade offered a premium to shipowners to diminish the engine room, and he thought the proposal of the hon. and learned Member for Belfast (Sir H. Cairns) the better and more acceptable of the two.

Mr. HENLEY said, that Lord Campbell's Act entailed a statutable liability upon shipowners of which they had no idea at the time, and it was proposed to mitigate it. It was mitigated in 1856, and it was now proposed to carry the mitigation further. All parties agreed that it was reasonable to do so. But the proposal of the President of the Board of Trade was to put an equal value upon all ships per ton, because they did not want bad ships at sea, forgetting that there were different classes of ships. It was clear that the large class of sailing ships and steam-ships had been well looked after, in contradistinction, not to the old and bad, but to the small and valuable ships. Steam-ships were worth more per ton, taking class for class, than sailing ships; but, instead of putting more liability on steam-ships and less on sailing ships, the President of the Board of Trade accommodated matters by a new system of measurement for steamships. There was no principle in what they were about. Whether rough justice or rough injustice would be done he did not pretend to say, but he rather thought that rough injustice would be done to the humbler class of shipowners—men who owned coasting vessels of from 100 to 200 tons.

Mr. J. C. EWART said, he concurred in the opinion that a positive premium would be offered to give as little steam power as possible. He also thought that the clause would inflict gross injustice, and he therefore hoped the Committee would support the Amendment of the hon. and learned Member for Belfast.

Sir GEORGE BOWYER said, it was admitted that the liability of the shipowners ought to be limited, and it seemed to him a reasonable principle to regulate the liability according to the value of the ship. The difference between sailing ships and steam-vessels was obvious. In the one case the whole space was available for freight, while in the other a considerable portion was occupied by the machinery. It was for the interest of the public that the machinery of steam-vessels should be of adequate power, and therefore he hoped the Amendment would be agreed to.

Sir HUGH CAIRNS observed, that the right hon. Gentleman had several times stated that the Report of the Committee of 1860 was in favour of the provisions in the Bill. He differed from the right hon. Gentleman, and would read the recommendation of the Committee—

> "At present the law inflicts a heavier punishment upon the owner of the vessel best adapted to provide (from her superior construction) for the safety of passengers; and the responsibility of the owner actually increases with the increased means he employs for the health, safety, and comfort of those who embark in his vessel. Your Committee are therefore of opinion that an absolute sum of £15 per ton gross register—[that meant registered tonnage without deduction]—should be established as the definite value of the ship, and that all consideration of freight should be excluded."

There was but one register of tonnage, the gross tonnage alone was registered. He insisted that the Committee's Report was in favour of his Amendment.

Mr. MILNER GIBSON said, he differed from the hon. and learned Gentleman in the construction he had placed upon the Report of the Committee. If the Committee meant the registered tonnage only, they would have said so; but the terms used were the "gross registered tonnage." Why was the word "gross" used, except as embodying a meaning different to that of "net"? Did any one suppose that a steamer was not worth more than £8 a ton on her gross tonnage, though that was the proposed limit of liability? The proposal made in the Bill reduced the liability below the limit fixed by the Committee; but the Amendment would restrict that liability further, and to an extent which was not consistent with the public interest. They were asked to take the registered tonnage of steam-ships, though the engines occupied perhaps half the room, and whilst in the case of sailing ships the liability was £8 a ton upon the whole of the tonnage of the ship.

Mr. MAGUIRE said, he held that what the steam shipowners required was not exemption from liability, but that the liability should be a fair one. Take the Holyhead vessels: was there any analogy between them and the ordinary Cork carrying ships, and was it fair to make one of those vessels, one half of which was necessarily engine room, liable to the same extent as the others? The result of the right hon. Gentleman's proposal would be to induce the owners of these packets to reduce the motive power, in order to reduce the engine room chargeable as tonnage, and the public would suffer in proportion.

Sir HUGH CAIRNS said, he joined issue with the right hon. Gentleman as to

the meaning of the Committee in their Report. The Committee agreed, that instead of taking the actual value of the ship, a certain sum for registered tonnage should be fixed, so as to be fair between the shipowner and the public; and that was, indeed, suggested by Mr. Farrar, an officer of the Board of Trade, who must have known very well what he meant when he spoke of registered tonnage.

Mr. MILNER GIBSON said, he would desire hon. Members to recollect that the question related not merely to the amount of registered tonnage, but to the pecuniary rate per ton. The Committee recommended an absolute rate of £15 per ton; but while retaining that sum where life was in question, he had reduced it to £8 for goods.

Sir HUGH CAIRNS thought that the right hon. Gentleman had completely changed his ground. He first said that he supported the recommendation of the Committee, and then departed from it. He believed the shipping interest preferred the proposition of the Committee without the right hon. Gentleman's Amendment.

Mr. MOFFATT complained that the right hon. Gentleman had departed from the proposal he formerly made to the shipowners to fix the rate at £15 per ton, allowing a deduction of a third for engine room.

Mr. LAIRD said, that the proposal made by the right hon. Gentleman the President of the Board of Trade was made in a confidential conversation; it was not accepted by the representatives of the shipping interest; and he thought it ought not to be used upon the present occasion against the right hon. Gentleman. He hoped, however, that the right hon. Gentleman would not make the charge upon the gross tonnage, as he proposed to do.

Question, "That the words proposed to be left out stand part of the Clause," put, and *negatived*.

Words *added*.

Amendment proposed,

> To add the words "in the case of sailing ships, and in the case of steam ships the gross tonnage without deduction on account of engine room; in the case of any Foreign ship which has been or can be measured according to British Law, the tonnage as ascertained by such measurement shall, for the purposes of this Section, be deemed to be the tonnage of such ship; in the case of any Foreign ship which has not been and cannot be measured under British Law, the Surveyor General of Tonnage in the United Kingdom, and

the chief measuring officer in any British possession abroad, shall, on receiving from or by direction of the Court hearing the case, such evidence concerning the dimensions of the ship as it may be found practicable to furnish, give a certificate under his hand, stating what would, in his opinion, have been the tonnage of such ship if she had been duly measured according to British Law, and the tonnage so stated in such certificate shall, for the purposes of this Section, be deemed to be the tonnage of such ship."

Sir HUGH CAIRNS said, he would propose his Amendment.

Amendment proposed to the proposed Amendment,

By leaving out the words "in the case of sailing ships, and in the case of steam ships gross tonnage without deduction on account of engine room."

Mr. MILNER GIBSON said, that the Committee having agreed to the rate of £8 per ton, he could not assent to reducing the amount of the tonnage chargeable. The existing liability of the *Scotia* steamer for goods was upwards of £100,000; his Amendment would reduce it to £56,000; and the hon. and learned Gentleman's Amendment upon his Amendment would reduce it to £30,000. Rather than agree to the omission of these words he would prefer the rejection of the clause.

Mr. BENTINCK said, that singular misconception had prevailed in the Committee on the whole subject, according to his view of the meaning of the words "registered tonnage."

Viscount PALMERSTON said, he could not understand the great tenderness which hon. Gentlemen seemed to feel for steamships causing damage to other ships which they met. If he were not officially connected with his right hon. Friend, but were exercising an independent judgment on his proposal, he should say that that proposal failed in this, that the true principle which ought to be applied to damage done by steam-vessels or any other instruments conducted by man must be the value of the damage done—not the quality or the value of the instrument causing it. If there was any fault in the proposal of his right hon. Friend, it was that it went too far in mitigation of the liability of steam-ships for damage, and he hoped that the House would not do anything so manifestly unjust as still further to limit their responsibility.

Question put, "That the words proposed to be left out stand part of the proposed Amendment."

The Committee *divided*:—Ayes 103; Noes 90: Majority 13.

Mr. MOFFATT moved to add the following words:—

"Nor shall such damages, in each case of loss of life or personal injury, exceed £100 for each first-class, £80 for each second-class, and £50 for each third-class passenger."

Mr. MILNER GIBSON said, that he did not know by what means the hon. Member had arrived at his estimate of the value of the life of first-class passengers, and at the conclusion that it never would be worth more than £100 in any case. He could not agree to any such proposal; but he must leave damages to be assessed by juries according to the laws of the country, without laying down any arbitrary rule.

Amendment *negatived.*

Clause *ordered* to stand part of the Bill.

Clause 53 *agreed to.*

Clause 61 (Legal Procedure).

Mr. MILNER GIBSON said, he proposed to retain the clause. It was a mere question of saving a little to the public without diminishing the efficiency with which proceedings under the Act would be carried on.

Mr. HENLEY said, he wanted to know why a clerk of the Customs was to be at liberty to come into any record court in the kingdom, and prosecute in cases of misdemeanour under the Act, instead of a solicitor or barrister. He thought that the party under such circumstances would not have fair play afforded him. A mere clerk might do that which a professional man would not dare to do. He hoped that the right hon. Gentleman would let those prosecutions be conducted as they had hitherto been. The number of misdemeanours created by the Act was enormous, and it appeared to him that the power proposed to be given by the clause was monstrous, and contrary to the ordinary rules of justice.

Mr. Alderman SALOMONS said, he coincided with the right hon. Gentleman the Member for Oxfordshire in his objection to the principle involved in the clause.

Mr. MILNER GIBSON said, he confessed he had no particular predilection for the clause, but it was intended by it only to enact what had been enacted in the Customs Consolidation Act. He would not, however, press the clause.

Clause *negatived.*

Mr. MILNER GIBSON said, he proposed to leave out the 47th clause, and to insert another in its stead, to give summary jurisdiction to two justices of the peace in salvage cases, and to prevent unnecessary appeals and litigation.

Mr. HENLEY said, he thought that the clause ought to be framed so as to give the magistrates an option whether they would act or not in cases of the kind. As the clause stood it was to be in the power of the Secretary of State to appoint the rota which was to try these cases.

Sir HENRY STRACEY said, that the jurisdiction of the two justices had been found to work well, and he did not expect more appeals than formerly under this clause.

Mr. MILNER GIBSON said, he thought the Home Secretary would not appoint a justice without his consent. But he would confer with his right hon. Friend the Secretary of State; and if a few words could be added to effect the purpose, it should be done, and the amended clause brought up on the Report.

Clause *agreed to.*

Sir JAMES ELPHINSTONE said, he wished to move the following clause:—

"That on and after the 1st day of January, 1863, all chain-cables, and anchors bought or sold for use on board British ships registered in the United Kingdom, shall be impressed with an official proof-mark as evidence of having been subjected to an authorized proof equal to the tensile strain applied by Admiralty regulations to all cables and anchors used in the Royal Navy; the Board of Trade to be empowered to make such rules and regulations thereon as may from time to time appear necessary to insure the general efficiency of ships' ground-takle; to grant licences to public and corporate bodies; to apply the required test and authorized proof to all such cables and anchors; to impress a proof mark, and to give proof certificates thereof for production when required."

He had that evening presented a petition from a large number of public companies, shipowners, insurance companies, and others in favour of the clause. The Committee of Lloyd's were constructing testing machines with an intention of imposing the test upon all ships coming under this regulation.

Mr. MILNER GIBSON said, he feared it would be considered very vexatious to the merchant service if no ship of any kind should be permitted to purchase cables unless marked with a proof mark. But, at any rate, before they were prevented from so doing, machinery ought to be provided for testing anchors and chains in all parts of the kingdom. The Board of Trade would likewise have duties imposed upon them which, as at present advised, they did not think they could well perform.

Mr. HUTT said, that as a Member of the Select Committee which sat upon the subject, he wished to remind the hon. Member that the Committee had been very unwilling to recommend any compulsory measures. He could only say that the information which reached him with regard to the intentions of the Committee of Lloyd's differed very much from that which had been received by the hon. Member.

Sir JAMES ELPHINSTONE said, he was willing to withdraw the clause for the present, but, at the same time, he would state his intention of submitting it again in an amended form upon the bringing up of the report.

Clause *withdrawn.*

Mr. MOFFATT said, he would move the addition of the following clause, to follow Clause 52:—

"Insurances effected against any or all of the events enumerated in the Section last preceding shall not be invalid by reason of the nature of the risk."

Mr. MILNER GIBSON said, his objection to the clause was, that all the risks referred to were provided for by the law as it stood.

The SOLICITOR GENERAL wished to caution the Committee against idly introducing a clause of the description proposed, which would only have the effect of throwing doubt on the existing law.

Mr. HENLEY suggested that the clause should be withdrawn, and that the Government should take the best advice between that time and the report whether the law was uncertain or not. He (Mr. Henley) had heard that the law upon the subject was at present doubtful.

Mr. AYRTON observed, that the doubt arose from the possible want of interest in the person insuring, and that some declaratory enactment perhaps ought to be passed to prevent open insurances on the lives of persons in whom the insurers had no interest.

The ATTORNEY GENERAL said, he concurred with the opinion of the Solicitor General that there was no doubt in the world about the fact that the clause was uncalled for.

Mr. MILNER GIBSON said, he would

take the recommendation of the right hon. Member for Oxford, and consider the clause before the bringing up of the report.

Clause *postponed.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Friday,* and to be *printed* [Bill 136].

COUNTY SURVEYORS (IRELAND) BILL.

[BILL NO. 122.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. H. A. HERBERT said, he understood that the Bill not only altered the mode of examining the assistant county surveyors, but transferred their appointment from the grand juries to the Lord Lieutenant. He hoped that part of the Bill would be expunged.

Sir ROBERT PEEL said, the simple object of the Bill was to alter the existing system of examining county surveyors. He would take care that the clause complained of by his hon. Friend should be amended.

Lord NAAS said, he objected to that portion of the Bill to which the right hon. Gentleman had called attention. At the same time, he thought that the other portion, which related to the transfer of the examinations of surveyors to the Civil Service Commissioners, might be beneficial.

Mr. VINCENT SCULLY complained of the uncertainty which prevailed as to the hour when Irish business would come on.

Motion made, and Question proposed, "That the Debate be now adjourned."

Mr. WHITESIDE said, he would express a hope that the right hon. Gentleman the Secretary for Ireland would give a distinct assurance that he was prepared to adopt the suggestion made by the right hon. Member for Kerry, and withdraw that portion of the Bill to which he had raised objection.

Sir ROBERT PEEL said, he would strike out the objectionable clause.

Mr. VINCENT SCULLY said, he would withdraw his Motion.

Motion, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Thursday.*

House adjourned at a quarter before Two o'clock.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CLXVI.

SECOND VOLUME OF SESSION 1862.

EXPLANATION OF THE ABBREVIATIONS.

1*R.* 2*R.* 3*R.* First, Second, or Third Reading.—*Amend.*, Amendment.—*Res.*, Resolution.—*Com.* Committee.—*Re-Com.*, Re-Committal.—*Rep.*, Report.—*Adj.*, Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*l.*, Lords.—*c.*, Commons.—*m. q.*, Main Question.—*o. q.*, Original Question.—*o. m.*, Original Motion.—*p. q.*, Previous Question.—*r. p.*, Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st Div.*, *2nd Div.*, First or Second Division.

☞ When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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ERRATA.

Page 378, line 4, *for* "Sir W. Young," *read* "Sir John Young."
Page 990, line 18 from bottom, *for* "upset their seniors," *read* "enable their seniors to retire."
Page 1178, line 17 from bottom, *for* "Sir Henry Bruce," *read* "Sir Hervey Bruce."

END OF VOLUME CLXVI., AND SECOND VOLUME OF SESSION 1862.

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